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(Rev. 05-01-2008)

UNCLASSIFIED

# FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE Date: 09/03/2008

To: ✓ Chicago Attn: ✓ WC-3
SA [redacted]

b6 -1
b7C -1

From: Tampa
Fort Myers Resident Agency
Contact: SA [redacted]

Approved By: [redacted]

Drafted By: [redacted] cab

Case ID #: 282A-CG-126294 -33

Title: JOHN BURGE ET AL - SUBJECTS;
ANDREW WILSON, [redacted]
[redacted] VICTIM
CIVIL RIGHTS - COLOR OF LAW- FORCE &/OR VIOLENCE

b6 -2
b7C -2

Synopsis: Lead covered set to Tampa.

Reference: 282A-CG-126294 Serial 32

Details: On 08/28/2008 SA [redacted] traveled to [redacted] and confirmed this is the permanent residence of [redacted] Date of Birth [redacted] SSAN [redacted] His phone number is [redacted]

b6 -1,-4
b7C -1,-4

UNCLASSIFIED

247cabol.ec

19-cv-4048(FBI)-2966

To: Chicago From: Tampa
Re: 282A-CG-126294, 09/03/2008

**LEAD(s):**

**Set Lead 1: (Action)**

CHICAGO

AT CHICAGO

Read and Clear

♦♦



19-cv-4048(FBI)-2967

(Rev. 05-01-2008)

UNCLASSIFIED

# FEDERAL BUREAU OF INVESTIGATION

**Precedence:** ROUTINE **Date:** 08/22/2008

**To:** Chicago **Attn:** ODC

**From:** Chicago
WC-3
**Contact:** SA [redacted] b6 -1 b7C -1

**Approved By:** [redacted]

**Drafted By:** [redacted] kkk KK

**Case ID #:** 282A-CG-126294 ~~(Pending)~~ -34

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

**Synopsis:** To request the assignment of a Forfeiture Paralegal to the captioned case.

**Details:** Due to future forfeiture issues and the need for a current financial analysis of Jon Burge's assets, it is requested that [redacted] be assigned as Forfeiture Paralegal Specialist on the above captioned case. b6 -1 b7C -1

♦♦

UNCLASSIFIED

234 KKK01.ec



282A-CG-126294-KK-34 (X)

(Rev. 05-01-2008)

UNCLASSIFIED

# FEDERAL BUREAU OF INVESTIGATION

**Precedence:** ROUTINE **Date:** 09/19/2008

**To:** Chicago **Attn:** SA [redacted]
WC-3

**From:** Tampa
FMRA
**Contact:** SA [redacted]

b6 -1
b7C -1

**Approved By:** [redacted]

**Drafted By:** [redacted] mbh

**Case ID #:** 282A-CG-126294-35 (~~Pending~~)

**Title:** Jon Burge;
Et Al;
Civil Rights

**Synopsis:** Covered lead.

**Reference:** 282A-CG-126294 Serial 28 & 32

**Details:** Inasmuch as Chicago set two identical leads in serials 28 and 32, the lead set forth in serial 28 is considered covered. The Tampa Division, Fort Myers RA will pursue no further investigation in relation to the lead set forth in serial 28 of caption case inasmuch as the same lead was set in serial 32 and assigned to other personnel.

UNCLASSIFIED

To: Chicago From: Tampa
Re: 282A-CG-126294, 09/19/2008

LEAD(s):

Set Lead 1: (Action)

CHICAGO

AT CHICAGO, IL

Read and clear.

♦♦



19-cv-4048(FBI)-2972

(Rev. 01-31-2003)

# FEDERAL BUREAU OF INVESTIGATION

**Precedence:** ROUTINE **Date:** 09/19/2008

**To:** Chicago **Attn:** SST [redacted] b6 -1 b7C -1

**From:** Chicago
WC-3
**Contact:** [redacted]

**Approved By:** [redacted] JC

**Drafted By:** [redacted] jao

**Case ID #:** 282A-CG-126294 ~~(Pending)~~ -36

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

**Synopsis:** Administrative requests. b6 -1 b7C -1

**Details:** Assign SA [redacted] as co-case Agent of the captioned investigation as he has been working on the case since May 2008.

♦♦

ASSIGN SA [redacted] b6 -1 b7C -1 as co-case agent
TDC 9-19-08
09/22/08

 282a-CG-126294-36 263jao01.ec am2

282A-C6-126294-X

[redacted] KIC

37

b6 -1
b7C -1

282A-CG-126294-38

[redacted]

b6 -1
b7C -1

282A-CG-126294-39

[redacted]

b6 -1
b7C -1

282A-CG-126294-~~X~~ 40

b6 -1
b7C -1

282A-CG-126294-SF 41

[redacted]

b6 -1
b7C -1

b6 -1
b7C -1
b7E -3

FROM: FORFEITURE ASSET SEIZURE TEAM, SQUAD ODC

RE: CERTIFIED [redacted] AND/OR [redacted] SEARCHES

Please find enclosed copies of the [redacted] you requested from your Forfeiture Paralegal Specialist. Do Not Send the copies [redacted] to the FF Sub File. These copies are for your case file. If you have any questions, please contact your Paralegal Specialist (PS) [redacted]

(Rev. 05-01-2008)

UNCLASSIFIED

# FEDERAL BUREAU OF INVESTIGATION

**Precedence:** ROUTINE **Date:** 09/30/2008

**To:** Tampa **Attn:** SSA [redacted] b6 -1 b7C -1

**From:** Chicago
WC-3
**Contact:** SA [redacted]

**Approved By:** [redacted] TK

**Drafted By:** [redacted] er ER

**Case ID #:** 282A-CG-126294 ~~(Pending)~~ -42

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

**Synopsis:** To request assistance from Tampa Division in arrest of Jon Burge.

**Details:** **Case Summary**

Chicago Police Commander Jon Burge, and others under his command, allegedly committed several acts of torture in order to coerce confessions from subjects in the 1970's, 1980's, and 1990's. Over 100 victims have alleged over the years that Burge and those in his command had tortured them while in police custody. Burge had gained notoriety due to several civil lawsuits and the methods of alleged torture, which included cattle prods, burning, suffocating, and a black box used to shock victims. Public pressure brought about an internal investigation which led to his firing in 1993.

A recent investigation was conducted by a Special Prosecutor's Office (SPO) which obtained over 500,000 pages of documents pertaining to Burge. It was also determined by the SPO that any acts of torture could no longer be prosecuted by the state due to statutory limitations, thus ending their investigation. The Northern District of Illinois U.S. Attorney's Office was asked to take a fresh look at the allegations against Burge to determine if federal charges were warranted. Around October of 2007, U.S. Attorney Patrick Fitzgerald publicly

Set 09/30/08

UNCLASSIFIED

TK 9-30-08
Set lead to Tampa Division

b7E -3

[redacted]

19-cv-4048(FBI)-3035 282a-CG-126294-42

announced intention to investigate allegation of torture by the Chicago Police Department in Area 2, where Burge had served as a Sergeant, Lieutenant and Commander.

Upon initial review, it was determined that an attempt to charge Burge and his associates with civil rights violations pertaining to torture would be unlikely, due to statute limitations and the fact that there was no indication that any victim was killed as a result of the torture. However, since Burge made statements under oath during a civil lawsuit in 2003, that he never observed or had any knowledge of torture, perjury and obstruction charges remain a viable option until the statute expires in November of 2008. In the course of the investigation, [redacted] have been interviewed or appeared before the Grand Jury, along with [redacted] b3 -1

AUSA [redacted] AUSA [redacted] AUSA [redacted] and Department Of Justice Attorney [redacted] are assigned to the case. The attorneys have drafted [redacted] b5 -1,-2 b6 -3 b7C -3

**Operational Details**

[redacted] b6 -1 b7C -1 b7E -5

SAC Chicago and SAC Tampa concur with [redacted]



19-cv-4048(FBI)-3036

To: Tampa From: Chicago
Re: 282A-CG-126294, 09/30/2008

**LEAD(s):**

**Set Lead 1: (Action)**

TAMPA

AT TAMPA, FLORIDA

It is requested that [redacted]

[redacted] b7E -5

♦♦



19-cv-4048(FBI)-3037

(Rev. 05-01-2008)

UNCLASSIFIED

# FEDERAL BUREAU OF INVESTIGATION

**Precedence:** ROUTINE **Date:** 10/06/2008

**To:** Chicago **Attn:** A/ASAC [redacted] b6 -1 b7C -1

**From:** Chicago
WC-3
**Contact:** [redacted]

**Approved By:** [redacted]

**Drafted By:** [redacted] jao

**Case ID #:** 282A-CG-126294 ~~(Pending)~~ -43

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

**Synopsis:** To request authorization for travel to Tampa, Florida division for the surveillance and arrest Jon G. Burge.

**Details:** An investigation into acts of torture, perjury, obstruction of justice, conspiracy to obstruct justice, and other offenses committed by Chicago police officers under the command of Jon Burge during the period from 1973 to the present is being conducted.

[redacted] b6 -1 b7C -1 b7E -5

[redacted] b6 -1 b7C -1 b7E -5

UNCLASSIFIED

282a-cg-126294-43

19-cv-4048(FBI)-3038 280jao01.ec

To: Chicago From: Chicago
Re: 282A-CG-126294, 10/06/2008

[redacted] b6 -1 b7C -1 b7E -5

SAC Chicago and SAC Tampa have been advised and concur with the planned events and travel arrangements. An EC (reference 282A-CG-126294 Serial 42) was sent to FBI Tampa providing the background of the investigation. SA [redacted] from FBI Tampa, has been assigned as Team Leader for the arrest. b6 -1 b7C -1

♦♦

(Rev. 01-31-2003)

# FEDERAL BUREAU OF INVESTIGATION

**Precedence:** ROUTINE **Date:** 10/17/2008

**To:** Chicago

**From:** Chicago
WC-3
**Contact:** [redacted] b6 -1 b7C -1

**Approved By:** [redacted]

**Drafted By:** [redacted] jao JAO

**Case ID #:** 282A-CG-126294 ~~(Pending)~~ -44

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

**Synopsis:** To request holiday pay for SA [redacted] for working on the captioned investigation. b6 -1 b7C -1

**Details:** Columbus Day, a federal holiday, was observed on Monday, 10/13/2008. Jon Burge was indicted on 10/16/2008. An arrest is planned for 10/21/08. SA [redacted] will assist with the surveillance and arrest of BURGE which will cause her to work over four days in a holiday pay week. Please authorized SA [redacted] SSAN [redacted] for holiday pay while supporting the captioned investigation. b6 -1 b7C -1

♦♦

282a-cg-126294-44



291a001.ec

(Rev. 01-31-2003)

# FEDERAL BUREAU OF INVESTIGATION

**Precedence:** ROUTINE **Date:** 10/10/2008

**To:** Chicago

**From:** Chicago
WC-3
**Contact:** [redacted] b6 -1 b7C -1

**Approved By:** [redacted]

**Drafted By:** [redacted] jao

**Case ID #:** 282A-CG-126294 ~~(Pending)~~ -45

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

**Synopsis:** To request holiday pay for working on the captioned investigation.

**Details:** Columbus Day, a federal holiday, will be observed on Monday, 10/13/2008. An indictment against Jon Burge is expected on 10/16/2008 with the arrest planned for the following week. SA [redacted] SSAN [redacted] is requesting authorization to work on the federal holiday in preparation for the indictment and arrest of Burge. b6 -1 b7C -1

♦♦

282a-CG-126294-45



284ja001.ec

(Rev. 05-01-2008)

UNCLASSIFIED

# FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE Date: 10/21/2008

To: Tampa Attn: Squad 10

From: Tampa
Squad 10
Contact: [redacted] b6 -1 b7C -1

Approved By: [redacted]

Drafted By: [redacted]: jml

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

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

Synopsis: To report lead coverage.

Details: On October 21, 2008, FBI Tampa and FBI Chicago Special Agents (SA) arrested Jon Burge on a Warrant for Arrest issued by the United States District Court, Northern District of Illinois, Eastern Division for Perjury Generally and Obstruction of Justice. At approximately 7:10 a.m., FBI Tampa SA [redacted] SA [redacted] and SA [redacted] b6 -1 b7C -1 arrested Burge in conjunction with FBI Chicago SA [redacted] SA [redacted] and SA [redacted] Burge was arrested at his home address of 751 Flamingo Drive, Apollo Beach, Florida 33572 without incident. Burge was transported and placed in the custody of the United States Marshals Service in Tampa, Florida by SA [redacted] and SA [redacted] at approximately 9:10 a.m. All arrest logs and FD302 materials were maintained by Chicago FBI agents.

Tampa considers this lead covered.

UNCLASSIFIED

To: Tampa From: Tampa
Re: 282A-CG-126294, 10/21/2008

LEAD(s):

Set Lead 1: (Action)

CHICAGO

AT CHICAGO, ILLINOIS

Read and clear.

♦♦

(Rev. 05-01-2008)

UNCLASSIFIED

# FEDERAL BUREAU OF INVESTIGATION

**Precedence:** PRIORITY **Date:** 10/28/2008

**To:** CJIS **Attn:** [redacted] Supervisory Identification Records Examiner

**From:** Chicago
WC-3
**Contact:** SA [redacted]

b6 -1
b7C -1

**Approved By:** [redacted]

**Drafted By:** [redacted] kkk

**Case ID #:** 282A-CG-126294 ~~(Pending)~~ ✓ -47

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

b6 -2
b7C -2

**Synopsis:** To request NCIC alerts for listed witnesses in captioned investigation.

**Details:** The captioned investigation involves allegations of abuse and torture by subject Jon Burge and officers under his command at Chicago Police Department Area 2 during the 1980's and 1990's. In order to monitor the situation of these victims and determine if law enforcement individuals are attempting to locate them through NCIC queries, writer requests NCIC alerts be placed on the following individuals.

Name: [redacted]
AKA:
DOB:
SSAN:
FBI #:
Last Known Address:

b6 -2
b7C -2

Name:
AKA:
DOB:
SSAN:

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302KKK01.EC.2nd 19-cv-4048(FBI)-3046 282a-cg-126294-47

To: CJIS From: Chicago
Re: 282A-CG-126294, 10/28/2008

Last Known Address: [redacted]

b6 -2
b7C -2

Name: [redacted]
AKA:

DOB:
SSAN:
FBI #:
Last Known Address:

Please provide notification by contacting SA [redacted] at [redacted] if the above individuals are queried through the NCIC system. A message can be left on that contact number if the query occurs during off-hours. In addition, please send an email to [redacted]

b6 -1
b7C -1
b7E -4

To: CJIS From: Chicago
Re: 282A-CG-126294, 10/28/2008

**LEAD(s):**

**Set Lead 1: (Action)**

CJIS

AT CLARKSBURG, WV

Set up NCIC alerts for the listed individuals, to notify SA [redacted] of any inquiries or arrests on the those persons. Notification is requested via voice mail on [redacted] and email at [redacted]

b6 -1
b7C -1
b7E -4

♦♦



19-cv-4048(FBI)-3048

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# State's attorney rivals clash on handling of Burge case

## DEBATE | Peraica accuses 2 longtime prosecutors of inaction

Comments Recommend (7)

October 24, 2008
BY RUMMANA HUSSAIN Criminal Courts Reporter rhussain@suntimes.com

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

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

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

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

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

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

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

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

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

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

### The Jon Burge case

- Feb. 21, 2007: Judge scolds city for delaying Burge settlement
- Feb. 23, 2007: Daley: I'll answer fed's questions
- April 23, 2007: Police torture probe was a sham: groups

282A-CG-126894-53

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# Person of interest in Hudson case William Balfour held for parole violations

Comments Recommend (11)

October 26, 2008

**FROM STNG WIRE AND STAFF REPORTS**

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

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

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

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

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

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

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

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

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

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

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

From Young, Black, and Fabulous

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

**yes keep shooting,you idiots's comment is abusive and has been removed.**

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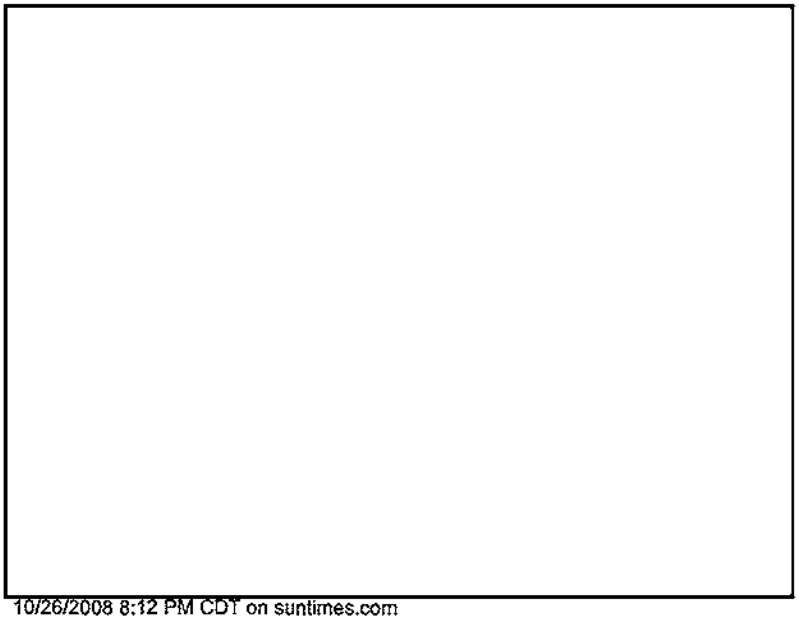

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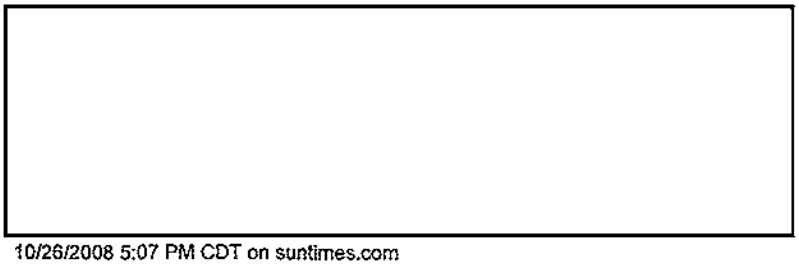

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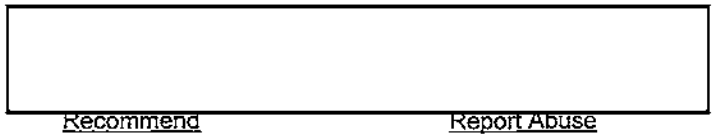

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# Ex-Chicago cop Burge arrested in torture cases

Comments Recommend (7)

October 28, 2008
BY NATASHA KORECKI Federal Courts Reporter

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**Burge case finally arrives at a charge**
From CHICAGO ARGUS

**Dismissing Torture: Finally Unravelling the Secrets of Jon Burge**
From The Provocateur

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

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WC3

## Burge hearing draws crowd

### Demonstrators wait at court for ex-cop in torture scandal

By Jeff Coen

Tribune reporter

October 28, 2008

*Tribune reporter*

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

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

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

**The Road Ahead: Innovation, Conservation, Growth**

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

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

lawsuit over torture claims.

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

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

"Good morning, your honor," Burge answered.

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

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

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

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

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

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

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

jcoen@tribune.com

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# Daley issues sarcastic apology for torture

Comments Recommend (12)

October 24, 2008

**BY FRAN SPIELMAN City Hall Reporter**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### The Jon Burge case

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- **Sept. 21, 2007:** 5 aldermen urge feds to prosecute Burge, cronies
- **Sept. 23, 2007:** Burge suits could cost city $195 mil.
- **Sept. 26, 2007:** Aldermen: End Burge saga
- **Sept. 27, 2007:** U.S. attorney, FBI probing allegations of police torture
- **Oct. 16, 2007:** Man alleging '83 torture by Burge crew gets new trial
- **Dec. 8, 2007:** Settlement reached in Burge police torture cases
- **Dec. 8, 2007:** City settles Burge suit
- **Jan. 3, 2008:** New settlement close in Burge police torture case
- **June 10, 2008:** Retired cops subpoenaed, alleged torture probe into Burge ramping up
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### THE REPORT

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## MORE COVERAGE

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- **Carol Marin:** Outrage lies at the heart of Burge charges
- **Neil Steinberg:** 'No one is above the law'
- **Editorial:** Burge indictment was a good day for justice
- After decades of accusations, Burge finally faces charges
- Daley: Burge torture cases not my fault
- Aldermen want Burge to pay back pension
- Slain cop's mom defends Burge: 'I probably would have done it myself'
- How they claim they were tortured
- Cook County judge still faces claims in torture case
- Timeline of torture allegations against Burge

**Dismissing Torture: Finally Unravelling the Secrets of Jon Burge**
From The Provocateur

**Burge case finally arrives at a charge**
From CHICAGO ARGUS

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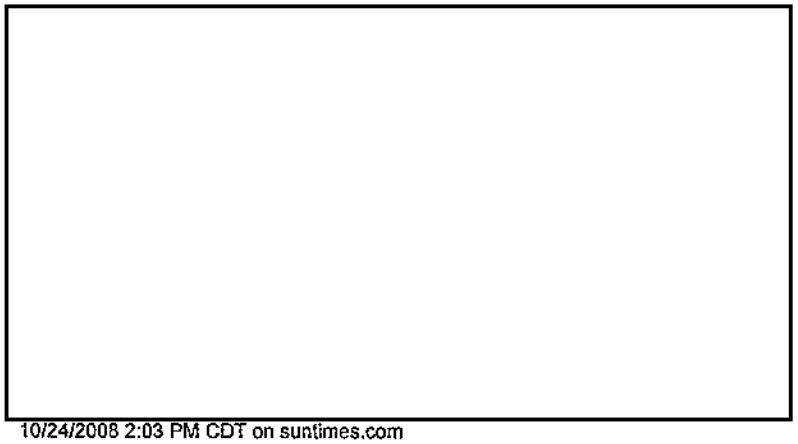

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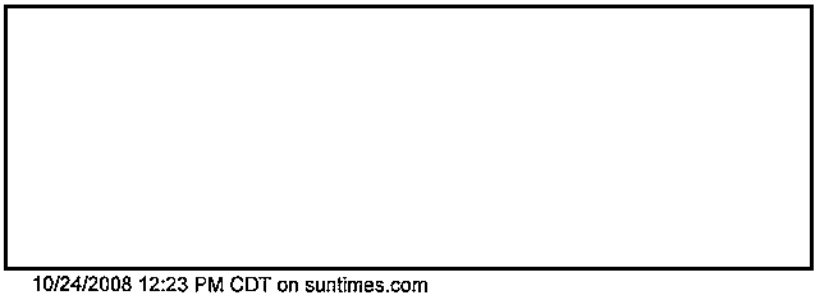

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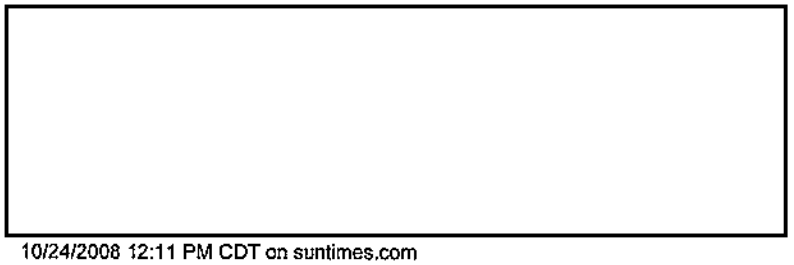

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# Burge indictment was a good day for justice

Comments Recommend (5)

October 22, 2008

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

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

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

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

Another writer called him an "American hero."

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

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

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

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

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

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

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

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

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

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

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

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

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

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

And we pay a moral price: We lower ourselves.

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

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

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

**Chicago Police Boss Jon Burge Arrested In Connection With Ancient Allegations**
From CRIME, GUNS, AND VIDEOTAPE

**Chicago Cop Who Denied Torture Is Indicted**
From TalkLeft: The Politics of Crime

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

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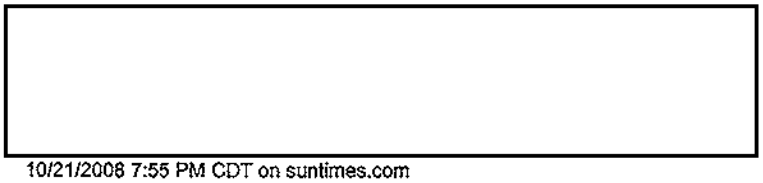

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# Reporter kept the focus on police torture

## Thanks to John Conroy for helping Chicago face the issue

Comments Recommend (2)

October 22, 2008

BY MARK BROWN Sun-Times Columnist

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

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

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

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

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

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

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

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

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

## He started off as skeptical as anyone

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

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

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

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

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

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

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

## 'Nobody wants to believe it'

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

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

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

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

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

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

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

**Chicago Police Boss Jon Burge Arrested In Connection With Ancient Allegations**
From CRIME, GUNS, AND VIDEOTAPE

**Chicago Cop Who Denied Torture Is Indicted**
From TalkLeft: The Politics of Crime

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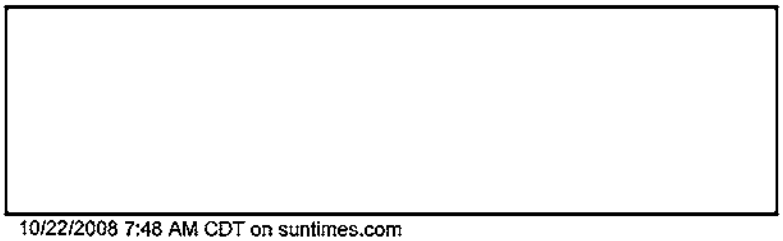

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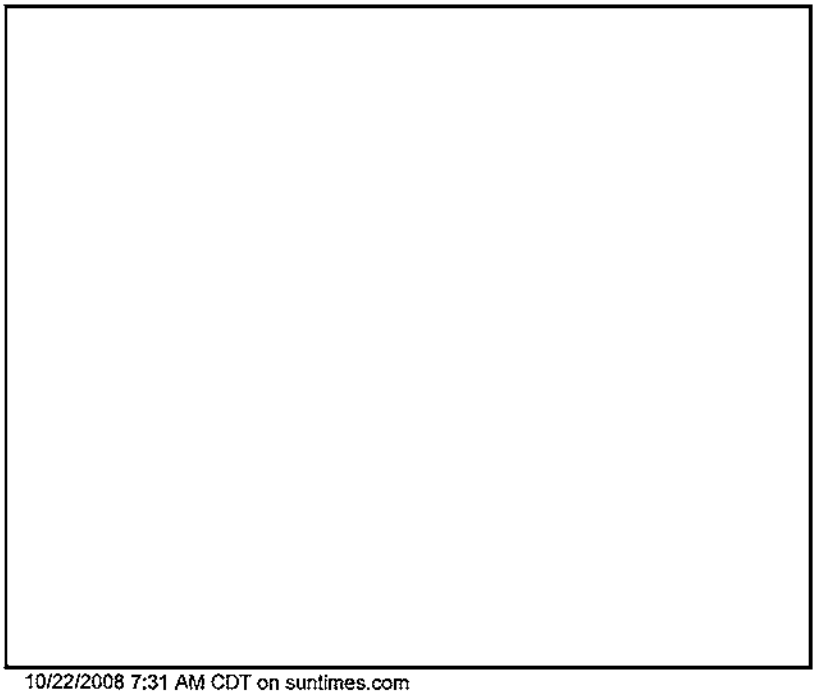

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# Slain cop's mom defends Burge: 'I probably would have done it myself'

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

Comments Recommend (2)

October 22, 2008
**BY ANNIE SWEENEY Crime Reporter/asweeney@suntimes.com**

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

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

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

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

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

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

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

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

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

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

### The Jon Burge case

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- Cook County judge still faces claims in torture case
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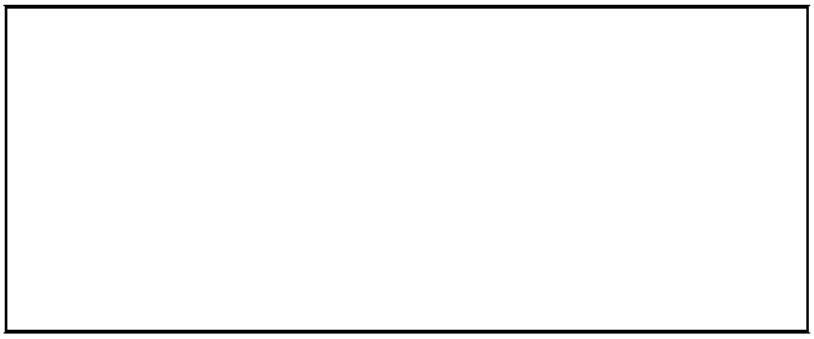

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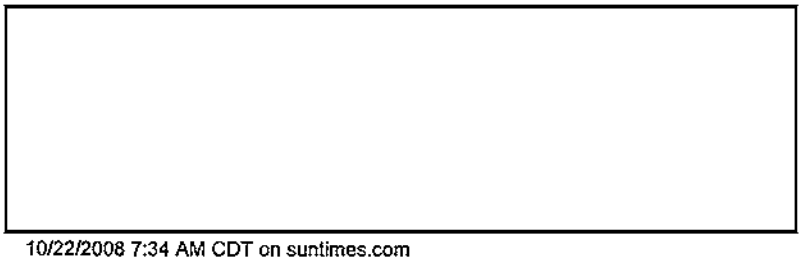

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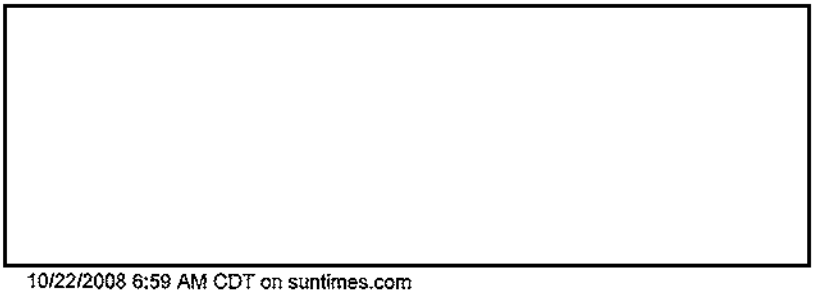

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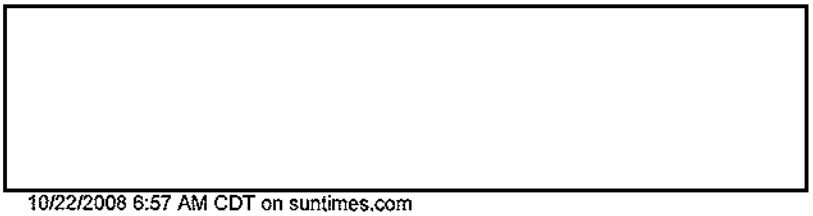

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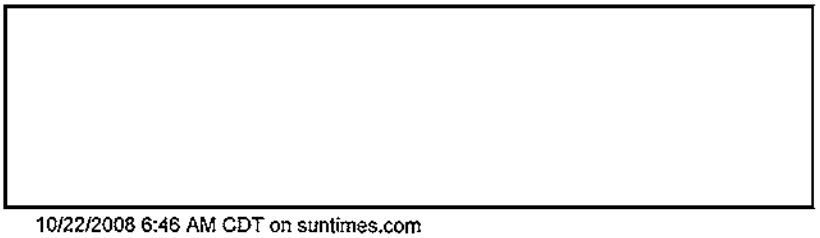

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# Feds punch hole in 'perjury trap,' statute of limitations excuses

Comments Recommend

October 22, 2008

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

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

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

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

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

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

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

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

**Chicago Police Boss Jon Burge Arrested In Connection With Ancient Allegations**
From CRIME, GUNS, AND VIDEOTAPE

**Chicago Cop Who Denied Torture Is Indicted**
From TalkLeft: The Politics of Crime

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# Outrage lies at the heart of Burge charges

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October 22, 2008

**BY CAROL MARIN Sun-Times Columnist**

Justice for Melvin Jones is coming late.

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

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

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

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

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

Here's the story.

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

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

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

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

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

another.

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

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

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

Jack Byrne is one of them.

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

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

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

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

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

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

**Chicago Police Boss Jon Burge Arrested In Connection With Ancient Allegations**
From CRIME, GUNS, AND VIDEOTAPE

**well, well, Matt Jones, finally got suspended**
From Football News From A Chick™

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# 'No one is above the law'

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

Comments Recommend

October 22, 2008

BY NEIL STEINBERG Sun-Times Columnist

**Opening shot ...**

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

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

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

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

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

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

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

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

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

**Petitioner is undaunted**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Of course he is.

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

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

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

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

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

### Today's chuckle ...

From Tony Invergo:

*Blank minds think alike.*

**Andy Martin**
From Harry's Place

**Andy Martin's "Obama Research Team" seeking the "Lost Obama" in Honolulu [File under: Acts of sheer and utter desperation]**
From MOMocrats

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## Burge gets booked

October 22, 2008

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

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

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

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

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

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

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

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

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

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# After decades of accusations, Burge finally faces charges

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October 22, 2008

**BY NATASHA KORECKI nkorecki@suntimes.com**

Jon Burge is arrested in Florida

More videos

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

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

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

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

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

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

JHO

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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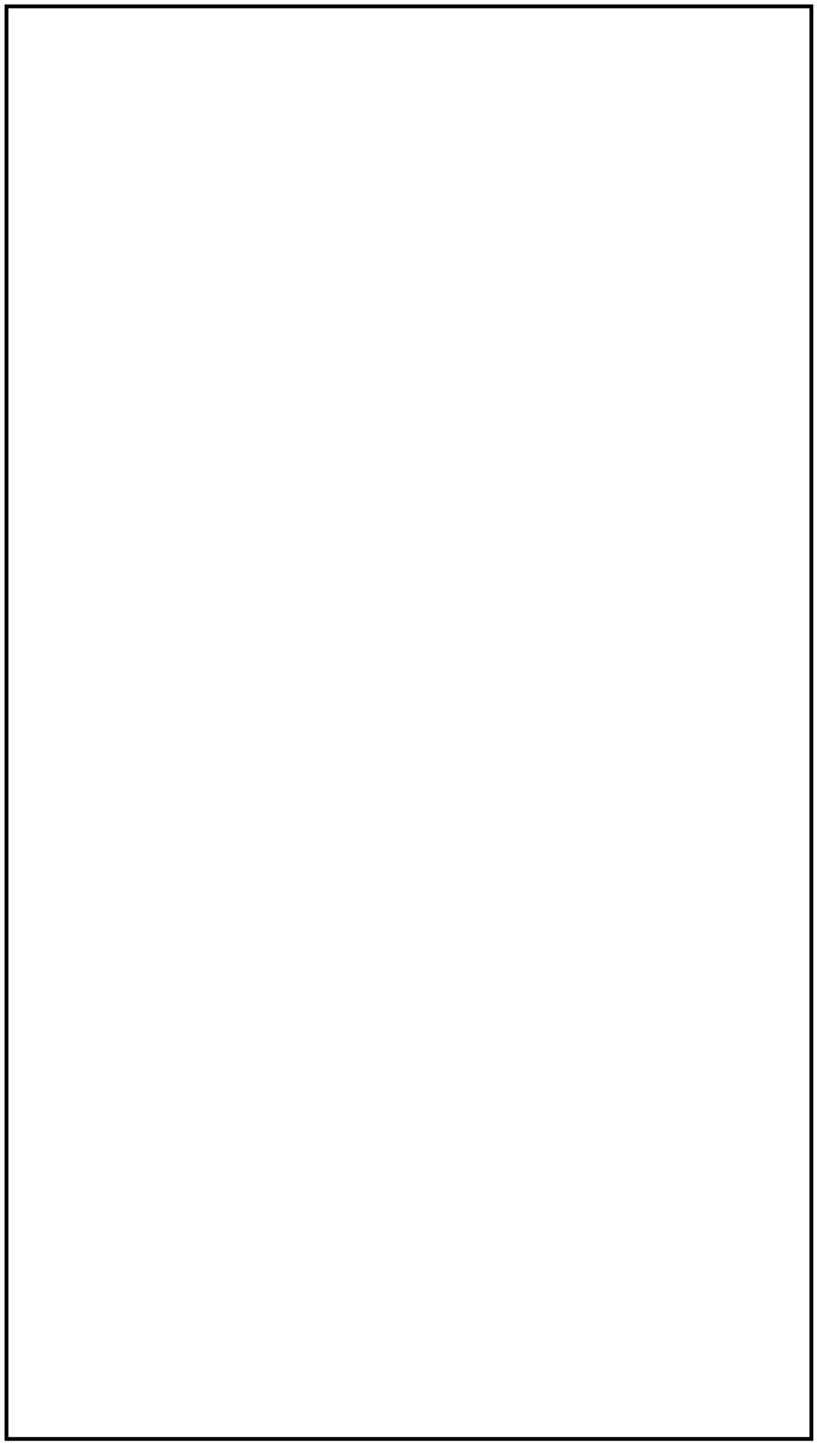

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# Aldermen want Burge to pay back pension

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October 22, 2008

**BY FRAN SPIELMAN City Hall Reporter**

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

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

On Tuesday, the political persistence finally paid off.

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

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

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

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

Now, her faith in the system has been restored.

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

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

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

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

justice.

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

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

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

### The Jon Burge case

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- Cook County judge still faces claims in torture case
- Timeline of torture allegations against Burge

**Chicago Police Boss Jon Burge Arrested In**

**Connection With Ancient Allegations**
From CRIME, GUNS, AND VIDEOTAPE

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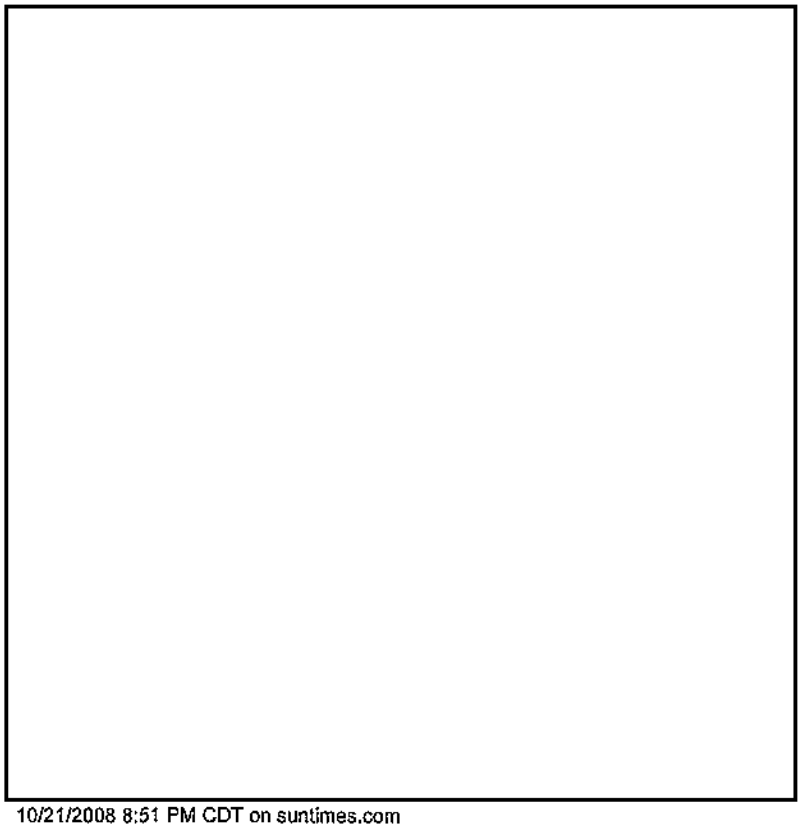

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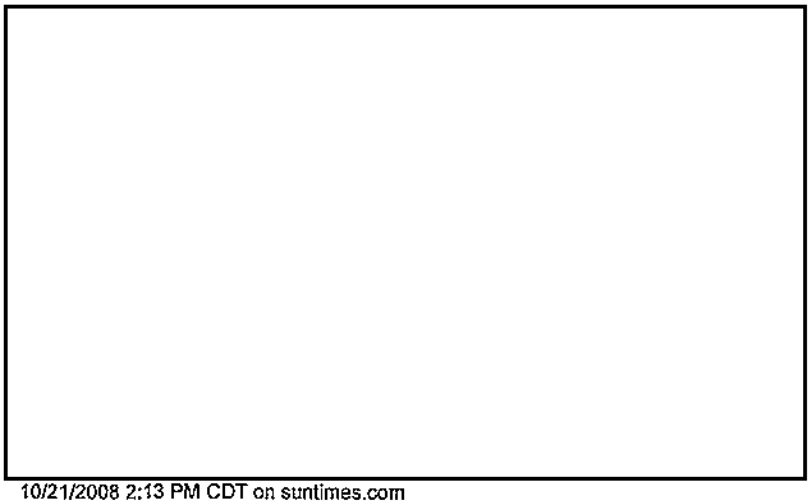

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# How they claim they were tortured

Comments Recommend

October 22, 2008

## DARRELL CANNON, 57

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

## GREGORY BANKS, 45

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

## ANTHONY HOLMES, 61

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

## DAVID BATES, 43

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

## ANDREW WILSON

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

## What they said about Burge's arrest:

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

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

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

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

### The Jon Burge case

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**Chicago Police Boss Jon Burge Arrested In Connection With Ancient Allegations**
From CRIME, GUNS, AND VIDEOTAPE

**McCain Never Tortured, Prison Guard Claims**
From DigitalJournal.com

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# Mayor reverses on who's to blame

Comments Recommend (8)

October 22, 2008
BY FRAN SPIELMAN City Hall Reporter

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

On Tuesday, the mayor changed his tune.

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

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

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

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

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

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

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

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

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

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

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# Cook County judge still faces claims in torture case

Comments Recommend (4)

October 22, 2008
**BY FRANK MAIN Staff Reporter**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

JMO

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

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

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

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

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

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

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

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

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

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

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

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**Chicago Police Boss Jon Burge Arrested In Connection With Ancient Allegations**
From CRIME, GUNS, AND VIDEOTAPE

**Orange County Sheriff's Deputy INDICTED**
From cat dirt sez

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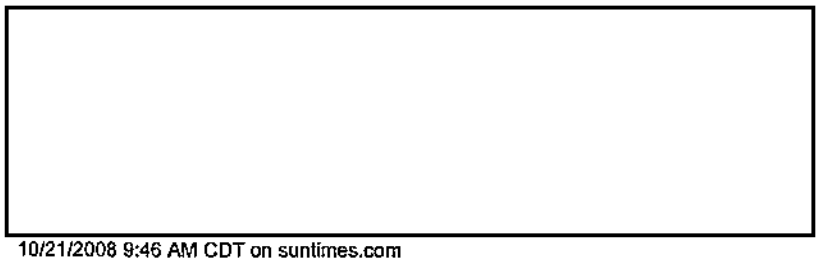

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## Daley takes cake when it comes to Burge mess

John Kass

October 22, 2008

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

With a new focus
comes a new name
for our energy company

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

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

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

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

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

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

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

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

the South Side where Burge was the big shoes.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

So let it be written with vanilla frosting.

So let it be done.

jskass@tribune.com

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# Timeline of torture allegations against Burge

Comments Recommend (7)

October 22, 2008

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

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

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

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

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

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

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

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

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

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

*Sun-Times staff reports*

## The Jon Burge case

- Feb. 21, 2007: Judge scolds city for delaying Burge settlement
- Feb. 23, 2007: Daley: I'll answer fed's questions
- April 23, 2007: Police torture probe was a sham: groups
- July 25, 2007: Aldermen move to strip Burge of his city pension
- Sept. 20, 2007: Fitzgerald urged to indict Burge
- Sept. 21, 2007: 5 aldermen urge feds to prosecute Burge, cronies
- Sept. 23, 2007: Burge suits could cost city $195 mil.
- Sept. 26, 2007: Aldermen: End Burge saga
- Sept. 27, 2007: U.S. attorney, FBI probing allegations of police torture

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# Police union to pick up tab for Burge's defense

Comments Recommend (7)

December 5, 2008

BY LISA DONOVAN Staff Reporter/ldonovan@suntimes.com

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

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

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

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

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

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

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

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

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

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

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

100

U.S. Department of Justice

*United States Attorney*
*Northern District of Illinois*

*Patrick J. Fitzgerald*
*United States Attorney*

*Federal Building*
*219 South Dearborn Street, 5th Floor*
*Chicago, Illinois 60604*
*(312) 353-5300*

FOR IMMEDIATE RELEASE
TUESDAY OCTOBER 21, 2008
www.usdoj.gov/usao/iln

PRESS CONTACTS:

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|---|---|
| AUSA Jeffrey Cramer | (312) 886-7631 |
| AUSA Barry Miller | (312) 886-1325 |
| AUSA Sergio Acosta | (312) 353-1415 |
| Randall Samborn | (312) 353-5318 |

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

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

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

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

19-cv-4048(FBI)-3126

1 - SAC
1 - ASAC
(1) - Case File WC 13
1 - Media Rep
1 - Night Supervisor
1 - 66-4853

DHO
2021-CV-126294-NH

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

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

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

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

The investigation is continuing, the officials said.

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



19-cv-4048(FBI)-3127

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

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

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

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

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

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

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



19-cv-4048(FBI)-3128

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

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

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

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

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

> *I am not aware of any.*

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

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

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



19-cv-4048(FBI)-3129

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

Burge answered:

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

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

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

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

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

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

####



19-cv-4048(FBI)-3130

(Rev. 05-01-2008)

UNCLASSIFIED

# FEDERAL BUREAU OF INVESTIGATION

**Precedence:** ROUTINE **Date:** 02/27/2009

**To:** Chicago
Kansas City

**Attn:** SAC Monte C. Strait
ASAC [redacted] b6 -1
A/SSA [redacted] b7C -1

**From:** Chicago
WC-3
**Contact:** [redacted]

**Approved By:** [redacted]

**Drafted By:** [redacted] jao

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

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

**Synopsis:** To request KC SAC concurrence and to advise KC division of a witness interview to be conducted in Olathe, Kansas, regarding the above titled investigation.

**Details:** An investigation is being conducted into acts of torture, perjury, obstruction of justice, conspiracy to obstruct justice, and other offenses committed by Chicago Police Department (CPD) officers under the command of Jon Burge during the period from 1973 to the present. There are over 200 allegations of abuse against Burge and/or Detectives under his command during that time period. Some of the allegations include: beatings, suffocation, death threats, and electrical shocks in order to obtain confessions. Several of the complaints have been corroborated by medical evidence and on-scene witnesses to include other CPD detectives.

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

UNCLASSIFIED

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

During the course of the investigation, it is believed that an individual named [redacted] date of birth [redacted] address [redacted] Social Security Account Number [redacted] may have pertinent information related to the captioned investigation. [redacted] lived in the Chicago area [redacted] It is believed that [redacted] regarding the abuse committed by Burge and others under his command. b6 -6 b7C -6

Chicago SA [redacted] and DOJ Attorney [redacted] will attempt to conduct an interview of [redacted] at [redacted] residence on the evening of 03/03/2009. [redacted] is not a target of the investigation and has been advised of the planned interview. ACS checks regarding [redacted] were negative. SA [redacted] does not expect to need any assistance from the Kansas City Division for the interview. SA [redacted] is currently in the Kansas City area on personal business. b6 -1,-3 b7C -1,-3

On 2/27/2009, SA [redacted] spoke with A/SSA [redacted] Kansas City Division, Squad 9, and advised [redacted] of the travel plans and interview. [redacted] concurred with the travel plans and interview of [redacted] b6 -6 b7C -6

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

**LEAD(s):**

**Set Lead 1: (Info)**

KANSAS CITY

AT HQ CITY, Squad 9

Read and Clear

♦♦



19-cv-4048(FBI)-3138

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# Blago broke? The Blago beat .. .

Comments Recommend

April 10, 2009

**BY MICHAEL SNEED Sun-Times Columnist**

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

• • Question: If Blago is basically broke – will a federal defender have to be appointed, which is publicly funded?

• • Question: Does the government want to fork over that much money for a lengthy federal trial of the Blago magnitude?

• • Question: If Blago's only access to cash for his defense is his $2 million campaign fund, which was frozen by the feds, will the feds reverse their decision and let Blago use the funds to pay for the trial?

• • Question: Or will lawyers capable of handling a trial of this magnitude sign on for the publicity?

Stay tuned.

## Father & son ...

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

## GOP goop ...

• • $$$$$$: **Meghan McCain,** the blogger daughter of former GOP presidential hopeful **John McCain,** has signed a six-figure book deal, according to a report in the Big Apple press.

• • $$$$$: Former GOP veep contender Tim Pawlenty is sending out feelers to top Illinois GOPers about a potential 2012 presidential candidacy. Ask state Rep. **Jim Durkin**, who handled McCain's Illinois campaign.

## The Burge case ...

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

WC3

19-cv-4048(FBI)-3139

282A-CG-126294-73

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

### A Jackson jot ...

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

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

### It's a wrap ...

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

### I spy . ..

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

### Rumble relief ...

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

### Sneedlings . . .

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

Blago Indicted!
From Right Soup

Blago BUSTED!
From BARBARA'S TCHATZKAHS

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

(Rev. 01-31-2003)

# FEDERAL BUREAU OF INVESTIGATION

**Precedence:** ROUTINE **Date:** 04/20/2009

**To:** Chicago **Attn:** ELSUR Evidence Control Center

**From:** Chicago
CR-1
**Contact:** SA [redacted] b6 -1 b7C -1

**Approved By:** [redacted]

**Drafted By:** [redacted]:jao

**Case ID #:** 282A-CG-126294 — 74

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

**Synopsis:** Late evidence submission.

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

♦♦

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

# chicagotribune.com

WC3

## Inmate wants Jon Burge as witness at his hearing

Associated Press

2:52 AM CDT, April 15, 2009

CHICAGO

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

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

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

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

Crane is expected to rule on the motion April 29.

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

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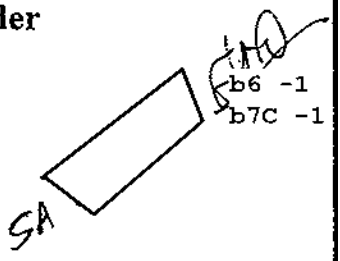
www.chicagotribune.com/news/local/chi-burge-cortezbrownapr30,0,2757501.story

WC 3

# chicagotribune.com

## Cortez Brown: Lawyers get OK to subpoena Jon Burge

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




By Matthew Walberg

Tribune reporter

April 30, 2009

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

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

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

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

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

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

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

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

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

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

-TO
282A-CG-136204

case.

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

mwalberg@tribune.com

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WC3

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

Comments Recommend

April 30, 2009
BY STEFANO ESPOSITO Staff Reporter/sesposito@suntimes.com

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

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

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

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

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

**Judge orders Bush to testify in SMU case.**
From Think Progress

**Judge orders Bush to testify in SMU case.**
From Think Progress

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

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WC 3

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

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

Comments

April 30, 2009

BY FRANK MAIN Crime Reporter

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

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

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

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

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

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

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

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

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

Charges Filed Against Chicago Man in Serial Bank Robbery Case

b6 -1
b7C -1

SA

77

282A-CG-126294

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

WC 3

# chicagotribune.com

## Burge's attorneys want trial moved from Chicago

Associated Press

2:13 AM CDT, May 1, 2009

CHICAGO

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

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

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

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

---

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

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SA [redacted]

b6 -1
b7C -1

On July 9, 2009, Special Agent (SA) [redacted] telephonically contacted [redacted] at telephone number [redacted]

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

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

b6 -1,-5,-6
b7C -1,-5,-6

(1)
ER

[redacted]

b7E -3

(Rev. 05-01-2008)

UNCLASSIFIED

# FEDERAL BUREAU OF INVESTIGATION

**Precedence:** PRIORITY **Date:** 07/16/2009

**To:** Minneapolis **Attn:** A/SSA [redacted] b6 -1 b7C -1

**From:** Chicago
WC-3
**Contact:** SA [redacted]

**Approved By:** [redacted]

**Drafted By:** [redacted] kkk

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

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

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

**Enclosure(s):** a) Photograph of witness [redacted] b6 -6 b7C -6
b) Federal Grand Jury Subpoena;

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

Chicago Division requests the assistance of Minneapolis Division in locating witness [redacted] has provided information to state investigators on the arrest and abuse of [redacted] another witness in the case. The most recent address for [redacted] is [redacted] telephone number [redacted] According to [redacted] an employee at [redacted] with [redacted] b6 -2,-5,-6 b7C -2,-5,-6

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no forwarding address. [redacted] is believed to be [redacted] at this time. b6 -6 b7C -6

Other known addresses for [redacted] are:

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

[redacted]

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

[redacted] and left a forwarding address of [redacted] There is no record of [redacted] at the [redacted]

[redacted] identifiers are as follows: b6 -6 b7C -6

DOB:
SSN:
State ID
FBI#:

[redacted]

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

Chicago requests assistance in locating [redacted] providing her with the contact information for SA [redacted] cellular telephone number [redacted] In addition, a Federal Grand Jury Subpoena is enclosed, to be served on [redacted] when she is located. b3 -1 b6 -1,-6 b7C -1,-6

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

**LEAD(s):**

**Set Lead 1: (Action)**

MINNEAPOLIS

AT MINNEAPOLIS

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

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

♦♦

(Rev. 05-01-2008)

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# FEDERAL BUREAU OF INVESTIGATION

**Precedence:** ROUTINE **Date:** 8/12/2009

**To:** Chicago
WFO

**Attn:** ASAC [redacted] b6 -1
SSA [redacted] b7C -1
Squad CR-12

**From:** Chicago
WC-3
**Contact:** SA [redacted]

**Approved By:** [redacted]

**Drafted By:** [redacted] er

**Case ID #:** 282A-CG-126294 ~~(Pending)~~ -81

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

**Synopsis:** To request authorization for travel to Washington, DC for the interview of Department of Justice Attorney [redacted] b6 -3
[redacted] b7C -3

**Details:** An investigation into acts of torture, perjury, obstruction of justice, conspiracy to obstruct justice, and other offenses committed by Chicago police officers under the command of Jon Burge during the period from 1973 to the present is being conducted.

[redacted] b6 -2,-3
[redacted] Asset Forfeiture/Money Laundering Section, was b7C -2,-3
identified as the Cook County Assistant State's Attorney who wrote out the confession of [redacted]
[redacted] has alleged torture and abuse against the Chicago Police Department during his arrest and interrogation on June 7, 1984.

[redacted] was interviewed on June 19, 2009 by SA [redacted] b6 -1,-3,-5
[redacted] and Department of Justice Civil Rights Attorney [redacted] b7C -1,-3,-5
[redacted] The United States Attorney's Office in the Northern

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[redacted] b7E -3

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

District of Illinois has requested that statements made by [redacted] during the June 19, 2009 interview be reviewed and that [redacted] be re-interviewed. The United States Attorney's Office has requested a second interview to further determine the value of [redacted] statements for the prosecution of the case. b6 -5 b7C -5

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

♦♦



19-cv-4048(FBI)-3157

(Rev. 4/21-2008)

UNCLASSIFIED

# FEDERAL BUREAU OF INVESTIGATION

**Precedence:** ROUTINE **Date:** 09/03/2009

**To:** Tampa **Attn:** Fort Myers RA
SA [redacted] b6 -1
SA [redacted] b7C -1

**From:** Chicago
WC-3
**Contact:** SA [redacted]

**Approved By:** [redacted]

**Drafted By:** [redacted] jao

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

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

**Synopsis:** To set a lead regarding captioned matter.

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

Chicago Division requests the assistance of Tampa Division, Ft. Myers Resident Agency, with interviewing [redacted] b6 -5
[redacted] employed by [redacted] b7C -5
[redacted] telephone number [redacted] was a [redacted]
[redacted] in Chicago, Illinois, who may have been in a position to have witnessed or heard about the abuse and torture occurring at Area 2.

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JR [redacted] 139A00 01. EC b6 -1 b7C -1

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

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

Chicago requests an Agent to conduct the interview of [redacted] with DOJ Attorney [redacted]. Please contact [redacted] to schedule the interview. The FD-302 of the interview should be sent to 282A-CG-126294-302. Any questions regarding the interview should be directed to SA [redacted] or DOJ Attorney [redacted]. Currently, [redacted] has not been contacted and is not aware that he will be interviewed. b6 -1,-3,-5
b7C -1,-3,-5

Possible interview questions:

[redacted] b5 -1,-2,-3
b6 -5
b7C -5



19-cv-4048(FBI)-3159

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

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



19-cv-4048(FBI)-3160

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

**LEAD(s):**

**Set Lead 1: (Action)**

TAMPA

AT FORT MYERS RA

Coordinate with DOJ Attorney [redacted] b6 -3,-5 b7C -3,-5 to interview the following individual:

[redacted]
Employed by: [redacted]
[redacted]
telephone number [redacted]

♦♦



19-cv-4048(FBI)-3161

**FEDERAL BUREAU OF INVESTIGATION**

Date of transcription 09/29/2009

[redacted] date of birth [redacted] social security account number [redacted] residence address of [redacted] work phone number of [redacted] provided the following information: b6 -5 b7C -5

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

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

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

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

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

File # 282A-CG-126294-83 Date dictated 09/29/2009

by SA [redacted] CAB
DOJ Attorney [redacted] b6 -1,-3 b7C -1,-3

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.

[redacted]

[redacted] was asked if he was aware of any Police misconduct or brutality in the Chicago Police Department. [redacted] did not state that he was really aware of any misconduct but gave an example of an instance where one might question a situation. b6 -5 b7C -5

[redacted]

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

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

[redacted]

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

[redacted]

FD-302a (Rev. 10-6-95)

282A-CG-126294

Continuation of FD-302 of [redacted], On 09/28/2009, P

b6 -2,-5,-6,-7
b7C -2,-5,-6,-7

[redacted]

[redacted]

(Rev. 05-01-2008)

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# FEDERAL BUREAU OF INVESTIGATION

**Precedence:** ROUTINE **Date:** 09/29/2009

**To:** Chicago **Attn:** WC-3
SA [redacted] b6 -1 b7C -1

**From:** Tampa
Ft. Myers Resident Agency
**Contact:** SA [redacted]

**Approved By:** [redacted]

**Drafted By:** [redacted]

**Case ID #:** 282A-CG-126294-84

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

**Synopsis:** To cover lead.

**Enclosure(s):** Enclosed fo Chicago is an original and two copies of a FD-302 from the interview of [redacted] and a FD-340 containing the original notes of said interview. b6 -3,-5 b7C -3,-5

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

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

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19-cv-4048(FBI)-3174

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

**LEAD(s):**

**Set Lead 1: (Info)**

CHICAGO

AT CHICAGO

Read and clear

♦♦



19-cv-4048(FBI)-3175

(Rev. 05-01-2008)

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# FEDERAL BUREAU OF INVESTIGATION

**Precedence:** ROUTINE **Date:** 12/15/2009

**To:** Chicago **Attn:** [redacted] b6 -1 b7C -1

**From:** Chicago
WC-3
**Contact:** SA [redacted]

**Approved By:** [redacted]

**Drafted By:** [redacted] jao

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

**Title:** JON BURGE ET AL - SUBJECTS;
ANDREW WILSON, [redacted] - VICTIMS
CIVIL RIGHTS - COLOR OF LAW - FORCE &/OR VIOLENCE b6 -1,-2 b7C -1,-2

RE-ASSIGN TO SA [redacted]

**Synopsis:** Administrative request.

**Details:** Due to the impending transfers of SA [redacted] and SA [redacted] the captioned investigation needs to be reassigned. Unassign SA [redacted] and SA [redacted] from the captioned investigation and assign SA [redacted] as primary investigator for the captioned investigation. b6 -1 b7C -1

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b6 -1
b7C -1

(Rev. 01-31-2003)

# FEDERAL BUREAU OF INVESTIGATION

**Precedence:** ROUTINE **Date:** 12/14/2009

**To:** Chicago

**From:** Chicago
WC-3
**Contact:** SA [redacted] b6 -1 b7C -1

**Approved By:** [redacted]

**Drafted By:** [redacted]

**Case ID #:** 282A-CG-126294 -8609

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

**Synopsis:** Administrative matters.

**Details:** On or about 12/14/2009, documents provided by [redacted] were sent to the Department of Justice (DOJ) [redacted] b5 -1,-3 b6 -6 b7C -6 The documents have not yet been reviewed by FBI Chicago. [redacted] The documents will be reviewed by FBI Chicago when they are returned by DOJ.

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(Rev. 05-01-2008)

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# FEDERAL BUREAU OF INVESTIGATION

**Precedence:** ROUTINE **Date:** 02/12/2010

**To:** Chicago

**From:** Chicago
WC-3
**Contact:** SA [redacted]

**Approved By:** [redacted]

**Drafted By:** [redacted] kkk

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

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

Assign SA as co-case agent. pm
ACW 2/18/10

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

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

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19-cv-4048(FBI)-3180

(Rev. 05-01-2008)

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# FEDERAL BUREAU OF INVESTIGATION

**Precedence:** ROUTINE **Date:** 03/05/2010

**To:** Chicago

**From:** Chicago
WC-3
**Contact:** SA [redacted] b6 -1 b7C -1

**Approved By:** [redacted]

**Drafted By:** [redacted]

**Case ID #:** 282A-CG-126294 ~~(Pending)~~ -38

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

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

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

[redacted]

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(Rev. 05-01-2008)

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# FEDERAL BUREAU OF INVESTIGATION

**Precedence:** ROUTINE **Date:** 03/26/2010

**To:** Chicago

**From:** Chicago
WC-3
**Contact:** SA [redacted] b6 -1 b7C -1

**Approved By:** [redacted]

**Drafted By:** [redacted]

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

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

**Synopsis:** Administrative matters.

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

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(Rev. 05-01-2008)

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# FEDERAL BUREAU OF INVESTIGATION

**Precedence:** ROUTINE **Date:** 04/01/2010

**To:** Chicago

**From:** Chicago
WC-3
**Contact:** SA [redacted] b6 -1 b7C -1

**Approved By:** [redacted]

**Drafted By:** [redacted]

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

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

**Synopsis:** To document the production of [redacted] to the United States Attorney's Office. b5 -1,-3 b6 -3,-6 b7C -3,-6

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

[redacted]

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

[redacted]

b5 -1,-3
b6 -6,-7
b7C -6,-7

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

♦♦



19-cv-4048(FBI)-3189

(Rev. 05-01-2008)

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# FEDERAL BUREAU OF INVESTIGATION

**Precedence:** ROUTINE **Date:** 4/8/2010

**To:** Cincinnati **Attn:** Squad 12, SSA [redacted] b6 -1 b7C -1

**From:** Chicago
WC-3
**Contact:** SA [redacted]

**Approved By:** [redacted]

**Drafted By:** [redacted]

**Case ID #:** 282A-CG-126294 ~~(Pending)~~ -91

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

**Synopsis:** To request authority for travel of Chicago Division Special Agent (SA) [redacted] to Cincinnati Division, Dayton Resident Agency, on April 14 and 15, 2010, in order to conduct an interview of a witness in preparation for trial in the captioned case. b6 -1 b7C -1

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

[redacted] who resides in [redacted] in the Dayton RA territory, was previously interviewed in this investigation. [redacted] was an alleged victim of Burge's torture and abuse in [redacted] b6 -2 b7C -2

This follow-up interview with [redacted] is being conducted to prepare his testimony for the upcoming trial, scheduled to being on May 24, 2010. SA [redacted] will be accompanied by Assistant United States Attorney April [redacted] and Department of Justice, Civil Rights Division trial attorney [redacted] b6 -1,-2,-3 b7C -1,-2,-3

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

SSA [redacted] has been advised of the above information and concurs with the planned travel of SA [redacted] b6 -1 b7C -1

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



19-cv-4048(FBI)-3191

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

**LEAD(s):**

**Set Lead 1: (Info)**

CINCINNATI

AT CINCINNATI

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

♦♦



19-cv-4048(FBI)-3192

(Rev. 05-01-2008)

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# FEDERAL BUREAU OF INVESTIGATION

**Precedence:** ROUTINE **Date:** 04/08/2010

**To:** Chicago

**From:** Chicago
WC-3
**Contact:** SA [redacted] b6 -1 b7C -1

**Approved By:** [redacted]

**Drafted By:** [redacted]

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

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

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

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

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(Rev. 05-01-2008)

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# FEDERAL BUREAU OF INVESTIGATION

**Precedence:** ROUTINE **Date:** 04/16/2010

**To:** Indianapolis **Attn:** SSA [redacted] Squad C7 b6 -1
SA [redacted] THRA b7C -1

**From:** Chicago
WC-3
**Contact:** SA [redacted]

**Approved By:** [redacted]

**Drafted By:** [redacted]

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

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

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

**Details:** Chicago Division requests the assistance of Indianapolis Division Special Agent [redacted] Terre Haute b6 -1,-3,-6
Resident Agency, in serving a trial subpoena for captioned case. b7C -1,-3,-6
The witness, [redacted] resides in [redacted] SA [redacted] will accompany Department of Justice trial attorney [redacted] to meet with [redacted] and serve her with a subpoena on [redacted]

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

**LEAD(s):**

**Set Lead 1: (Action)**

INDIANAPOLIS

AT TERRE HAUTE RA

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

b6 -6
b7C -6

♦♦



19-cv-4048(FBI)-3199

(Rev. 05-01-2008)

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# FEDERAL BUREAU OF INVESTIGATION

**Precedence:** ROUTINE **Date:** 05/11/2010

**To:** Chicago

**From:** Chicago
WC-3
**Contact:** SA [redacted] b6 -1 b7C -1

**Approved By:** [redacted]

**Drafted By:** [redacted]

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

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

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

**Details:** On May 10, 2010, writer received [redacted] b5 -1,-3 b6 -6 b7C -6

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

The [redacted] contained in 1A105 were removed from the 1A file and provided to the United States Attorney's Office, Assitant United State's Attorneys [redacted] and [redacted] b5 -1,-3 b6 -3 b7C -3

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(Rev. 05-01-2008)

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# FEDERAL BUREAU OF INVESTIGATION

**Precedence:** ROUTINE **Date:** 05/21/2010

**To:** Chicago

**From:** Chicago
WC-3
**Contact:** SA [redacted] b6 -1 b7C -1

**Approved By:** [redacted]

**Drafted By:** [redacted] DL

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

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

**Synopsis:** To document the delivery of [redacted] to United States Attorney's Office pursuant to judicial order. b5 -1,-3 b6 -2,-4,-6 b7C -2,-4,-6

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

[redacted]

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19-cv-4048(FBI)-3203

(Rev. 05-01-2008)

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# FEDERAL BUREAU OF INVESTIGATION

**Precedence:** ROUTINE **Date:** 05/19/2010

**To:** Chicago

**From:** Chicago
WC-3
**Contact:** SA [redacted] b6 -1 b7C -1

**Approved By:** [redacted]

**Drafted By:** [redacted]

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

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

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

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

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

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96

139B-CG-126294-EC-1020

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

| | |
|---|---|
| | b5 -1,-3<br>b6 -3,-6<br>b7C -3,-6 |

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

♦♦



19-cv-4048(FBI)-3207

# FEDERAL BUREAU OF INVESTIGATION

**Precedence:** ROUTINE **Date:** 05/19/2010

**To:** Chicago

**From:** Chicago
WC-3
**Contact:** SA [redacted] b6 -1, b7C -1

**Approved By:** [redacted]

**Drafted By:** [redacted]

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

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

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

**Details:** On May 19, 2010, writer turned over the following evidence to the United States Attorney's Office, Assistant United States Attorney's [redacted] and [redacted] for use as a trial exhibit in captioned case. b3 -1, b5 -1,-3, b6 -1,-5, b7C -1,-5

[redacted]

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- 97

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19-cv-4048(FBI)-3208

(Rev. 05-01-2008)

UNCLASSIFIED

# FEDERAL BUREAU OF INVESTIGATION

**Precedence:** ROUTINE **Date:** 06/03/2010

**To:** Chicago

**From:** Chicago
WC-3
**Contact:** SA [redacted] b6 -1 b7C -1

**Approved By:** [redacted]

**Drafted By:** [redacted]

**Case ID #:** 282A-CG-126294 ~~(Pending)~~ -98

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

**Synopsis:** To document conversation with attorney [redacted] b6 -4,-5 b7C -4,-5

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

On June 17, 1999, [redacted] deposed [redacted] in an unrelated civil case against a member of the Chicago Police Department. During the course of [redacted] testimony, [redacted] asked [redacted] about allegations relating to Jon Burge and Area 2 detectives. [redacted] attempted to avoid answering those questions, as they were unrelated to the subject of the pending case, but [redacted] persisted in that line of questioning. After several questions asking about whether [redacted] knew of abuse at Area 2, [redacted] answered the question, on the record, stating that [redacted] b6 -4,-5 b7C -4,-5

A few years later, [redacted] saw [redacted] at an event for [redacted] asked [redacted] about [redacted] abuse at Area 2. He recalls [redacted] stating that [redacted] and [redacted] b6 -4,-5 b7C -4,-5

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19-cv-4048(FBI)-3212

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

[redacted] b6 -4,-5
b7C -4,-5

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

♦♦



19-cv-4048(FBI)-3213

(Rev. 05-01-2008)

UNCLASSIFIED

# FEDERAL BUREAU OF INVESTIGATION

**Precedence:** ROUTINE **Date:** 06/11/2010

**To:** Chicago

**From:** Chicago
WC-3
**Contact:** SA [redacted] b6 -1 b7C -1

**Approved By:** [redacted]

**Drafted By:** [redacted]

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

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

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

**Details:** On Sunday, June 13, 2010, witness [redacted] is arriving in Chicago, IL for testimony in the trial of Jon Burge, subject of captioned case. SA [redacted] and SA [redacted] will meet [redacted] upon arrival at O'Hare International Airport and transport him to the United States Attorney's Office to prepare for his trial testimony. It is requested that SA's [redacted] and [redacted] receive Sunday differential pay for their work on June 13, 2010. b6 -1,-2 b7C -1,-2

♦♦

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19-cv-4048(FBI)-3215

FD-515 (Rev. 7-16-02)

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

Date Prepared 07/01/10
Date Loaded 07/07/10
Data Loader's Initials [illegible]

Squad supervisor approval (please initial) [illegible]

| Accomplishment involves: (check all that apply) | |
|---|---|
| Drugs | ☐ |
| A Fugitive | ☐ |
| Bankruptcy Fraud | ☐ |
| Computer Fraud/Abuse | ☐ |
| Corruption of Public Officials | ☒ |
| Money Laundering | ☐ |
| Sub Invest Asst by FO (s) | ☐ |

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

| * File Number | Stat Agent Soc. Sec. No. | Stat Agent Name | RA | Squad |
|---|---|---|---|---|
| 282A-CG-121294 | | | | WE-3 |

Task Force

**Investigative Assistance or Technique Used**
1-Used, but did not help; 2-Helped, minimally; 3-Helped, substantially; 4-Absolutely essential
For Sub. Invest. Assist. by other FO (s) indicate A,B,C,D for corresponding FO

b6 -1
b7C -1
b7E -6

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

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

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

**C. Summons Date:** _____
☐ Federal ☐ Local

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

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

**F. Conviction**
☒ Federal ☐ Local ☐ International
**Conviction Date:** 6/28/2010
For 6F, G, H-Include Agency Code
☒ Felony or ☐ Misdemeanor
☐ Plea or ☒ Trial
State: IL Judicial District: NDIL

**G. U.S. Code Violation**
Required for sections A,B,F,and J
(Federal Only)

| Title | Section | # Counts |
|---|---|---|
| 18 | 1512(c)(2) | 2 |
| 18 | 1621 | 1 |
| | | |
| | | |

**H. Sentence Date:** _____
Sentence Type: _____, _____, _____ *
In Jail: Years_____ Months _____
Suspended: Years_____ Months _____
Probation: Years_____ Months _____
Fines: $_____

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

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

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

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

**M. Acquittal/Dismissal/Pretrial Diversion**
(circle one) Date: _____

**N. Drug Seizures** ✓ **Date:** _____
Drug Code * _____
Weight _____ Code * _____
FDIN _____
Do **not** indicate $ value in Section D

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

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

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

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

Serial No. of FD-515: 100

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

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

## PROPERTY CODES

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

## SENTENCE TYPES

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

## PELP CODES

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

## RACE CODES

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

## AGENCY CODES

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

## JUDGMENT CODES

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

## JUDICIAL OUTCOME

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

## DRUG CODES

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

## DRUG WEIGHT CODES

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

# SUBJECT DESCRIPTION CODES

## ORGANIZED CRIME SUBJECTS

| | |
|---|---|
| 1F | Boss |
| 1G | Underboss |
| 1H | Consiglicre |
| 1J | Acting Boss |
| 1K | Capodecina |
| 1L | Soldier |

## KNOWN CRIMINALS

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

## FOREIGN NATIONALS

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

## TERRORISTS

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

## UNION MEMBERS

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

## GOVERNMENT SUBJECTS

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

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

## Continuation of GOVERNMENT SUBJECTS

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

## BANK EMPLOYEES

| | |
|---|---|
| 7A | Bank Officer |
| 7B | Bank Employee |

## OTHERS

| | |
|---|---|
| 8A | All Other Subjects |
| 8B | Company or Corporation |

## CHILD PREDATORS

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

07/07/2010 ********** CONVICTION **********

~~SENSITIVE~~ / UNCLASSIFIED

Case Number: 282A-CG-126294
Serial No.: 100

Stat Agent Name: [redacted]
Stat Agent SOC.: [redacted]

Report Date: 07/07/2010
Accom Date.: 06/28/2010

Does Accomplishment Involve

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

[redacted]

[redacted]

Subject Name b6 -1
b7C -1
BURGE, JON, G b7E -6

| RA | Squad | Task Force |
|---|---|---|
| HQ | WC-3 | |

Sub. Invest. Asst by Other FOs:

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

Investigative Assistance or Technique Used

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

Date of Conviction (MM/DD/YYYY) . . . . . .: 06/28/2010
Subject Description Code. . . . . .: [redacted] b7E -6

Federal, Local, or International (F/L/I) . . . . . .: F
Felony or Misdemeanor (F/M) . . . . . .: F

Plea or Trial (P/T) . . . . . .: T
Judicial State. . . . . .: IL
Judicial District . . . . . .: NDI

U. S. Code Violation(s)

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

Accomplishment Narrative

(Rev. 05-01-2008)

UNCLASSIFIED

# FEDERAL BUREAU OF INVESTIGATION

**Precedence:** PRIORITY **Date:** 07/05/2010

**To:** CJIS **Attn:** [redacted] b6 -1 b7C -1
Supervisory Identification
Records Examiner

**From:** Chicago
Squad WC-3
**Contact:** SA [redacted]

**Approved By:** [redacted]

**Drafted By:** [redacted]

**Case ID #:** 282A-CG-126294 ~~(Pending)~~ -101

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

**Synopsis:** To discontinue NCIC alerts in captioned case.

**Reference:** 282A-CG-126294 Serial 25

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

Name: [redacted] b6 -2 b7C -2
AKA: [redacted]
DOB:
SSAN:
FBI #:
Last Known Address: [redacted]

Name: [redacted]
AKA:
DOB:
SSAN:

UNCLASSIFIED

187KKC 01.EC.wpd

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

Last Known Address: [redacted]

b6 -2
b7C -2

Name: [redacted]
AKA: [redacted]

DOB: [redacted]
SSAN:
FBI #:
Last Known Address: [redacted]

Please discontinue both telephone and email notifications.



19-cv-4048(FBI)-3220

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

**LEAD(s):**

**Set Lead 1: (Action)**

CJIS

AT CLARKSBURG, WV

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

♦♦



19-cv-4048(FBI)-3221

FD-515 (Rev. 8-30-2010)

Squad supervisor approval (please initial) .

# Accomplishment Report

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

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

b6 -1
b7C -1
b7E -6

**Accomplishment involves: (check all that apply)**

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

File Number: 282A-CG-126294

Stat Agent Soc. Sec. No.

Stat Agent Name

| RA | Squad |
|---|---|
| | WC-3 |

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

Task Force

**Investigative Assistance or Technique Used**

1. Used, but did not help
2. Helped, minimally
3. Helped, substantially
4. Absolutely essential

For Sub. Invest. Assist. by other FO(s) indicate A, B, C, D for corresponding FO

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

**A. Complaint / Information/ Indictment**

[ ] Federal [ ] Local [ ] International

Complaint Date: _____

Check if Civil Rico Complaint [ ]

Information Date: _____

Indictment Date: _____

**B. Locate / Arrest**

[ ] Federal [ ] Local [ ] International

Subject Priority: [ ] A [ ] B [ ] C

Locate Date: _____

Arrest Date: _____

[ ] Subject Resisted Arrest

[ ] Subject Armed was Armed

**C. Summons Date:** _____

[ ] Federal [ ] Local

**D. Recovery / Restitution / PELP X**

[ ] Federal [ ] Local [ ] International

Recovery Date: _____

Code • _____ ✓ Amount $ _____

Code • _____ ✓ Amount $ _____

Restitution Date: _____

[ ] Court Ordered [ ] Pretrial Diversion

Code • _____ ✓ Amount $ _____

PELP Date: _____

Code • _____ ✓ Amount $ _____

**E. Hostages(s) Released Date:** _____

Released by: [ ] Terrorist [ ] Other

Number of Hostages: _____

**F. Conviction**

[X] Federal [ ] Local [ ] International

Conviction Date: _____

Subject Description Code _____• (_____)•

For 6F, G, H-Include Agency Code

[ ] Felony or [ ] Misdemeanor

[ ] Plea or [ ] Trial

State: _____ Judicial District: _____

**G. U.S. Code Violation**

Required for sections A, B, F and J (Federal Only)

| Title | Section | # Counts |
|---|---|---|
| | | |
| | | |
| | | |
| | | |

**H. Sentence Date:** 1/21/2011

Sentence Type: JS, PB, ____•

In Jail: Years 4 Months 6

Suspended: Years _____ Months _____

Probation: Years 3 Months 0

Fines: $ N/A

**I. Disruption/Dismantlement:** ✓

Disruption Date: _____

Dismantlement Date: _____

Completion of FD-515a Side 2 Mandatory

**J. Civil Rico Matters Date:** _____

Also complete "Section G"

Other Civil Matters Date: _____

Judgment ____ ____ ____ ____•

Judicial Outcome ____ ____ ____ ____•x

Amount $ _____

Suspension: Years _____ Months _____

**K. Administrative Sanction Date:** _____

Subject Description Code _____•

Type: [ ] Suspension [ ] Debarment [ ] Injunction

Length: [ ] Permanent or Year _____ Months _____

**L. Asset Seizure Date:** _____

Asset Forfeiture Date: _____

CATS # Mandatory _____

Circle below one of the three asset forfeiture:

Admin, Civil Judicial, or Criminal

Do not indicate $ value in Section D

**M. Acquittal/ Dismissal/ Pretrial Diversion**

(Circle one) Date: _____

**N. Drug Seizures** ✓ **Date:** _____

Drug Code • _____

Weight _____ Code • _____

FDIN _____

Do not indicate $ in Section D

**O. Child Victim Information**

Child located / identified Date: _____

[ ] Living [ ] Deceased

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

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

For Indictments/Convictions only:

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

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

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

• See codes on reverse side.

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

Serial No. of FD-515

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

## PROPERTY CODES

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

## SENTENCE TYPES

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

## PELP CODES

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

## RACE CODES

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

## AGENCY CODES

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

## JUDGMENT CODES

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

## JUDICIAL OUTCOME

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

## SUBJECT PRIORITY

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

## DRUG CODES

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

## DRUG WEIGHT CODES

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

# SUBJECT DESCRIPTION CODES

## ORGANIZED CRIME SUBJECTS

| | |
|---|---|
| 1F | Boss |
| 1G | Underboss |
| 1H | Consigliere |
| 1J | Acting Boss |
| 1K | Capodecina |
| 1L | Soldier |

## KNOWN CRIMINALS

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

## FOREIGN NATIONALS

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

## TERRORISTS

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

## UNION MEMBERS

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

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

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

## Continuation of GOVERNMENT SUBJECTS

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

## BANK EMPLOYEES

| | |
|---|---|
| 7A | Bank Officer |
| 7B | Bank Employee |

## OTHERS

| | |
|---|---|
| 8A | All Other Subjects |
| 8B | Company or Corporation |

## CHILD PREDATORS

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

19-cv-4048(FBI)-3223

FD-515 (Rev. 8-30-2010)

# Accomplishment Report

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

Date Prepared _____
Date Loaded _____
Date Loader's Initials _____

☐ Squad supervisor approval (please initial)

**Accomplishment involves: (check all that apply)**

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

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

Task Force

File Number

Stat Agent Soc. Sec. No.
- -

Stat Agent Name

| RA | Squad |
|---|---|
| | |

**Investigative Assistance or Technique Used**

1. Used, but did not help
2. Helped, minimally
3. Helped, substantially
4. Absolutely essential

For Sub. Invest. Assist. by other FO(s) indicate A, B, C, D for corresponding FO

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

b6 -1
b7C -1
b7E -6

**A. Complaint / Information/ Indictment**

☐ Federal ☐ Local ☐ International

Complaint Date: _____

Check if Civil Rico Complaint ☐

Information Date: _____

Indictment Date: _____

**B. Locate / Arrest**

☐ Federal ☐ Local ☐ International

Subject Priority: ☐ A ☐ B ☐ C

Locate Date: _____

Arrest Date: _____

☐ Subject Resisted Arrest

☐ Subject Armed was Armed

**C. Summons Date:** _____

☐ Federal ☐ Local

**D. Recovery / Restitution / PELP X**

☐ Federal ☐ Local ☐ International

Recovery Date: _____

Code • _____ ✓ Amount $ _____

Code • _____ ✓ Amount $ _____

Restitution Date: _____

☐ Court Ordered ☐ Pretrial Diversion

Code • _____ ✓ Amount $ _____

PELP Date: _____

Code • _____ ✓ Amount $ _____

**E. Hostages(s) Released Date:** _____

Released by: ☐ Terrorist ☐ Other

Number of Hostages: _____

**F. Conviction**

☐ Federal ☐ Local ☐ International

Conviction Date: _____

Subject Description Code _____ • (_____)•

For 6F, G, H-Include Agency Code

☐ Felony or ☐ Misdemeanor

☐ Plea or ☐ Trial

State: _____ Judicial District: _____

**G. U.S. Code Violation**

Required for sections A, B, F and J (Federal Only)

| Title | Section | # Counts |
|---|---|---|
| | | |
| | | |
| | | |
| | | |

**H. Sentence Date:** _____

Sentence Type: _____, _____, _____•

In Jail: Years _____ Months _____

Suspended: Years _____ Months _____

Probation: Years _____ Months _____

Fines: $ _____

**I. Disruption/Dismantlement:** ✓

Disruption Date: _____

Dismantlement Date: _____

Completion of FD-515a Side 2 Mandatory

**J. Civil Rico Matters Date:** _____

Also complete "Section G"

Other Civil Matters Date: _____

Judgment _____ _____ _____ _____•

Judicial Outcome _____ _____ _____ _____•x

Amount $ _____

Suspension: Years _____ Months _____

**K. Administrative Sanction Date:** _____

Subject Description Code _____•

Type: ☐ Suspension ☐ Debarment ☐ Injunction

Length: ☐ Permanent or Year _____ Months _____

**L. Asset Seizure Date:** _____

Asset Forfeiture Date: _____

CATS # Mandatory _____

Circle below one of the three asset forfeiture:

Admin, Civil Judicial, or Criminal

Do not indicate $ value in Section D

**M. Acquittal/ Dismissal/ Pretrial Diversion**

(Circle one) Date: _____

**N. Drug Seizures** ✓ **Date:** _____

Drug Code • _____

Weight _____ Code • _____

FDIN _____

Do not indicate $ in Section D

**O. Child Victim Information**

Child located / identified Date: _____

☐ Living ☐ Deceased

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

| Name | Race• | Sex | Date of Birth | Social Security No. (if available) |
|---|---|---|---|---|
| | | | | |

For Indictments/Convictions only:

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

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

Serial No. of FD-515

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

• See codes on reverse side.

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

01/25/2011 ********** SENTENCING **********

~~SENSITIVE~~ / UNCLASSIFIED

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

Stat Agent Name:
Stat Agent SOC.:

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

b6 -1
b7C -1
b7E -6

| Does Accomplishment Involve | |
|---|---|
| Drugs | N |
| A Fugitive | N |
| Bankruptcy Fraud | N |
| Computer Fraud/Abuse | N |
| Corruption of Public Officials | Y |
| Money Laundering | N |

Subject Name
BURGE, JON, G

| RA | Squad | Task Force |
|---|---|---|
| HQ | WC-3 | |

Sub. Invest. Asst by Other FOs:

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

Investigative Assistance or Technique Used

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

Type of Sentence . . . : JS PB
Date of Sentencing . ..: 01/21/2011
Federal, Local, or International (F/L/I): F

| | Year | Month |
|---|---|---|
| Time in Jail. .: | 4 | 6 |
| Time Suspended.: | | |
| Probation Time.: | 3 | |
| Total Fines. . :$ | | |

Accomplishment Narrative



19-cv-4048(FBI)-3225

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

WC3

# chicagotribune.com

## Burge sentence leaves torn emotions

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

By Ryan Haggerty, Tribune reporter

12:22 AM CST, January 22, 2011

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

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

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

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

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

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

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

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

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

19-cv-4048(FBI)-3226 ✓ 282A-CG-126294-103

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

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

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

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

*Tribune reporter Annie Sweeney contributed.*

*rhaggerty@tribune.com*

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

chicagotribune.com

# Witnesses rail at Burge at 1st day of sentence hearing

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

By Annie Sweeney, Tribune reporter

9:43 PM CST, January 20, 2011

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

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

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

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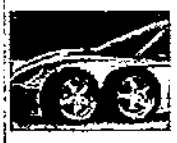

: Auto insurance companies are upset that $9 car insurance is now available to the public!

Add Your Link Here!

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

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

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

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

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

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

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

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

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

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

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

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

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

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

*asweeney@tribune.com*

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www.chicagotribune.com/news/local/breaking/chibrknews-burge-im-not-person-portrayed-01212011,0,3235194.story

chicagotribune.com

# Jon Burge sentenced to 4 1/2 years in prison

By Annie Sweeney and Ryan Haggerty

Tribune reporters

3:43 PM CST, January 21, 2011

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

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

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

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

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

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

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

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

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

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

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

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

Burge was also disturbed by portrayals of him as racist.

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

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

chicagotribune.com

# Burge given 4 1/2 years in prison

## Judge scolds authorities for not putting a stop to alleged torture

By Annie Sweeney, Tribune reporter

10:22 PM CST, January 21, 2011

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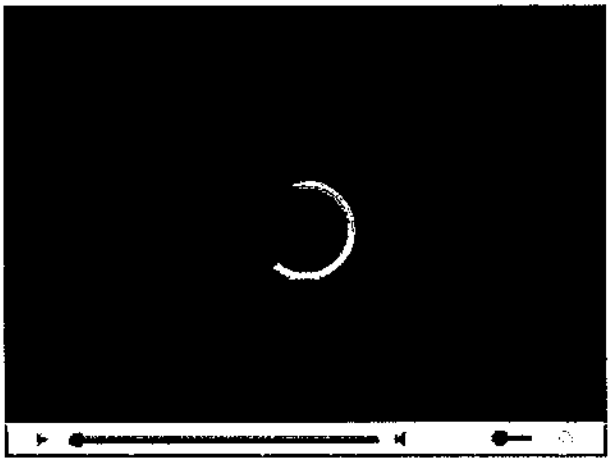
Truth about Passing Gas



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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suntimes

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

BY NATASHA KORECKI

Federal Courts Reporternkorecki@suntimes.com

Last Modified: Jan 21, 2011 02:33AM

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

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

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

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

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

Holmes stopped occasionally to sigh deeply and blink back tears.

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

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

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

Witnesses spoke of how Chicago still today struggles to overcome the reputation from Burge-era torture of black suspects.

University of Chicago historian Adam Green said unless the behavior is punished, a community that has a severe distrust of authority would never heal.

"It reaffirms a sense that everybody who is part of that community is understood to be a human being,"

Green said.

Green spoke of how torture was about someone trying to demonstrate "total power" and "supremacy."

The packed courtroom grew tense as Burge's defense lawyer described how two officers were executed by Andrew and Jackie Wilson; how one officer was shot in the head, how the other was shot in the chest.

The two were left to "bleed out," Burge attorney Rick Beuke said.

Beuke then asked the historian if that, too, was about someone showing his supremacy and power.

Burge slowly shook his head at the answer.

"That is a matter for a court of law to address," Green said.

Assistant U.S. Attorney April Perry posed another question to Green: Did the horrible acts against two police officers: "change the importance of the role of police being the good guys?"

"Absolutely not," Green said.

Burge was fired from the force because of his treatment of Andrew Wilson, who was convicted of the murders.

Burge's sentencing, before U.S. District Judge Lefkow, drew more than 100 people Thursday, with a line that wound down the federal courthouse hallway. It was under tight security, with observers having to pass through security before entering the courtroom.

While Lefkow ruled that Burge could face a range of 21 to 27 months for lying and obstructing justice, prosecutors are asking she add time because of years of torture.

Among the witnesses was onetime cop Sam Lacey, an African American, who said he wasn't assigned to a homicide case until Burge left a high-ranking position in his district.

At this, Burge flushed and laughed, his hands folded before him. He leaned over and whispered to his lawyers, seemingly in protest.

Lacey said Burge was considered part of what was known as the "A-Team." Burge shot a questionable glance at his lawyers when Lacey explained what that meant:

"The a -- kicking team."

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# Jon Burge judge cites a 'dismal failure' of police leadership

## Former Chicago commander gets 4 1/2 years in prison

January 22, 2011

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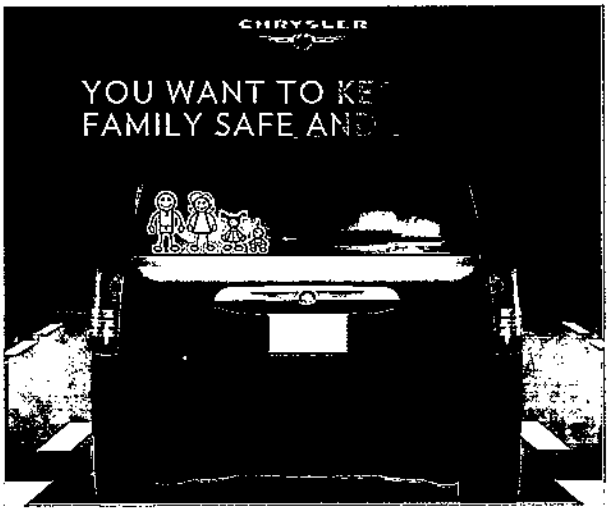


U.S. District Judge Joan Lefkow sentenced Jon Burge to 4 1/2 years in prison on Friday. Highlights from her comments:

•"You denied any knowledge of torture. … Unfortunately for you, the jury did not believe you, and I must agree that I did not either."

•"Now when I hear your attorney implying that if someone did the crime, no harm, no foul, they deserved it, I am frankly shocked."

•"How can one trust that justice will be served when the justice system has been so defiled?"

•The judge praised the work of Chicago police investigating the 2005 slaying of her own husband and mother. "Yet too many times I have seen officers sit in the witness box to my right and give implausible testimony to defend themselves or a fellow officer against accusations of wrongdoing. Each time I see it, I feel pain because the office they hold has been diminished."

•"There are those who believe you are deeply racist, and there are those who believe you could not possibly have tortured suspects. I doubt that my opinion or what happens here will change anyone's views. You are the person you are, neither all good, nor all evil, just like the rest of us."

•"Perhaps the praise, publicity and commendations you received for solving these awful crimes was seductive and may have led you down this path. On your behalf how I wish that there had not been such a dismal failure of leadership in the (police) department that it came to this."

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WC3

suntimes

# Burge can keep his cop pension

BY NATASHA KORECKI

Staff Reporter/nkorecki@suntimes.com

Last Modified: Jan 28, 2011 04:51AM

He was convicted of lying and obstructing justice, and a special prosecutor said he tortured suspects.

But as Chicago Police Cmdr. Jon Burge begins serving a 4½-year prison term this spring, he still will draw his police pension check, the police pension board decided Thursday.

A tied 4-4 vote by the board means Burge will continue to draw the $3,039-a-month pension that he began receiving in 1997 — four years after the department fired him for misconduct involving a murder suspect.

Burge, 63, was sentenced last week to 41/2 years in prison after convictions last summer on perjury and obstruction of justice related to the way he gave answers in a lawsuit that claimed he and underlings tortured murder suspects who were in police custody. He is scheduled to report to prison in March.

Thomas Pleines, who represented Burge at the hearing, said he called Burge, who was in Florida undergoing a medical procedure, to break the news.

"He's very relieved. He was happy, and he was glad to get some good news for once," Pleines said.

Critics called the decision "outrageous,'' but board member Michael Shields, a member of the Police Department who voted against terminating Burge's pension, said it boiled down to the "Illinois pension code and case law."

"Jon Burge had no law enforcement duties at the time he was alleged to have committed his crimes of perjury on an interrogatory in a civil deposition," Shields said.

Burge answered questions in the interrogatory in 2003, 10 years after he was booted from his job over his treatment of a suspect. Pleines said the pension board had the burden of proof in showing that Burge should no longer receive a pension. He said the ruling is final.

Flint Taylor, an attorney who has represented those who say Burge tortured them, said he has long called on the city to end the pension — which he said Burge has received for about a dozen years — and to stop paying the legal fees of lawyers who represented Burge in civil suits.

He called Thursday's decision "completely outrageous and mind-boggling after all that's gone on in

court, the jury's verdict and the judge's findings in sentencing him," Taylor said. "I think it's a complete slap in the face to all the citizens in the City of Chicago."

Taylor said that when Burge was convicted of lying and obstructing justice, it was in a civil lawsuit concerning his actions while an officer. At the time, the city paid the legal fees of attorneys representing Burge because he was being questioned about conduct while he was a police officer, Taylor said.

"To turn around and say he wasn't acting as a police officer is just an outrageous decision," Taylor said of the board's reasoning in allowing Burge to keep his pension.

Mark A. Clements, a national organizer for the Jail Jon Burge Coalition, said the ruling "is a prime example of how the City of Chicago protects misconduct by some of its officials.''

The decision was applauded by Burge's attorneys, who said the pension didn't amount to much income.

"It's paltry. It's a little more than Social Security," said Burge lawyer Marc Martin.

"They keep acting like he's drawing millions from the city, and he draws about $30,000 a year," another lawyer, William Gamboney said. "Im glad to see he still has minimal means of support."

Half of the police pension board is made up of members of the Police Department elected by police to oversee the fund. Shields, Michael Lazarro, Kenneth Hauser and James Maloney all vote against revoking Burge's pension.

The other four board members, who all work in the financial sector and were appointed by Mayor Daley, voted in favor of terminating his pension. They were Stephanie Neely, Gene Saffold, Michael Conway and Steven Lux.

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www.chicagotribune.com/news/local/ct-met-burge-pension-0128-20110127,0,250512.story

# chicagotribune.com

## Burge keeps his pension

### Half of board says perjury conviction wasn't connected to police work

By Ryan Haggerty and Cynthia Dizikes, Tribune reporters

10:21 PM CST, January 27, 2011

Former Chicago police Cmdr. Jon Burge's right to a pension rested on one ambiguous phrase in Illinois law.

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The police pension board had to decide Thursday whether Burge's conviction for lying about the torture of criminal suspects in 2003 was "relating to or arising out of or in connection with" his job as a police officer.

Four board members, all current or former Chicago police officers elected by their fellow officers, voted in Burge's favor, deciding his perjury conviction had no connection to his 23 years with the department. Four civilian trustees appointed by Mayor Richard Daley arrived at the opposite conclusion.

A majority is needed to revoke a pension, so Burge, who is scheduled to start serving a 4 1/2-year prison sentence in March, will continue to collect more than $3,000 a month for the rest of his life.

Burge, 63, was never charged with torturing suspects while a cop. But in June, long after he was forced to leave the department, he was found guilty of lying about his knowledge of police torture.

That was the difference for pension board President Kenneth Hauser, who said Burge's perjury conviction "had nothing to do with things he did when he was on the job."

One board member even questioned Burge's conviction. "Juries don't always get it right," said police Sgt. Michael Lazzaro.

Michael Conway, a former executive at Aon, was joined by three city officials in voting to revoke Burge's pension. Conway said he thought the link between the perjury conviction and Burge's police work was clear.

"Others deliberated and came to a different conclusion," Conway said. "I can't speak for them, but that was pretty straightforward, from my point of view."

The board's decision outraged many of Burge's alleged victims and their supporters. But several legal experts said they were not surprised by the split decision.

"'Relating to,' 'arising out of,' 'in connection with' — those are very subjective terms," said Chicago attorney Scott Uhler, whose firm represents several Chicago-area pension boards. "It isn't a law that is necessarily easy to apply, and it often comes down to who is doing the interpreting."

Burge isn't the first public employee to keep his pension despite a criminal conviction. In 2009, a Cook County judge ruled that a former Chicago Fire Department lieutenant who had been found guilty of arson could keep his pension because he could find no proof that the lieutenant used his training as a firefighter to commit his crimes.

But pensions also have been denied to several high-profile Illinois figures, most recently former Gov. George Ryan, currently doing time in federal prison for corruption.

Burge was fired in 1993 after years of allegations of police torture under his watch. After a four-year investigation, a Cook County special prosecutor concluded in 2006 that Burge and his officers obtained dozens of convictions through torture. But no charges were filed because the statute of limitations had passed.

In 2008, the U.S. attorney's office brought perjury and obstruction charges against Burge over his testimony in a 2003 civil lawsuit, when he denied the torture allegations. He was found guilty by a federal jury in June.

Prosecutors had to prove the torture allegations to substantiate the perjury and obstruction charges against Burge. At Burge's sentencing Jan. 21, U.S. District Judge Joan Lefkow drove that point home.

"You denied any knowledge of torture," Lefkow said. "Unfortunately for you, the jury did not believe you, and I must agree that I did not either."

City Treasurer Stephanie Neely voted against Burge but said she thought the language the board had to consider was ambiguous. She had hoped that Burge would lose before the board and then make an appeal to Circuit Court, providing the possibility for clarification on when pensions can be terminated.

Thursday's vote cannot be appealed.

Those who allegedly were tortured under Burge and his officers reacted to the board's vote with disappointment and disbelief.

"It's nonsense," said Darrell Cannon, who alleged in a lawsuit that he was tortured by detectives supervised by Burge. "And it's just another example of the good old boys staying together."

Attorney Flint Taylor, who has represented several alleged victims, was less measured in his assessment.

"To say that he should still be paid is mind-boggling," Taylor said. "It is a total slap in the face to the entire city."

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**Department of Justice**

Office of Public Affairs

FOR IMMEDIATE RELEASE

Friday, January 21, 2011

## Former Chicago Police Officer Jon Burge Sentenced for Lying About Police Torture

WASHINGTON - The Justice Department announced today that former Chicago Police Department Commander Jon Burge, 63, of Apollo Beach, Fla., was sentenced to 54 months in prison followed by three years of supervised release for lying in a deposition in a civil case about torture and abuse of suspects by Chicago Police Department officers. Burge's sentence was an upward departure from the recommended Guidelines' sentence.

Burge was convicted last June of two counts of obstruction of justice and one count of perjury stemming from false answers he gave in a civil case in 2003. In those answers, Burge denied ever using, or being aware of other officers using, any type of improper coercion, physical abuse or torture with suspects who were in custody at Chicago Police Department's Area Two. However, evidence at trial showed that Burge abused multiple victims in Area Two, suffocating them with plastic bags; shocking them with electrical devices; and placing a loaded gun to their heads.

In a 23-year career with the Chicago Police Department, Burge rose through the ranks to commander before being fired in 1993 over allegations of abuse. Special prosecutors were appointed in 2002 to investigate claims of abuse by Burge and others. A four-year investigation concluded that the abuse was outside the statute of limitations. It was a pending civil suit that was the basis for the federal charges in this case.

"Burge abused his power and betrayed the public trust by abusing suspects in his custody, and then by lying under oath to cover up what he and other officers had done," said Thomas E. Perez, Assistant Attorney General for the Civil Rights Division. "The department will aggressively prosecute any officer who violates the Constitution."

"Today, we put to rest the decades of denials that torture of suspects in police custody occurred," said Patrick J. Fitzgerald, U.S. Attorney for the Northern District of Illinois. "This sentence delivers a measure of justice, which Burge obstructed for so long."

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1 - Night Supervisor
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WC/3

282A-CG-126294

104

19-cv-4048(FBI)-3242

The case was prosecuted by Assistant U.S. Attorneys David Weisman and April Perry from the U.S. Attorney's Office for the Northern District of Illinois and Trial Attorney Betsy Biffl from the Civil Rights Division of the U.S. Department of Justice.

11-090

Civil Rights Division

**Memorandum**

| Subject: | Notice of File Closing<br>CIVIL RIGHTS DIVISION | Date: | FEB 16 2011 |
|---|---|---|---|

To: Director
Federal Bureau of Investigation

From: Thomas E. Perez
Assistant Attorney General
Civil Rights Division

Reference is made to your field office file captioned as on the attached closing form and numbered 282A-CG-126294. This matter has been closed as of the date on the attached form.

Attachment

DOJ Number: 144-23-2798

Attorney/Secretary: BB/bb

Close

19-cv-4048(FBI)-3244 282A-CG-126294 -105

U.S. Department of Justice
BB:bb

Notice to Close File

| File Number: | **Case Title:** | **Date:** |
|---|---|---|
| DJ 144-23-2798 | Jon Burge,<br>Chicago, IL - Subject;<br>[redacted]<br>Andrew Wilson, [redacted] - Victims<br>CIVIL RIGHTS | FEB 16 2011 |

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b7C -2

YOU ARE ADVISED THAT THE ABOVE FILE HAS BEEN CLOSED AS OF THIS DATE.

Remarks/Special Information:

Federal Prosecution: Conviction/Plea
Date: June 26, 2010
Statute(s): 1512 & 1621
Sentence: 54 months prison & Three years supervised release

To:
Files Unit — Civil Rights Division

Signature: — Division:

[redacted] — Civil Rights Division

b6 -3
b7C -3

FORM OBD-25-A
MAR. 81

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We 3

suntimes

# Burge reports this week to same prison as Madoff

By Natasha Korecki

Federal Courts Reporternkorecki@suntimes.com

Last Modified: Mar 14, 2011 02:05AM

Former Chicago Police Cmdr. Jon Burge is expected to report to prison this week and when he does, he'll be serving his time at a prison complex that houses one of the most notorious white-collar offenders in history — Ponzi schemer Bernie Madoff.

The 72-year-old Madoff is serving a 150-year sentence at the Butner Federal Correctional Complex, which has both medium- and low-security facilities, as well as a medical center.

Burge is scheduled to report to the prison near Raleigh, N.C., by 2 p.m. Wednesday — a week after his name was conjured with the signing of a death penalty repeal in Illinois. Former Gov. George Ryan pardoned Death Row inmates who said Burge played a role in their convictions.

An attorney for Burge said his legal team worried about Burge being sent to a prison where he could encounter issues stemming from his days as a high-ranking police official.

"That was a major concern of ours. I would be shocked if they didn't take that into consideration, where he would be designated," William Gamboney said of the former Area 2 commander. At Butner, "I think that it would make it less likely that he's going to be with the crazed criminals he was dealing with in Area 2," he said. "It's more white-collar crime."

Reached at home Friday, Burge, who lives in the Tampa, Fla., area, declined comment.

A U.S. Bureau of Prisons official said she could not comment.

Attorneys asked the Bureau of Prisons to consider Burge's many ailments when placing him. "That must have factored into the decision. He still has a bunch of different medical issues. There are some procedures that need to be done," Gamboney said.

Burge, 63, had prostate cancer and needs a followup procedure in April, Gamboney said.

In January, U.S. District Judge Joan Lefkow sentenced Burge to 4½ years in prison.

19-cv-4048(FBI)-3248 ✓ 282A-CG-126294-100

Allegations against Burge have included playing "Russian roulette" with suspects, suffocating them with bags, applying electric shocks to their genitals and beating them. He was fired from the force in 1993. He was charged in 2008 with lying about torturing suspects in a written interrogatory involving a federal civil case.

In lengthy remarks, Lefkow said she believed Burge lied on the witness stand in the trial she oversaw and she gave weight to decades-old claims of torture at his hands.

Burge, through his attorneys, denied torturing suspects even after his sentencing, a two-day hearing that at times brought the tough police commander to tears.

"I know this case has brought the department and those who serve it into disrepute, and for that I am deeply sorry," Burge said at his sentencing. His family said Burge never married and suffered enough after losing the job he loved.

In prison, Burge will take part in an alcohol treatment program, which usually shaves some time off a prison term.

Gamboney said Burge was prepared to face his sentence.

"I think he's resolved to what's going to happen," Gamboney said. "He's a strong man."

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**southtownstar**

W13

# Burge-related legal bills still coming in

By Natasha Korecki

Sun-Times Media

Last Modified: Mar 16, 2011 02:08AM

Former Chicago police Cmdr. Jon Burge may report to federal prison today, but issues that dogged him for decades are proving to penetrate prison walls — and city taxpayers who have paid about $31 million in legal costs remain on the hook for more.

At least six federal lawsuits are pending against the 63-year-old Burge, including one filed this month.

On Tuesday, a federal judge ordered Burge, who was convicted last June of perjury and obstruction of justice, to sit for a videotaped deposition within seven days to answer questions about two men who allege they were tortured by him or on his watch.

And when he does, the city will still pay for Burge's lawyers, according to city officials.

Taxpayers have already paid $10.8 million in legal fees and at least $19.9 million in settlements regarding Burge allegedly overseeing the torture of criminal suspects during the 1970s and '80s, according to city records.

"We continue to pay his legal fees but have reserved the right to re-examine whether or not he was acting within the scope of employment," said Jennifer Hoyle, spokeswoman for the city law department.

The grand total that the city and Cook County have paid in Burge-related cases adds up to $41.6 million, according to legal billings obtained from the city by plaintiffs' attorney Flint Taylor.

That includes the county's cost for special prosecutors who re-examined torture cases involving Burge and other police officers but ultimately decided that time had run out and he could not be prosecuted for them, Taylor said.

One of Burge's lawyers, Rick Beuke, said the continued lawsuits against Burge amount to harassment, and that lawyers add Burge's name to lawsuits "to sensationalize their clients' claims" and win settlements.

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www.chicagotribune.com/news/local/ct-met-confession-investigation-20110714,0,6347987.story

chicagotribune.com

# Feds investigate Jon Burge's detectives, ex-Cook County prosecutors, sources say

wc 3

## Former police commander is imprisoned for lying about torture

By Steve Mills and Todd Lighty, Tribune reporters

July 14, 2011

With former Chicago police Cmdr. Jon Burge in prison for lying about the torture of criminal suspects, federal officials have turned their investigation to detectives who worked under Burge and to former Cook County prosecutors, the Tribune has learned.

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FBI agents and federal prosecutors from Chicago and the Justice Department's civil rights office in Washington are looking into the testimony and actions of several detectives who worked for Burge, according to sources familiar with the investigation.

The authorities are also examining the role of assistant state's attorneys who once worked in the office's felony review unit, visiting the widow of one former prosecutor just two weeks ago, the sources said. Felony review prosecutors play a crucial role in approving criminal charges against suspects and in some cases help direct investigations and question suspects.

The developments signal that an embarrassing and costly scandal that has dogged the city for decades may not soon be over.

The allegations against Burge and the detectives under his command — the so-called midnight crew at Area 2 police headquarters — date to the 1970s and 1980s. Dozens of suspects have alleged over the years that officers beat, electric-shocked or smothered them to coerce confessions to murder.

But for years it appeared Burge, who was fired in 1993, would escape criminal charges altogether. A four-year investigation by special Cook County prosecutors concluded in 2006 that the statute of limitations on the claims of abuse had long passed. But in 2008 federal prosecutors indicted Burge not for the torture itself but for lying about it in a civil lawsuit. A federal jury convicted him last year of

obstruction of justice and perjury.

After Burge's conviction, U.S. Attorney Patrick Fitzgerald pledged that the investigation would continue into the torture allegations.

The sources said federal prosecutors and FBI agents have been collecting court records and conducting interviews.

Burge has cost the city more than $30 million in legal actions stemming from the torture allegations, and when he went to prison in March to begin his 4 1/2-year sentence, at least seven lawsuits that alleged torture were still pending.

Among the cases authorities are inquiring about is the 1990 murder and rape investigation that sent Harold Hill and Dan Young Jr. to prison with life sentences, according to sources. The charges against the two were dropped in February 2005 after DNA tests cleared them, but there were problems with the case from the start — though prosecutors and police at the Area 3 police headquarters, where Burge had been transferred, still pressed forward with it.

Hill, Young and a third man, Peter Williams, were charged with the murder of Kathy Morgan, whose body was found in an abandoned building on Chicago's South Side. The case went unsolved for almost 18 months when Hill was arrested on an unrelated robbery charge. During questioning, he confessed to the Morgan murder and implicated Young and Williams. In time, Young and Williams also confessed and implicated the other two.

Williams later realized he was in Cook County Jail on a drug charge when the murder took place. Although the charges against Williams were dropped, prosecutors took the other two to trial and won convictions.

The case was featured in the 2001 Tribune series "Cops and Confessions," which in part examined murders investigated by Detective Kenneth Boudreau and his partner, John Halloran, who both worked under Burge's supervision. In a long career, Boudreau helped obtain confessions from more than a dozen defendants in murder cases in which the charges later were dismissed or the defendant was acquitted at trial, the Tribune found.

Boudreau, according to the Tribune investigation, got a confession from a man accused of two murders, though both later were undermined by DNA. He also helped obtain confessions from two mentally disabled teenagers for two separate murder cases, but both were acquitted at trial. He has been accused in both criminal trials and civil suits of punching, slapping and kicking suspects as well as taking advantage of suspects with mental impairments or low IQs.

Boudreau and Halloran investigated the Morgan murder and helped obtain the confessions that sent Hill and Young to prison. After their release, Hill and Young sued Boudreau, Halloran and other officers for their roles in their wrongful convictions, as well as former Assistant State's Attorney Mike Rogers, who worked as a felony review unit prosecutor in the investigation.

The estate for Young, who died in 2006 after he was struck by a hit-and-run driver on the South Side, settled its lawsuit against the city and the police officers in early 2008 for $700,000. A lawsuit against Rogers, who committed suicide last year, was thrown out before his death. Hill has recently reached a settlement with Cook County over Rogers' role in obtaining the confession; it awaits County Board approval. Hill's suit against the city and the police officers is scheduled to go to trial this year.

Hill has returned to prison following an unrelated armed robbery conviction. He is serving 27 years.

Burge was voluntarily dropped from Young's lawsuit, and a judge dismissed him from Hill's lawsuit after it was determined he had been suspended because of other torture allegations when Hill, Young and Williams were being questioned.

Last year, partial genetic profiles from material under Morgan's fingernails were entered into databases and linked to two individuals. Since then, Hill's attorney, Russell Ainsworth, and lawyers for the city have been arguing over the importance of those partial matches, according to court documents. No one else has been charged.

Federal authorities also have been examining investigations handled by former Sgt. John Byrne and Detective Peter Dignan, who both worked for Burge over the years and have faced lawsuits over allegations they beat or tortured suspects into confessing, according to sources.

A spokesman for the Justice Department's civil rights office declined to comment.

Jennifer Hoyle, a spokeswoman for the city's Law Department, which defends Chicago police officers against allegations of wrongdoing, said the city was unaware of new developments in the investigation but it had no expectation that the probe was over. A spokeswoman for the state's attorney's office also declined to comment but said the office would cooperate with any inquiry.

Byrne, who works as a private detective, said he has had no recent contact with authorities but declined to comment further. Rogers' widow, through a lawyer, declined to comment, as did Boudreau. Dignan and Halloran could not be reached for comment. Over the years, all the officers have repeatedly denied any wrongdoing.

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BURGE NEWSPAPER ARTICLES title WC 3

# Judge: Former Mayor Daley can be sued as defendant in Burge case

BY CAROL MARIN

Last Modified: Aug 10, 2011 02:13AM

For the first time, a federal judge has ruled former Mayor Richard M. Daley can be sued as a defendant for his alleged role in what plaintiffs claim is a citywide conspiracy to cover up police torture.

And Daley could be deposed by lawyers representing alleged victims, all African American, who charge their abuse came at the hands of a small band of predominantly white police officers under the command of former Chicago Police Cmdr. Jon Burge.

The Burge case has already cost Chicago taxpayers more than $43 million in settlements and outside legal fees. Burge is in federal prison.

Though Daley was questioned under oath by a court-appointed special prosecutor in 2006, it was widely criticized as an overly solicitous interview. This would likely be a more adversarial exchange.

A July ruling by U.S. District Court Judge Rebecca Pallmeyer is paving the way for civil rights attorney Flint Taylor to depose Daley.

"He's never been deposed in any of these cases," said Taylor, who has represented many of those who say they were routinely and savagely abused. "He's never been sat down and questioned for seven hours about his involvement. He's always managed to avoid that."

Daley and his city-hired attorneys have received notice to appear for a deposition on Sept. 8.

Burge was convicted last summer of perjury and obstruction of justice for lying in a civil court case when asked if he knew of the torture. He is serving a four-and-a-half year sentence in federal prison.

The alleged cover-up dates back to the mid 1970s.

Judge Pallmeyer allowed Daley's name to be added to the list of defendants in a suit filed by Michael Tillman.

"The court concludes Plaintiff [Tillman] has presented more than 'naked assertions,' and his conspiracy claim survives," Pallmeyer wrote in her July 20 opinion.

Attorneys for Daley are asking the judge to reconsider.

Michael Tillman spent 23 years in prison for murder. He confessed, said Taylor, because he was suffocated and beaten by Chicago Police officers. "They used a form of waterboarding, pouring 7-Up up

his nose," Taylor said. "That's the kind of torture they used over a four-day period with Michael Tillman."

When he was released in 2010, Cook County special prosecutors concluded there was no reliable evidence against him. Tillman received a certificate of innocence from the chief judge of the Criminal Courts of Cook County.

In his civil lawsuit, Tillman alleges the city conspired to cover up torture cases.

Burge, 63, already has been deposed by Taylor at the federal prison in North Carolina, where he is serving his sentence. During the deposition, Burge, seen for the first time wearing a khaki prison uniform, repeatedly took the Fifth Amendment.

Also deposed were former Chicago Police officers Jack Byrne and Peter Dignan, who served under Burge. Federal prosecutors continue a grand jury investigation of what has been called Burge's "Midnight Crew," but neither Byrne nor Dignan has been charged. Neither has offered comment.

In his role as Cook County state's attorney, Daley has prosecutorial immunity from lawsuits. It is under the scope of his tenure as mayor that, according to Pallmeyer's ruling, he is now listed as a defendant.

There are six civil lawsuits pending against Burge and the city, with the city continuing to pay mounting legal fees for outside counsel.

"The only response we get is to see five and six lawyers in court financed by the city of Chicago defending Burge," Taylor said. "And to that extent the outward signs are that the city is still on the wrong side of these cases."

Another federal judge, Elaine Bucklo, made a similar observation in March in a lawsuit brought by former inmate Ronald Kitchen, who was released after 21 years in prison. Like Tillman, Kitchen was exonerated.

Faced with an array of lawyers, many of them outside counsel hired by the city, Bucklo observed, "There's an awful lot of you . . . Does this make sense? . . . I don't understand why this case, why you don't settle. [Kitchen] was declared innocent. Burge is in jail. Have you tried to settle this?"

Richard Bueke, one of Burge's city-paid attorneys, said when it comes to settlements, "I don't see it in a near future," arguing, "Plaintiffs' bar sees this as a cash cow."

Although some aldermen maintain the city should no longer pay to defend Burge and his officers, a spokeswoman for the city's Law Department argues it must because it has a "legal obligation not only to indemnify him against any judgments in these cases, but to provide him with legal representation."

But, said the spokeswoman, a serious effort is being made to contain costs.

Meanwhile, Attorney General Lisa Madigan is contesting the Police Board's decision to continue to pay Burge's police pension, but the payments are still being made.

Neither Daley, now in private practice at the law firm of Katten Muchin Rosenman, nor his attorney returned calls for comment.

The Burge scandal remains a financial drain on a cash-strapped city. And an open wound in the African-American community.

Whether Rahm Emanuel, the new mayor, will move to settle the current cases and attempt to close this chapter in the city's history is not yet clear.

Contributing: Don Moseley

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# Daley a defendant in torture lawsuit

W 3

BY Carol Marin

Sun-Times Media

Last Modified: Aug 10, 2011 02:11AM

For the first time, a federal judge has ruled that former Chicago Mayor Richard Daley can be sued for his alleged role in what some contend was a citywide conspiracy to cover up police torture under former police Lt. Jon Burge.

And Daley could be questioned by lawyers representing alleged victims of such torture, all of whom are black and who claim they were abused by a small band of predominantly white police officers under Burge's command. Daley has been directed to appear for a deposition on Sept. 8.

The Burge case has cost Chicago taxpayers more than $43 million in settlements and outside legal fees. Burge, 63, is serving a 4.5-year federal prison term, having been convicted last summer of perjury and obstruction of justice for lying to a federal grand jury when asked if he knew of the torture.

Daley, who was Cook County state's attorney during most of the time that the alleged torture occurred from the mid-1970s to the early '80s, was questioned under oath by a court-appointed special prosecutor in 2006, but it was widely criticized as an overly lenient interview.

A July ruling by U.S. District Judge Rebecca Pallmeyer has paved the way for civil rights attorney Flint Taylor to depose Daley in a lawsuit filed by Michael Tillman, who spent 23 years in prison for murder. Tillman confessed after being suffocated and beaten by officers working for Burge, Taylor said. When Tillman was released in 2010, Cook County special prosecutors concluded there was no reliable evidence against him.

"He's (Daley) never been deposed in any of these cases," said Taylor, who has represented many of those who say they were tortured. "He's never been sat down and questioned for seven hours about his involvement. He's always managed to avoid that."

Attorneys for Daley are asking the judge to reconsider his deposition. Daley has prosecutorial immunity from lawsuits related to his being state's attorney, but it is as mayor that he's a defendant in the Tillman case, according to the judge's ruling.

Contributing: Don Moseley

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www.chicagotribune.com/news/politics/clout/chi-emanuel-says-city-obligated-to-pay-for-daley-defense-in-burge-case-20110810,0,972808.story

chicagotribune.com

# Emanuel says city obligated to pay for Daley defense in Burge case

By Kristen Mack

Clout Street

1:29 PM CDT, August 10, 2011

Mayor Rahm Emanuel today said the city has an obligation to pay for former Mayor Richard Daley's legal defense if he is sued for alleged police brutality conspiracies that happened under former Chicago police Cmdr. Jon Burge.

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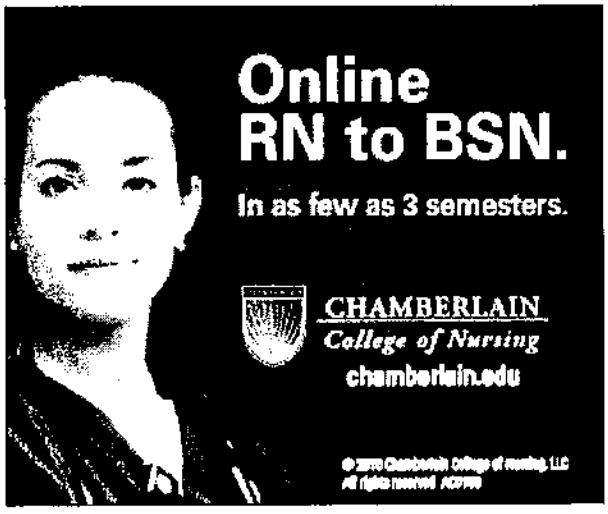


The city will not, however, run up unnecessary legal bills to defend Daley or Burge, Emanuel said.

"We're not going to be reckless and let the meter run legally," Emanuel said.

The new mayor added that he believes Burge, who was sentenced to 4 1/2 years in prison for lying about the torture and abuse of criminal suspects, should lose his pension.

A July ruling by U.S. District Judge Rebecca Pallmeyer applies to just one of several lawsuits filed in the Burge brutality cases. It means attorneys for plaintiff Michael Tillman can depose Daley, according to Flint Taylor, an attorney for Tillman.

Taylor has scheduled a Sept. 8 deposition, but the city has filed a motion asking Pallmeyer to reconsider her ruling.

Daley, the Cook County state's attorney for much of the 1980s, has been named in three other brutality lawsuits stemming from the torture and abuse that Burge and other detectives are believed to have perpetrated years ago on dozens of African-American men in Chicago -- some of whom gave coerced confessions. But as they did in the Tillman case, the city moved to remove Daley from the lawsuits.

The Tillman case marks the first time a judge has ruled there is reason to allow Daley to remain in the lawsuit, Taylor said. In this case, Pallmeyer ruled that Daley could be sued on the conspiracy claims that Tillman has alleged.

Tillman served nearly 24 years in prison for a July 1986 rape and murder before his conviction was vacated and the charges dismissed by a Cook County special prosecutor in January 2010, according to the ruling. He received a certificate of innocence from the Circuit Court of Cook County in February 2010.

"The 7th Circuit Court of Appeals has held that Jon Burge's conduct, however objectionable, was within the scope of his employment," said Jennifer Hoyle, a spokeswoman for the city's legal department. "Even if we had no legal obligation to represent him, we would still be required to indemnify him against any judgments resulting from these cases. For that reason, it is in the best interest of taxpayers that the city continue to provide representation in these matters."

The city has retained outside counsel in Burge-related cases because the pending lawsuits name multiple defendants.

Emanuel said it would be inappropriate for him to comment on the case. The mayor did say, however, that Burge's pension should be revoked.

Earlier this year the city's police pension board allowed Burge to continue to collect his $3,039 a month pension in spite of his criminal conviction.

The board of directors of the Policemen's Annuity and Benefit Fund of Chicago split evenly -- with four current or former Chicago police officers elected by their fellow officers supporting Burge's continued pension and four civilian trustees appointed by Daley voting in opposition. The 4-4 tie meant that Burge kept his pension.

"I believe, and I advocated for this in Congress, that when you're convicted of a crime. . . that deals with your professional life, you've lost the benefits associated with that because you've dishonored the office," Emanuel said.

Attorney General Lisa Madigan has sued to block Burge from pocketing further pension payments.

Emanuel made his comments at an unrelated news conference where he announced that the city is creating an "E-Plan" that will allow architects to submit plans electronically, speeding up the approval and permitting process.

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www.chicagotribune.com/news/local/breaking/chi-judge-daley-can-be-included-as-defendant-in-burge-suits-20110809,0,3876895.story

# chicagotribune.com

## Judge: Daley can be included as defendant in Burge suits

By Annie Sweeney

Tribune reporter

10:57 PM CDT, August 9, 2011

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A federal judge has ruled that former Mayor Richard M. Daley can be sued for alleged police brutality conspiracies that happened under former Chicago police Commander Jon Burge.

The July ruling by U.S. District Judge Rebecca Pallmeyer applies to just one of several lawsuits filed in the brutality cases, and it means that attorneys for the plaintiff in the case, Michael Tillman, can begin proceedings to depose Daley, said Flint Taylor, an attorney for Tillman.

Daley has been named in three other brutality lawsuits stemming from the torture and abuse that Burge is believed to have perpetrated years ago on dozens of African American men in Chicago -- many of whom gave coerced confessions. But as they did in the Tillman case, the city moved to remove Daley from the lawsuits.

The Tillman case marks the first time a judge has ruled there is reason to allow the Daley to remain in the lawsuit, Taylor said. In this case, Pallmeyer ruled that Daley could be sued on the conspiracy claims that Tillman has alleged.

Tillman served nearly 24 years in prison for a July 1986 rape and murder before his conviction was vacated and the charges dismissed by a Cook County special prosecutor in January 2010, according to the court filing. He received a certificate of innocence from the Circuit Court of Cook County in February 2010.

Tillman brings a host of claims against the police officers, police supervisors, and prosecutors involved in his arrest, conviction and prolonged confinement, according to the filing.

"We were extremely pleased by the judge's decision to hold Daley in the conspiracy allegations and consider it to be a significant victory in the long and ardous struggle in the police torture cases," Taylor said.

Taylor has scheduled a Sept. 8 deposition, but the city has filed a motion asking Pallmeyer to reconsider

her ruling.

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WC 3

# Editorial: Stop dragging out police abuse suits

Last Modified: Aug 11, 2011 02:16AM

Too bad federal Judge Elaine Bucklo is not the mayor of Chicago.

Maybe then the city would get out of the business of fighting no-win lawsuits brought by the alleged victims of former police torture meister Jon Burge.

In March, during a hearing in a suit brought by former prison inmate Ronald Kitchen, who was wrongly convicted of murder, Bucklo looked around her courtroom at a slew of attorneys for the city and marveled:

"There's an awful lot of you . . . Does this make sense? I don't understand why this case, why you don't settle. [Kitchen] was declared innocent. Burge is in jail. Have you tried to settle this?"

"I don't see it in the near future," replied Richard Bueke, one of Burge's city-paid attorneys. "Plaintiff's bar sees this as a cash cow."

Judge Bucklo is right — the city should settle immediately. And Bueke is half right — Kitchen's suit against Burge and the city is a cash cow for Kitchen and his lawyers.

As it should be.

Kitchen spent 21 years in prison — 13 on Death Row — for a multiple murder he did not commit, convicted based on a false confession extracted by officers working for Burge. Kitchen alleges he was deprived of food and sleep while detectives beat him with their fists, a phone book and a telephone receiver and struck him in the genitals with a nightstick.

Why shouldn't Kitchen, who is 45, be generously compensated for a miscarriage of justice that threw him into the pit of prison for almost half his life?

Nobody seriously doubts that Kitchen was a victim of Burge's notorious "Midnight Crew." The evidence that Burge tortured dozens of suspects during the 1970s and '80s is overwhelming. Last year, his deeds finally caught up to him when he was convicted of perjury and sentenced to prison for four and a half years. A federal jury decided he had lied under oath when he said he had not tortured suspects.

In continuing to fight lawsuits brought against Burge, his accomplices and the city, City Hall is playing a losing hand. The city already has paid out $21 million to settle 10 suits, and six more suits are pending. The city has shelled out $13 millions to lawyers.

But the cost to Chicago is not only, or even predominantly, monetary. The real price Chicago pays in dragging out these suits is to the reputation of the police department and the city as a whole. Legal battles against torture victims make for a lousy marketing strategy.

As Carol Marin reported in Tuesday's Chicago Sun-Times, former Mayor Richard M. Daley is now likely to be deposed — for the first time — by lawyers representing Burge's alleged victims, a development sure to guarantee that this ugly story stays in the headlines. U.S. District Judge Rebecca Pallmeyer allowed Daley's name to be added to the list of defendants in a suit filed by former prison inmate Michael Tillman.

Daley, in our view, never did enough to end Burge's reign of terror as Cook County state's attorney or call him to account as mayor. But he did take steps to repair the police department's damaged reputation, beginning with his decision to hire Jody Weis as superintendent. Weis had zero tolerance for cops who crossed the line.

The longer Chicago refuses to settle these police torture cases, the more the city's reputation suffers.

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# Mayor Emanuel: Deny Burge city pension, pay for Daley's defense

WC3

By FRAN SPIELMAN

City Hall Reporter

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Last Modified: Aug 11, 2011 02:15AM

Mayor Rahm Emanuel walked a political tightrope Wednesday on the explosive police torture allegations that continue to surround convicted former Chicago Police Commander Jon Burge.

Emanuel argued that Burge should be denied a city pension but that former Mayor Richard M. Daley must be provided with a legal defense for his role in the case.

Responding to a report in the Chicago Sun-Times that a federal judge has ruled that Daley can be sued over allegations that he helped engineer a citywide conspiracy to cover up the torture allegations, Emanuel refused to comment on the propriety of deposing Daley.

He would only say that Chicago taxpayers have no choice but to defend the former mayor.

"We have an obligation, as a city, to pay for that legal representation. That said, [I intend to] make sure that the dollars spent are being watched over and not being reckless and running up unnecessary legal bills," Emanuel said at an unrelated event. "I won't comment on the case. ... You have an ongoing case. It would be inappropriate for me to speak on it. ... [But] we have an obligation, as a city, given the professional work that they did during that time. But we're not gonna be reckless and let the meter run legally on that."

Mayor Emanuel was also asked Wednesday whether he supports Attorney General Lisa Madigan in her efforts to strip Burge of his city pension. That was an issue he was more than happy to weigh in on.

Burge was convicted last summer of perjury and obstruction of justice for lying in a civil case when asked if he knew of the torture that went on under his watch. He is now serving a four-and-a-half year sentence in federal prison.

"I believe ... that when you're convicted of a crime — and I'm not talking about a speeding ticket, I'm talking about something that deals with you professionally — you've lost the benefits associated with that because you've dishonored the office," Emanuel said.

Sun-Times political columnist Carol Marin reported Wednesday that Daley has received notice to appear for a Sept. 8 deposition, now that U.S. District Judge Rebecca Pallmayer has ruled that the former mayor can be sued.

That would force the former mayor to answer questions from attorneys representing alleged victims, all African American, who charge their abuse came at the hands of a small band of predominantly white police officers under Burge's Area 2 command.

Despite Emanuel's statement, attorney Flint Taylor argued Wednesday that the mayor does have a choice. He can stop defending Burge, his fellow officers and Daley and enter into negotiations to compensate Michael Tillman and other victims of police torture.

That's what Daley did in 2008. He agreed to a $19.8 million settlement with four alleged torture victims.

"What's happening now is the city is throwing good money after bad by defending the indefensible. It's totally established that Burge tortured these people, yet the defense goes on," Taylor said.

Sources close to Daley argued that the former mayor's deposition was "not a done deal." Attorneys representing the former mayor have filed a motion to reconsider. They're trying to block the deposition on grounds that Daley's involvement in the case stems from his tenure as state's attorney and that prosecutors have "absolute immunity."

The Burge case has already cost Chicago taxpayers more than $43 million in settlements and outside legal fees. Burge is in federal prison.

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# State's top court weighs convicted rapist's claim of torture by Lt. Burge's crew

BY DAVE MCKINNEY

Sun-Times Springfield bureau chief
dmckinney@suntimes.com

Last Modified: Sep 16, 2011 02:17AM

SPRINGFIELD — Stanley Wrice contends officers working for notorious Chicago police Lt. Jon Burge beat him into wrongly confessing a role in a 1982 gang rape.

That's enough to warrant a new hearing that might reverse his conviction, he argues.

But eyewitness accounts put Wrice at the scene of the rape and showed him carrying a hot clothing iron used to burn the rape victim on 70 percent of her body.

And that's sufficient evidence to keep him imprisoned, a special prosecutor contends.

Those were the arguments presented Thursday to the Illinois Supreme Court in the first case in a decade in which justices are being asked to weigh the claim of a Burge torture victim and possibly establish a legal precedent that could lead to freedom for 15 imprisoned inmates who claim to be victims of Burge's "Midnight Crew."

Wrice's confession to the brutal crime, which came after he allegedly was beaten by two Burge officers with a flashlight and rubber hose, essentially amounts to "a harmless error" that doesn't prove his innocence, prosecutors have contended — a claim Wrice's legal team took aim at Thursday.

"They've given you no reason other than just saying it's no consequence that a man was taken downstairs [by police], and carried and beaten, and some of these men who were electrocuted and waterboarded, it's of no consequence to this court. That's just a regular error that happens in the state of Illinois. Well it's not," Heidi Lambros, an appellate defender representing Wrice, told the justices.

"This court should not stand for that. This court should not tolerate the torture of its citizens within its walls," she said.

Wrice, who has been imprisoned for nearly three decades of a 100-year sentence for the crime, won an Illinois Appellate Court decision in December that ordered a new hearing on his torture claims, which had been repeatedly rejected by the trial court. That decision was appealed by the state.

A special prosecutor, who described the Burge unit's tactics as "abhorrent," argued that "overwhelming evidence" existed beyond just the confession to convict Wrice originally, including testimony from two eyewitnesses and the facts the assault occurred in Wrice's bedroom in his house.

"This was a party house where two individual eyewitnesses came forward and identified Stanley Wrice ... finding an iron in this party house, taking it and lighting it on a stove over a three-hour period, [and going] up and down his stairways to his bedroom with his friends where a woman was burned and raped repeatedly," special prosecutor Myles O'Rourke told the court.

"The other evidence is exactly what the appellate court looked toward in finding there was sufficient evidence of guilt," O'Rourke said, referring to an earlier appeals court ruling that upheld Wrice's conviction.

No DNA evidence existed to tie Wrice to the crime, which Justice Charles Freeman focused upon while questioning O'Rourke, who acknowledged the technology was not in use at the time of the crime.

The lone remaining eyewitness and his two co-defendants have recanted their accounts implicating Wrice, saying they too had been beaten or threatened by Burge's officers.

"Bobbie Joe Williams is the only surviving witness in this case, and he claims that he did not see Stanley Wrice put an iron on the stove, heat it up, go upstairs, and his testimony to that effect is false," said David Protess, president of the Chicago Innocence Project, which interviewed all of the surviving witnesses in the case and favors a hearing on Wrice's torture claims.

The court adjourned Thursday without making a decision in the case.

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# Judge: Daley can be sued over alleged torture by police

BY CAROL MARIN
AND DON MOSELEY

The Chicago Sun-Times and NBC5

Last Modified: Nov 3, 2011 02:11AM

For the second time in four months a federal court judge has ruled former Mayor Richard M. Daley can be sued in an ongoing legal battle over allegations of police torture.

U.S. District Court Judge Rebecca Pallmeyer on Wednesday denied a motion to reconsider her prior ruling, setting the stage for Daley to be deposed by attorneys representing men who claim they were tortured by a small band of Chicago Police officers in the 1970s and 1980s.

Attorneys for Daley, paid for by the city, appealed the judge's July ruling only to be turned down in an 11-page motion filed Wednesday.

Attorneys for Daley had successfully fought an earlier deposition in anticipation of the judge's ruling.

"We have patiently awaited this decision before proceeding to question Daley under oath at a deposition," said plaintiff's attorney G. Flint Taylor. "Now the path is clear, Daley has no legitimate grounds to object, so we will [Thursday] subpoena Daley for questioning in early December."

Taylor represents Michael Tillman, who spent 23 years in prison for a murder in which he was later exonerated. In her July ruling, Judge Pallmeyer wrote that Daley could be listed as a defendant in the Tillman civil lawsuit. Among those named in the suit are Jon Burge, 63, a former police commander now in prison, as well as former officers under his command. The former mayor is also named.

As Cook County state's attorney from 1980 to 1989, Daley is granted prosecutorial immunity. But as mayor, Pallmeyer ruled, Daley doesn't have the same privilege.

The lawsuit charges that Daley was part of a conspiracy to cover up the torture allegations.

In her original ruling, Pallmeyer wrote that Tillman had "presented more than 'naked assertions' and his conspiracy claim survives."

In her ruling denying the motion to reconsider, Pallmeyer concluded "that Plaintiff sufficiently alleged that Daley, as Mayor, participated in a conspiracy that included the concealment of exculpatory evidence."

City Law Department spokesman Roderick Drew said the city is determining what to do next.

"The order raises complicated legal issues that we are examining," Drew said.

19-cv-4048(FBI)-3267 282A-CG-126294

Taylor said Tillman is "very, very happy" because of the ruling and "looks forward to his lawyers questioning Daley for his decades-long role in the police torture scandal."

Tillman was released from prison last year after special prosecutors for Cook County found there was no reliable evidence against him. Tillman originally confessed to murder but only, he says, after he was tortured by officers under the command of Jon Burge.

In an August interview, Tillman recalled that during his 1986 interrogation, "I was hit with the fist, the phone book, I had a plastic bag placed over my head repeatedly. I had a gun put to my head while I was on my knees. I had a 7-Up poured down my nose. I was hit in the leg with a flashlight. I felt like a slave, tied to a tree that couldn't do nothing 'cause I was always bound."

Burge was convicted last year of obstruction of justice and lying in a civil suit when asked if he knew about or participated in police torture. He is currently serving a 41/2-year sentence in a federal prison in North Carolina.

Tillman's attorneys argue Daley knew of police torture dating back to the 1982 case of convicted cop killers Andrew and Jackie Wilson. Taylor said that Daley, as state's attorney, received a letter from the head physician at Cook County Jail that stated Andrew Wilson had been beaten.

In the years to follow, more than 100 other men, virtually all African-American, claimed they, too, had been subjected to police torture. Both sides in the Tillman case are to appear in Federal Court on Friday.

Carol Marin is a Sun-Times columnist. Don Moseley is an NBC5 producer.

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WC3

# chicagotribune.com

## Ex-Mayor Richard Daley can be sued in Burge case, judge reaffirms in ruling

### City had asked judge to reconsider ruling in police abuse scandal

By Ryan Haggerty, Chicago Tribune reporter

November 3, 2011

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ruling-1103-20111103%2C0%2C804

A federal judge on Wednesday reaffirmed her decision that former Mayor Richard Daley can be sued in the abuse scandal that unfolded under disgraced former Chicago police Cmdr. Jon Burge.

U.S. District Judge Rebecca Pallmeyer decided in July that Daley could remain a defendant on the case brought against him and several others by Michael Tillman, who says he was tortured into a confession, then served nearly 24 years in prison before charges against him were vacated.

The city asked Pallmeyer to reconsider, but she issued a ruling Wednesday reaffirming her decision.

Several lawsuits have stemmed from the abuse scandal that unfolded under Burge, and Daley has been sued before, only to be dropped from the suits later.

Tillman served time for a July 1986 rape and murder before his conviction was vacated and the charges dismissed in January 2010, according to court documents. Daley was sued in the Tillman case as both the mayor and as the Cook County state's attorney, a position he held for most of the 1980s.

Wednesday's ruling appears to give Tillman's attorneys the ability to depose Daley, which they have been seeking for months.

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282A-CG-126294

**FEDERAL BUREAU OF INVESTIGATION**

Date of transcription 01/03/2012

On January 3, 2012, Special Agent [redacted] provided the following [redacted] to Assistant United States Attorney (AUSA) [redacted] b5 -1,-3 b6 -1,-3 b7C -1,-3

[redacted]

AUSA [redacted] requested the documents in response to a request for information from [redacted] b6 -3,-6 b7C -3,-6 The request for information was approved by US District Court Judge Joan Lefkow. AUSA [redacted] and Paralegal Specialist [redacted] will be present during [redacted] review of the documents. A/CDC DJ Rossini was apprised of the situation and agreed with AUSA [redacted] request.

Once the review is completed, the documents will be returned to SA [redacted] and retained as appropriate. The original copies of [redacted] are inventoried under 1A-14. The original [redacted] is inventoried as 1B1 and kept in Evidence. b5 -1,-3 b6 -1 b7C -1

Investigation on 1/3/2012 at Chicago, Illinois

File # 282A-CG-126294 Date dictated 1/3/2012

by SA [redacted] b6 -1 b7C -1

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 01/09/2012

On January 9, 2012, Assistant United States Attorney [redacted] returned the following [redacted] to Special Agent [redacted] b5 -1,-3 b6 -1,-3 b7C -1,-3

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

AUSA [redacted] had requested the documents in response to a request for information from [redacted] The request for information was approved by US District Court Judge Joan Lefkow.

The original copies of [redacted] will be returned to inventory and kept under 1A-14. The original [redacted] will be returned to Evidence and stored as 1B1. b5 -1,-3

Investigation on 1/9/2012 at Chicago, Illinois

File # 282A-CG-126294 Date dictated 1/9/2012

by SA [redacted]

b6 -1 b7C -1

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 11/05/2007 b6 -1,-3,-5,-6 b7C -1,-3,-5,-6

On October 24, 2007, [redacted] requested to meet with Federal Bureau of Investigation Special Agents and the Assistant United States Attorney. Present during the meeting were the following:

Assistant United States Attorney (AUSA) [redacted]
AUSA [redacted]
FBI Special Agent [redacted]
Attorney [redacted]

[redacted] requested the meeting in an effort to assist the United States Attorney's Office in developing potential leads concerning the investigation of torture allegations against JON BURGE. [redacted] accompanied [redacted] and is currently a [redacted] provided the following information: b6 -5,-6 b7C -5,-6 (1-2) JHO

[redacted] concerning BURGE. [redacted] statements about abuse directly from BURGE. [redacted] allegedly knew that BURGE [redacted] if BURGE were to be indicted. b6 -5,-6 b7C -5,-6

[redacted] a former Chicago Police Department (CPD) [redacted] may have information concerning an incident [redacted] involving First Name Unknown (FNU) [redacted] According to [redacted] was never deposed and had never testified in any civil proceedings. [redacted] may live on the [redacted] Chicago. b6 -4,-5,-6 b7C -4,-5,-6

[redacted] (phonetic) once indicated she had information concerning torture allegations against BURGE. [redacted] lives in [redacted] and [redacted] said he may have her contact information. b6 -5,-6 b7C -5,-6

[redacted] witnessed brutality against FNU [redacted] had no further information concerning [redacted]

Investigation on 10/24/2007 at Chicago, Illinois

File # 282A-CG-126294-302 Date dictated

by SA [redacted] b6 -1 b7C -1

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[redacted] who was once loyal to BURGE, may be willing to provided information. In March of 2006, [redacted] As the discussion progressed, [redacted] their conversation was confidential as he did not want to get involved and hurt his cohorts. [redacted] conversation with [redacted] currently lives on [redacted]

[redacted] who worked in Area 2, b6 -4,-5 b7C -4,-5 is currently employed at [redacted]. [redacted] allegedly has information concerning torture by BURGE, but has been unwilling to talk about it. [redacted] mentioned that [redacted] and if confronted about those reports, he may be willing to talk about BURGE. [redacted] and [redacted] is currently employed with [redacted] and allegedly had copies of [redacted] had further information concerning a [redacted] and [redacted] provided no further information about that particular incident.

[redacted] was involved with an incident involving [redacted] and FNU [redacted] was recently deposed. b6 -2,-4,-6 b7C -2,-4,-6

FNU [redacted] former CPD Officer, worked in Area 2 in the [redacted] allegedly witnessed several incidents in Area 2, which were summarized in the report to Special Prosecutors [redacted] and [redacted]

[redacted] spoke with BURGE on several occasions. b6 -6 b7C -6 She allegedly overheard BURGE admitting to several of the torture incidents.

Other individuals who may have information are [redacted] (phonetic). [redacted] never witnessed an actual event, but knew of the events. [redacted] and was recently deposed. [redacted] saw one incident of torture. [redacted] may have [redacted] were present. b6 -4 b7C -4

[redacted] FNU [redacted] and FNU [redacted] (phonetic) are scheduled to be

282A-CG-126294 -302 2
JAO:jao

1

Attached to this communication are various newspaper articles documenting the background and history of alleged torture led by Jon Burge and other Chicago Police Department Officers under his command.

Sgt
JAO



282A-CG-126294-302

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# Twenty Questions

Lawyers for police torture victims are trying to get Mayor Daley on the stand. We've got a few things to ask him too.

**By John Conroy**
May 11, 2007

Derek Erdman

**ON FEBRUARY 22** federal magistrate Geraldine Soat Brown ruled that Mayor Richard Daley could at last be put on the hot seat: he would have to answer questions under oath about the Jon Burge torture scandal.

As readers of this paper know only too well, Burge and Chicago police detectives under his command abused suspects from the early 1970s until the early 1990s—suffocating them with plastic bags and typewriter covers, shocking them, and beating them. Daley was Cook County state's attorney from 1981 to 1989, when the bulk of the torture took place. He was in a position to investigate and didn't, setting an example his successors in the office have followed to the present day. No one knows how many were tortured, but more than 100 likely victims have been identified, and some are still behind bars on the basis of those suspect confessions. Lawyers representing five of the victims now have civil suits pending in federal court. Those suits led to Brown's ruling.

"If they require me to be deposed, I have no problems with that," Daley said at a news conference. But that was before the February 27 election, when one of his challengers was urging voters to "say no to the Daley/Burge team." After the election the city's lawyers appealed Brown's ruling to federal judge Marvin Aspen. They argued that questioning Daley under oath was "premature and may be unnecessary"—on the grounds that busy public officials like the mayor shouldn't be compelled to testify until all other avenues of getting the desired information have been exhausted. Judge Aspen hasn't set a date for when he'll rule, but it's likely to be in the next two weeks.

The mayor would have the public believe that he's already been grilled on the subject. "I answered all those questions," Daley said in February, referring to his interview with special prosecutors Edward Egan and Robert Boyle, who were appointed in 2002 by the chief judge of the criminal court to investigate the torture.

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## I Saw You

**The One**

I saw you crossing LaSalle, or thereabouts, around 9:05 p.m. Wednesday. I was driving west on Ontario. You were wearing red and wearing it well. Your short dark brown hair was pulled back and you had bangs flipped to the side. The dufussy guy, wearing white shirt and shorts, who you were with had left you on the corner as he goofily ran to the median. You did not look amused. I think you and I both know you could do better with someone who will stand by you, not leave you behind, alone on the corner.

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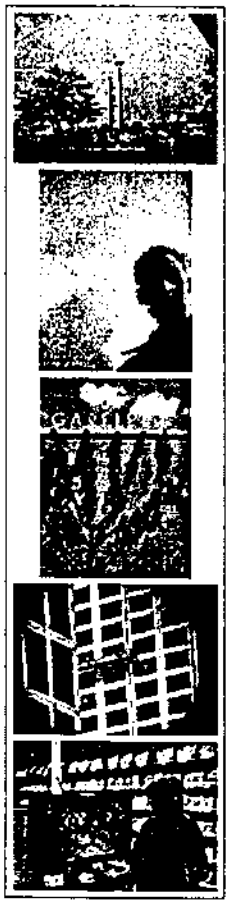


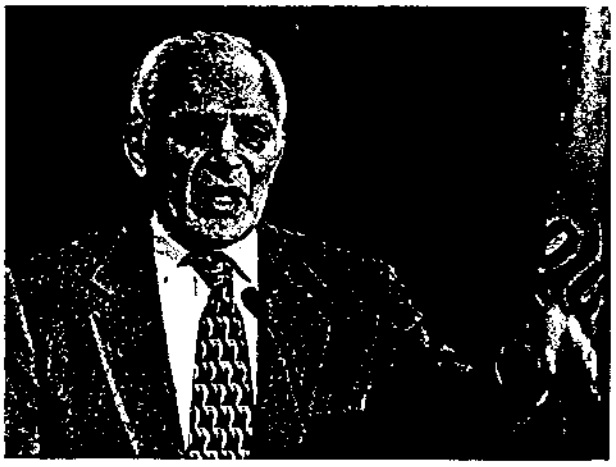
Egan and Boyle issued their final report last July. They concluded that torture had occurred, that it was too late to prosecute anyone, and that the state's attorney's office had demonstrated "a bit of slippage"—as Boyle put it at a news conference—in failing to do anything about it. "Slippage" was a remarkable understatement. As each victim was typically subjected to several acts of torture, by several officers, who then proceeded to lie about it multiple times at successive court hearings, the number of unprosecuted felonies committed by the Burge gang could exceed 3,000. (In each case, the officers involved might have been charged with aggravated assault, official misconduct, perjury, obstruction of justice, conspiracy, compelling a confession by force, and intimidation.) Labeling this failure to charge anyone "slippage" was typical of the special prosecutors' approach to their task. Egan and Boyle are former high-ranking attorneys in the state's attorney's office, and their enthusiasm for investigating Daley's role might best be illustrated by the fact that they didn't interview him under oath until June 12, 2006, when their report was virtually complete. They asked him about office procedures, personnel assignments, and only one of the more than 50 cases that occurred on his watch, the infamous Andrew Wilson case. Wilson killed two police officers on February 9, 1982. He emerged from Burge's custody with a corneal abrasion, radiator burns on his chest, the imprint of alligator clips on his ears and nose, and the story that detectives had applied shock devices to his head, genitals, fingers, and back.

In the transcript of the Daley interview Boyle starts talking on page two and can't seem to stop: he gives the mayor a refresher course in the history of the Wilson case, which Daley presided over both as state's attorney (Wilson was tried twice on his watch) and later as mayor (Wilson's civil suit against the city dragged on for years during his first two terms in office). Boyle finally reaches his first question on page seven.

The 49-page transcript has the special prosecutors asking Daley 81 questions and the mayor answering with variations on "I don't recall" 20 times. Magistrate Brown described the transcript as containing "little useful information." For some perspective, consider that when state's attorney Richard Devine, who served as Daley's first assistant, was questioned by lawyers for Burge victims last year, the transcript ran 574 pages without exhibits.

Dissatisfaction with the way the special prosecutor's report dealt with the state's attorney's office under Daley was part of what led an alliance of legal and community groups last month to observe the fifth anniversary of Boyle and Egan's appointment by calling for a new investigation by the U.S. attorney's office.

Perhaps one day that office will be talking to Daley under oath. Much more likely is the possibility that Daley will have to submit to interrogation in the civil suits. Given that the mayor once said he was willing to answer questions, the Reader came up with 20 that his constituents might like to hear the answers to—questions not asked by Egan and Boyle. We e-mailed them to the mayor last week and followed up with more e-mail, phone calls, and a fax. He didn't get back to us.



**1.** Last year special prosecutors Edward Egan and Robert Boyle concluded that about 74 men had been tortured at Areas Two and Three. These men were not named, but given the time span of the torture allegations it's likely that most were tortured during your tenure as state's attorney, from 1981 to 1989. If the special prosecutors were right, a relatively small group of policemen committed several thousand felonies on your watch. Yet not one officer was indicted. Did you ever suspect that your office was enabling criminal behavior? If you did harbor that suspicion, what action did you take? If you did not, what advice would you have for state's attorney Richard Devine and other prosecutors regarding police misconduct and

torture cases?

**2.** In 1982, when you were state's attorney, Andrew Wilson's confession that he'd killed two police officers was taken by Larry Hyman, supervisor of your Felony Review Unit. All prosecutors recognize that when taking a confession, they must ask if the statement is being given voluntarily, without coercion. But in this extremely important case, Hyman failed to ask that question, not only of Andrew Wilson but also of his brother Jackie, who also confessed to a role in the murders. In your years as state's attorney, thousands of homicides were prosecuted. Can you name another instance in which a murder confession was given and this question was not asked?

**3.** Was anything said to Hyman by you or by anyone in your office about this failure? If so, what?

**4.** Felony review supervisor Hyman left the state's attorney's office less than three months after Wilson's arrest. Was he asked to leave? If so, why and by whom?

**5.** William Kunkle, your first deputy at the time, has said he believed the drivers of the police wagon taking Andrew Wilson to Mercy Hospital after he confessed were the ones who assaulted him, not the detectives. If so, why were those two wagon men not charged and prosecuted?

**6.** According to state's attorney Devine's sworn testimony, you would review each case in which prosecutors wanted to seek the death penalty. From the outset there were red flags about Wilson's confession: Hyman's failure to ask the coercion question, the police lockup keeper's refusal to accept Wilson after he emerged from Area Two with so many apparent injuries, the Mercy Hospital records, the Cook County Jail intake photos, the letter from Dr. John Raba, who examined Wilson soon after his arrival at the jail, and a letter from police superintendent Richard Brzeczek asking you for guidance on the matter. Later there would be photographs of alligator-clip-patterned scabs on Wilson's ears and nose. With so much evidence of coercion, were you comfortable asking that this man be put to death?

Richard Devine, Larry Hyman, Jon Burge

**AP/Stephen J. Carrera (Devine), St. Petersburg Times (Burge)**

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**7.** Given the extreme and unusual nature of the treatment Andrew Wilson was alleging at Area Two—including electric shock devices used against him—did you or anyone else in the office ask the prosecutors who worked on Area Two cases if they'd heard accusations of torture there before? If not, why not?

**8.** In 1987, two years before you left the state's attorney's office, the Illinois Supreme Court overturned Andrew Wilson's conviction, making specific mention of the injuries noted by the staff at Mercy Hospital. It's highly unusual for the state Supreme Court to overturn the conviction of a cop killer. Yet even then you didn't order an inquiry into the torture accusations. Why not?

**9.** In 1990, when you'd been mayor for more than a year, the police department's Office of Professional Standards issued two reports on torture at Area Two, one concluding that Wilson had been tortured and the other that abuse including "planned torture" was systematic under Burge's command. The city fought to keep those two OPS reports from the public eye but lost the battle. You said at the time that the reports' findings were only allegations, but as time passed, the Police Board and the city's law department came to the realization that the charges in those reports had merit. In February 1993 the Police Board fired Burge and in May 1995 the law department acknowledged that torture had occurred under Burge's command.

One of those pivotal OPS documents, known informally as the "Goldston report," named "players" (officers whose names turned up consistently in the 50 cases investigator Michael Goldston examined). Among those officers was Peter Dignan. Dignan has been accused of participating in the torture of a long list of suspects, torture that included multiple allegations of suffocation using a plastic bag or typewriter cover, electric shock, and beatings with a rubber hose and a flashlight, the target often being the suspect's testicles, penis, and groin area. These accusations arose when you were state's attorney.

In 1998, five years after Burge was fired and three years after the city's law department formally acknowledged that torture had taken place, the police department gave Dignan a merit promotion to lieutenant, considerably improving his pension. What role did you play in approving that promotion?

**10.** Should that promotion have been made?

**11.** Did you or anyone else in your administration have any discussion with any city or county official regarding Dignan's retirement in 2002 and his subsequent hiring by Cook County sheriff Michael Sheehan, as assistant chief of the fugitives unit, at a salary of $74,800?

Peter Dignan

**12.** You now acknowledge that torture took place, but in a recent deposition state's attorney Devine said that even today he sees not one case in which there was sufficient evidence to conclude that police officers had been involved in physical coercion. How do you explain the extreme difference in your views?

**13.** In 2003 Governor Ryan pardoned four men who were prosecuted while you were state's attorney. All said they were tortured into confessing to crimes they hadn't committed and had served time on death row. You've resisted settling their civil suits, even though you admit that torture was common at Area Two. How do you explain this contradiction?

**14.** According to a motion filed in federal court recently by attorneys for three of the four men, Judge Marvin Aspen mediated a settlement agreement last November in which the city agreed to pay them $14.8 million and in exchange their lawyers agreed to certain noneconomic terms suggested by the city's counsel, including that (a) they wouldn't name you as a defendant "in a civil rights, obstruction of justice, and racketeering conspiracy" and that they would not seek a finding of liability and damages from you for your

"alleged conspiratorial actions while serving as Cook County State's Attorney"; (b) they wouldn't ask you for a deposition in the three cases though they would continue to seek one from Mr. Devine and other Cook County officials; (c) they wouldn't criticize you in any public statements made in connection with the settlement. What was your role in imposing those terms?

**15.** Regardless of whether you had any role in imposing those terms, do you believe it is appropriate for the city to condition a settlement on terms and conditions that benefit you personally?

**16.** Could the case have been settled for less if the city had not asked the plaintiffs and their lawyers to accept the conditions favorable to yourself?

**17.** Although these terms were agreed to in November, the city now denies there was any such contract. This is not a believable claim. For one thing, the plaintiffs' lawyers would have no reason to file a motion to enforce an agreement that they'd dreamed up, as they would have no chance of prevailing. For another, Judge Aspen is clearly exasperated. He's said the city's behavior was "unprecedented" in his years on the bench. Why did the city renege on the agreement?

**18.** In defending the city and individual police officers against those three civil suits, Chicago has paid about $5 million to seven law firms. Many litigation attorneys believe any case will be settled for much less if it is resolved early, before attorneys and clients spend substantial amounts of money and time in the prosecution and defense. Why didn't the city settle the cases early on?

**19.** In your interview with the special prosecutors, you indicated you were not informed about crucial events that occurred after the arrest of Andrew Wilson. You indicated you were not informed of the actions and controversial decisions of assistant state's attorney Larry Hyman, of the suspicions that the wagonmen had abused Wilson, and of the lockup keeper's refusal to accept the injured Wilson. Would you say, then, that the supervisors immediately under you at the time, first assistant Richard Devine and first deputy William Kunkle, bear greater responsibility than you for failing to investigate and prosecute Commander Burge and the detectives in his torture ring?

**20.** In a statement to the press last July you said that the city "strongly supported" the release of the special prosecutor's report because "the public has the right to know about this shameful episode in our history. No suspect should be subjected to the abuses detailed in the report."

Yet perpetrators of this "shameful episode" remain on city and county payrolls, some in high-ranking supervisory positions. Some of them participated in the abuse; others remained silent while it took place. Many took the Fifth Amendment when questioned by the special prosecutors. Should these people still be on the public payroll?

John Conroy's articles on torture and the Chicago Police Department are posted in a free archive at chicagoreader.com/policetorture.

Conroy can be reached at jconroy@chicagoreader.com.

***Correction:** This sentence has been changed since the story appeared in print. It incorrectly stated "the February 27 primary."*

Send a letter to the editor.

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# Police Torture in Chicago

Printer Friendly

## A Hell of a Deal

His job is to prosecute criminals. But if the criminals are cops, state's attorney Dick Devine doesn't want to hear about it. Now, with Devine offering inmates their freedom if they'll drop their claims of torture, some defense attorneys suggest appointing a prosecutor to go over his head.

**By John Conroy**

October 12, 2001

**ORDINARILY, STATE'S ATTORNEYS** who desire reelection or higher office portray themselves as courageous crime fighters responsive to their communities, who leave no stone unturned to put evildoers in prison. Cook County state's attorney Richard Devine, now contemplating a run for governor, has recently turned that tradition on its head.

In a brief submitted to chief criminal court judge Paul Biebel Jr., Devine has proclaimed that he is powerless to do anything about a gang of policemen who may be responsible for 12 men wrongly sentenced to die. Though there is substantial community interest in these cases--both the Tribune and Sun-Times have called for an inquiry, as has a coalition of prominent community groups--Devine argues that nothing can be done. That he once served as attorney for the chief perpetrator, Devine says, is a moot point.

The gang is small, no more than two or three dozen veterans of the Area Two Violent Crimes unit who served too enthusiastically under the leadership of Commander Jon Burge. The police department's Office of Professional Standards, a federal judge, and city attorneys have all acknowledged that Burge and some underlings tortured suspects to get confessions. But what is common knowledge in police headquarters, City Hall, and the Dirksen Building has been ignored at the Criminal Courthouse at 26th and California. For the past four years, Devine and his assistant state's attorneys have regularly refused to admit in court that for more than a decade torture was a fact of life at Area Two.
They have held this position publicly even as they bargained with some of the alleged victims. The state's offer can be paraphrased as "Drop this claim of torture, plead guilty to the heinous offense you may not have committed, and after a decent interval we'll get you back on the street." Darrell Cannon, who was serving a life sentence for murder, accepted such a deal in January (see "What Price Freedom?" March 2, 2001). Negotiations for plea agreements are now under way with some inmates on death row.

No Illinois inmate has ever walked away from death row by dropping a claim that he was tortured by police. Indeed, various death penalty experts from across the United States, including Brenda Bowser of Washington's Death Penalty Information Center and University of Colorado professor Michael Radelet (the author of several books and studies on the death penalty), could name no other inmate in the history of the nation who got off death row this way. The benefit to the inmate, of course, is eventual freedom, but at the

## I Saw You

**Tall Girl From Southport Fest**

I saw you at the Southport Fest on Sunday 7/29 around 7:30. You had a fantastic smile, a dark baseball cap on pulled down, and short shorts. You and your girlfriend were quite amused by an instructional book at the Pennyworth bookstand. I was standing next to both of you looking at a book. I'm tall, like you, and was wearing a brown shirt, cargo shorts, and glasses. We made eye contact and smiled...

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cost of damaging his prospects in a civil suit for wrongful imprisonment. The benefit to the prosecutors is that the police force comes off in a much more favorable light ("No torturers here"), the treasury may be spared tens of millions of dollars in damages for wrongful imprisonment, and the state's attorney doesn't look so bad for not pursuing the torturers.

This lack of official zeal has frustrated the victims' defenders for more than a decade. Now they have united in a legal strategy that threatens to make Devine himself moot. They are asking Judge Biebel to bypass the state's attorney's office and appoint a special prosecutor.

The last time the Chicago police were suspected of such gross misconduct that a special prosecutor was appointed was in 1970, a few months after police, ostensibly looking for weapons, killed Black Panther leaders Fred Hampton and Mark Clark. Special prosecutor Barnabas Sears ended up indicting state's attorney Edward Hanrahan and his top aide as well as 12 policemen, all for obstruction of justice. (All were eventually acquitted, but Hanrahan's career never recovered.) While no one believes Devine deserves indictment, the mere appointment of a prosecutor over his objections would stand as a stark public judgment that he has failed in his duties.

**ELEVEN YEARS HAVE** passed since the Reader first pointed out the pattern of torture allegations emanating from the Area Two Violent Crimes unit, accusations that detectives had used electric shock, suffocation, mock execution, beatings, and hanging by handcuffs to get confessions. Those revelations came after a federal trial in the civil suit of Andrew Wilson, a convicted cop killer who claimed to have been shocked, burned, and suffocated by Burge and detectives under his command. Wilson was represented by the People's Law Office, and during the course of the civil proceedings, anonymous letters in police department envelopes began to arrive at the PLO's office. The letters indicated that Wilson had not been the first suspect to be given electric shock, that the electrical devices belonged to Burge, and that Area Two detectives were split into "Burge's ass kickers" and "weak links" (detectives who didn't join in). One letter contained the name of another victim who'd been shocked nine days before Wilson, and when PLO attorneys located him he led them to others. Over several years the PLO built up a list of 66 people who claimed they had been tortured by Burge and detectives under his command at Area Two and Area Three. It's an impressive list, with the first complaint made in 1973 and the last in 1991, but almost certainly incomplete. To determine the actual number of victims, someone would have to reexamine thousands of police and court records. Only a public agency or some sort of legally mandated truth commission would have that capability, and 11 years after the possible scope of the scandal became public knowledge, no capable government body has shown any interest in the task. It is possible that hundreds of people were tortured and conceivable that many confessed to crimes they did not commit.

In late 1990, two reports prepared by the Office of Professional Standards concluded that abuse at Area Two was systematic and included "planned torture," and that Commander Burge had indeed used electric shock devices to torture Andrew Wilson after his arrest for killing two policemen. Police superintendent LeRoy Martin, who had once served as Burge's supervisor at Area Two, sat on the reports for a year before asking the Police Board to conduct an inquiry. In the meantime, the city fought to keep the OPS documents from the public eye, eventually losing that battle in federal court. Upon their publication, Mayor Daley, who had been state's attorney at the time, dismissed the OPS reports as nothing more than allegations.

The Police Board--a body charged with sorting out personnel issues, not with the administration of justice--began hearings into the case of Andrew Wilson on February 10, 1992. One year later, the board handed down its judgment. Two detectives were suspended for 15 months and Burge was thrown off the force. But though the board indicated in its vaguely worded decision that its members had been impressed by the testimony about electric shock devices, it didn't say that Burge had used them. It concluded that Burge "did . . . strike and/or kick and/or otherwise physically abuse or maltreat" Wilson.

A little more than a year later, city attorneys changed sides. Until March 28, 1994, members of the city corporation counsel's staff had insisted that torture had never occurred at Area Two. On that date they declared their belief that Burge was indeed guilty, and the city's lawyers later characterized the abuse as "savage torture." The reason for the startling about-face, however, was not concern for victims or justice but rather a desire to escape liability for any damages that might be awarded. The city argued that torture was "beyond the scope of employment"--in essence that Burge had exceeded his job description--and therefore that Burge should pay, not the city. In 1997 the U.S. Court of Appeals dismissed this argument as frivolous, and the city paid more than a million dollars in damages.

In late 1998 the Sun-Times called for a judicial inquiry, and in July 1999, more than nine years after the torture became widely known, the Tribune did the same. In between came a significant opinion from U.S. District Court judge Milton Shadur. In granting an evidentiary hearing to death row inmate Andrew Maxwell that March, Shadur wrote, "It is now common knowledge that in the early to mid-1980s Chicago Police Commander Jon Burge and many officers working under him regularly engaged in the physical abuse and torture of prisoners to extract confessions." Despite the dawning public realization that something had likely gone very wrong under Burge's command, neither the Cook County state's attorney nor the U.S. attorney mounted any criminal investigation of the torturer, and no public agency attempted a wholesale review of the convictions of the alleged victims.

Twelve men are now on death row on the basis of confessions extracted by Burge and/or detectives under his command, and the lack of any state or federal investigation has meant that the victims--most of them indigent--have had to do what prosecutors haven't: make a case that torture was used at Area Two. With limited resources and none of the clout a prosecutor can wield in getting reluctant witnesses and coconspirators to testify, the Area Two complainants have been at a severe disadvantage, especially when they appear at 26th and California. Even today, with the scandal in its 11th year of publicity, no circuit judge in Cook County has been willing to accept that a torture ring existed; not one of the Area Two victims' alleged confessions has been suppressed by a 26th Street judge.

Last winter, however, it seemed as though one victim had a fair chance of getting his confession thrown out. Darrell Cannon, an El Rukn general who was convicted of a 1983 murder and sentenced to life, had been granted a new hearing in a 1997 decision written by Appellate Court judge Warren Wolfson. Wolfson indicated that Cannon's claims of torture were to be heard in full, with ample testimony from other victims. Cannon claimed that he had been beaten with a flashlight, shocked on the genitals with a cattle prod, and subjected to a mock execution at the hands of Detective Peter Dignan (now a lieutenant), Sergeant John Byrne (now a disbarred lawyer working as a private investigator), and Detective Charles Grunhard (now deceased). After Cannon's witnesses were heard, the state's attorney's office decided to plea-bargain. Much was at stake. If the policemen looked bad on the witness stand--and there was good reason for the state to entertain such fears--and the judge suppressed Cannon's confession, the decision would reverberate through the rest of the Area Two torture cases. If these officers could not be believed in this case, how could they be believed in others? Devine's office offered Cannon a deal he couldn't refuse: freedom in approximately two and a half years if he would plead guilty to lesser charges and drop his claim that he'd been tortured. Cannon was furious, as he had hoped to see the policemen grilled on the witness stand, but he ultimately listened to the advice of his lawyers and took the deal.

Cannon's defense team--two lawyers from the People's Law Office (Flint Taylor and Tim Lohraff) and two from the Northwestern Legal Clinic (Tom Geraghty and Cathryn Stewart)--were beset by conflicting emotions. While pleased that their client would go free, they felt deprived of a golden opportunity. For the first time in a criminal case, a fair-minded judge had heard the testimony of multiple other victims, and for the first time, former Area Two personnel were going to be forced to explain, under oath, how their small group, on a force of more than 13,000 policemen, had accumulated so many similar complaints of torture from defendants who did not know one another. Cannon's attorneys could imagine Devine offering similar deals to other Area Two victims, with the result that the perpetrators of the torture would never appear in court for a thorough cross-examination about multiple cases. Frank Ralph, who had won the favorable opinion from Judge Wolfson in Cannon's appeal, had trouble sleeping as he mulled over the outcome of the case, and on one of those fitful nights he had an idea. Why not bypass Devine? Why not petition the chief judge to appoint a special prosecutor to investigate the policemen?

The idea was received enthusiastically by various lawyers representing Area Two victims, and they and other defense attorneys contributed ideas and legal theory. The law provides that such petitions can be filed by private citizens, and three signed on as the formal petitioners: prominent civil rights attorney Lawrence Kennon, Citizens Alert director Mary Powers, and Mary Johnson, mother of Michael Johnson, who claimed that he had been tortured in 1982. They were joined by 13 community groups, including the Chicago Council of Lawyers, the Cook County Bar Association, Amnesty International, the Rainbow/PUSH Coalition, the National Lawyers Guild, the Justice Coalition, Citizens Alert, and the Campaign to End the Death Penalty. Locke Bowman, director of the MacArthur Justice Center, and Randolph Stone, former chief public defender of Cook County and director of the University of Chicago's Mandel Legal Aid Clinic, agreed to represent the petitioners. Both were well regarded in the legal community, and as neither represented an Area Two victim, they couldn't

be written off as paid advocates of a desperate convict.

On April 5, Stone and Bowman submitted a brief that asked Judge Biebel to appoint a special prosecutor "to investigate any and all wrongdoing arising out of abuse of suspects by police officers under the command of Jon Burge...from 1973 until the present." The petition first established the neglect of prosecutors past and present, arguing that hundreds of serious crimes committed in the course of the torture had gone unprosecuted. "Each act of torture--whether by electroshock, burning, Russian roulette, suffocation, or merely striking with a phone book, constitutes a violation of the armed violence statute (intimidation or official misconduct while armed with a dangerous weapon), a Class X felony." And since a typical incident might involve multiple acts of torture by three or four officers, "as many as twenty separate convictions for the offense of armed violence would be justified, such as where four officers subjected a suspect to five different acts of torture." The petitioners argued that lesser offenses like perjury, intimidation, official misconduct, compelling a confession by force, and aggravated battery were also committed regularly.

Stone and Bowman acknowledged that most of those crimes were now beyond prosecution, the statute of limitations having expired years ago on that range of felonies. The attorneys went on to suggest, however, that the officers could still be prosecuted for two offenses relating to the continuing cover-up of the torture: obstruction of justice and conspiracy to obstruct justice. It is illegal to obstruct the defense of any person, and hiding the fact that a man's confession was coerced certainly interferes with that man's defense. Stone and Bowman argued that a conspiracy was obviously afoot among those who served under Burge, as "there is no innocent explanation for the consistency of such lies in each and every case. The inescapable conclusion was that the officers in each of these cases conspired together to obstruct justice by agreeing that all should tell the same lie."

In Stone and Bowman's interpretation of the law, the statute of limitations that precluded prosecution for the Class X felonies did not preclude it for obstruction and conspiracy. The two attorneys argued that under Illinois law conspiracy is a continuous offense, meaning that the three-year statute of limitations begins to run anew with each overt act performed by a conspirator in furtherance of the conspiracy. The petition pointed to several recent overt acts by alleged conspirators: depositions in various Area Two cases in which detectives claimed no torture had taken place, and interviews given to the media by Lieutenant Dignan and retired sergeant Byrne. A full investigation, Stone and Bowman wrote, would disclose other recent acts, and these acts did not have to be illegal in themselves if they furthered the original conspiracy.
Having presented the need for prosecution, the petitioners went on to argue that Devine and his employees should not be entrusted with the job because they would labor under a significant conflict of interest. The petition pointed out that a thorough investigation would be likely to jeopardize a significant number of convictions won by county prosecutors, and that the state's attorney's office employs men and women who would be witnesses and possibly targets of this investigation, among them investigators who'd once served as detectives under Burge and assistant state's attorneys who'd worked on the Area Two cases and were aware of the torture or should have been aware of it, and who should have stopped or reported it.

More pointedly, the petition argued that Devine had a particular interest that would not be served by a thorough investigation. From 1980 until 1983, Devine served as first assistant state's attorney, second in command to state's attorney Richard M. Daley, and it was during this period that much of the torture occurred, including the electroshocking, burning, and suffocation of Andrew Wilson. After leaving the state's attorney's office, Devine went to work for Phelan, Pope & John, the law firm that eventually represented Burge at the Police Board hearings and in Andrew Wilson's civil suit. While most of that defense work was done by other lawyers in the firm, Devine did step in at one point, billing the city $4,287.50 for 24.5 hours of his services as Burge's attorney.

**IN TWO BRIEFS** filed in the case thus far, Devine and assistant state's attorney Gerald Nora have worked hard to reframe the argument. While the petitioners' central point is that Devine labors under an obvious conflict of interest, Devine virtually ignores that issue. Referring to the 24 hours he spent defending Jon Burge, Devine wrote, "The question of whether my involvement in that case created a conflict has always been moot, because the statute of limitations ran on any potential criminal actions relating to Burge and others long before I became State's Attorney." In their second filing, Devine and Nora argued that "this conflict argument is irrelevant." And in 34 pages of arguments and exhibits, that is just about all Devine has to say on the issue.

Devine's central argument is that if there is no case to be prosecuted, then the conflict of interest issue is

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beside the point, and his briefs are devoted to attacking the petitioners' argument that there have been crimes committed by the Burge gang that are not barred from prosecution because of the three-year statute of limitations.

In crafting his reply to the petition, Devine made an effort to appear to have reached his conclusions independently of his past association with Burge. Devine wrote a letter to Norbert Goetten, director of the state's attorney's appellate prosecutor's office, asking him to appoint an independent prosecutor to look over the petition. Devine's letter spelled out clearly that the conflict of interest issue was not to be part of the analysis, that the appointee's job would be to determine if there were "well-pleaded facts alleged in the petition which establish a legally sufficient and viable cause of action under a continuing conspiracy theory, thus requiring a state's attorney to consider whether or not to open a criminal investigation."

Goetten chose John Barsanti, a lawyer he'd hired in the past to prosecute serious cases and to instruct staff attorneys. Barsanti served as an assistant state's attorney in Kane County for 21 years, rising to the position of first assistant before leaving the office in 2000. He has prosecuted more than 225 felony cases, including 22 death penalty cases.

Barsanti filed a six-page, single-spaced opinion whose second paragraph revealed a disturbing lack of familiarity with the case. According to Barsanti, several policemen, including Burge, had been dismissed from the force as a result of the allegations of misconduct. In fact, only Burge was dismissed. Barsanti, clearly without the benefit of extensive knowledge of the Area Two cases, concluded that the facts contained in the petition "fail to establish the existence, within the statute of limitations, of a conspiracy to thwart either the prosecution or defense of any person, or any non-conspiracy offense not barred by the statute of limitations." Devine and Nora attached the Barsanti letter as an exhibit to their brief, displayed its conclusion prominently, and put forward some of Barsanti's arguments as well as some of their own.

In Barsanti and Devine's interpretation of the law, conspiracy is not a renewable offense. It includes "subsequent acts of concealment [of the original crime] but only if those efforts are proximate in time...a matter of hours and days, not years or decades." Devine argued that as Burge was removed from his last command on November 12, 1991, the statute of limitations for conspiracy would have expired three years later, assuming that one could prove that a conspiracy existed in November 1991.

Devine went on to argue that even if one assumed the petitioners were correct in their interpretation of the law, there would be nothing to prosecute unless one could show that (1) a conspiracy existed in November 1991, and (2) the actions furthering the conspiracy continued from 1991 to 2001 with no three-year hiatus. The petition, Devine pointed out, cited five instances of alleged conspiratorial actions, but all fell between December 1999 and March 2001. Some had been denials that any torture had taken place, and Devine argued that the petition had not shown that the denials were untrue. Furthermore, "exculpatory denials" do not constitute obstruction of justice; if they did, then every person who denied committing a crime and subsequently was convicted of it could be indicted for obstruction of justice.

Another of the alleged conspiratorial acts had involved police testimony in a 1999 deposition in the case of Madison Hobley. On trial for murder in 1990, Hobley claimed he'd been tortured, and he tried to introduce evidence showing that a man named Stanley Howard had been tortured by the same detectives in the same manner, but the judge refused to allow it. In 1994 the Illinois Supreme Court upheld the trial court, writing that the two incidents, separated as they were by 38 months, were too distant in time. By 1998 Hobley had additional evidence of a pattern of torture at Area Two, but the supreme court ruled that he could no longer raise the issue because it had been ruled upon earlier. Therefore, Devine and Barsanti reasoned, no officer testifying could obstruct Hobley's coercion defense because there was no longer any coercion defense to obstruct.

Devine concluded that the petitioners offered speculation, not facts, and in Devine's interpretation of the law, facts were required.

**THE PETITIONERS FIRED** back promptly. In their reply to Devine's brief, Stone and Bowman argued that Devine's framing of the petition was completely faulty, that it wasn't their burden to present a completed investigation that showed that the policemen were demonstrably guilty. Indictments are issued at the end of investigations, the petitioners argued, and they had only to show a reasonable basis to suspect continuing criminal activity. They cited the American Bar Association's Criminal Justice Standards, a document that states that suspicion of illegal activity triggers the prosecutorial duty to investigate.

Stone and Bowman went on to argue that their petition was not mere speculation, that their charges did not lack factual support. They provided more than ten recent examples of former Burge personnel denying torture as well as evidence indicating that those statements might well be false. Retired sergeant John Byrne's March 1, 2001 deposition in People v. Aaron Patterson was the source for the most glaring examples:

Byrne said he "vaguely" recalled being involved in the interrogation of a man named Lee Holmes in 1982 and did "not recall any torture" taking place. Holmes had claimed that Byrne and Dignan suffocated him with a plastic bag and struck him in the chest, back, and genitals with a flashlight and a rubber hose. An OPS investigator later recommended that allegations against Dignan for excessive force be sustained.

Byrne testified that "nothing was done to Alonso Smith to obtain his confession." Smith claimed that on January 22, 1983, Byrne and Dignan beat him and suffocated him with a plastic bag, and Cermak Hospital medical records indicate that Smith was treated for "multiple blunt trauma" shortly after his interrogation.

Byrne testified that neither he nor Dignan had mistreated Darrell Cannon "in any way, shape, or form." An OPS investigator sustained charges that on November 2, 1983, Byrne had stuck Cannon with a cattle prod on his genitals and mouth.

Byrne denied beating Gregory Banks and said that neither he nor anyone that he'd seen had put a plastic bag over Banks's head after his arrest on October 28, 1983. An OPS investigator sustained charges that Byrne had failed to report the use of excessive force against Banks, had filed a false report, and had testified falsely at Banks's hearing on a motion to suppress his confession.

As for Devine and Barsanti's argument that Hobley, for example, had no coercion defense to obstruct anymore, Stone and Bowman pointed out that false information furnished in Hobley's case would have obstructed the defenses of ten Area Two victims now engaged in postconviction and other proceedings. Judicial recognition that Hobley had been tortured would have lent critical support to the claims of those ten men, and thus an obstruction of Hobley's defense amounted to an obstruction in at least ten current cases.

The petitioners also challenged Devine's statement that the policemen's claims of innocence constituted "exculpatory denials," which are unfertile grounds for obstruction charges. Exculpatory denials, Stone and Bowman argued, are made to investigating authorities, usually by people in custody responding to the questions of a police officer, while these statements were made outside of any pending investigation of the officers. Some were made to the news media by Burge personnel who sought out reporters in order to present their version of events. Furthermore, some of the statements were blanket denials that any torture took place at anyone's hands. An officer making that claim puts himself in the position of an exculpating witness, which is a role not covered by the exculpatory denial defense.

**DEVINE'S OFFICE RESPONDED** to the petitioner's reply with a new and bitter tone, filing a document notable for its outrage. Citing the ABA Model Standard's threshold for opening an investigation--reasonable suspicion of criminal wrongdoing that other law enforcement agencies are not adequately investigating--Devine argued that it was not pertinent because the statute of limitations had expired, even on conspiracy. In their petition, Stone and Bowman had argued that the public would be served by a special prosecutor not only because the guilty would be charged, but also because an investigation would clarify what injustices had been visited upon the citizenry by Burge and his colleagues, how the criminal justice system had managed to overlook those injustices for decades, and whether OPS served any meaningful role in stamping out police misconduct. Devine portrayed this as asking the state's attorney to do something improper. "It would be unethical for a prosecutor to undertake investigations on time-barred crimes merely because (as the Petition argues at paragraphs 14 and 15) the investigations might clarify the historical record or satisfy public demand." Prosecutors, Devine argued, derive their power to investigate from the grand jury, and the grand jury is supposed to hear evidence and indict or not indict. "It is not empowered to issue general, social reports . . . . The grand jury is not a study commission."

Devine didn't address the petitioners' argument that it wasn't their job to present a completed investigation, that all they had to do was show reasonable grounds for suspicion, nor did he allow that they had raised any grounds for suspicion that a prosecutable crime had been committed. In Devine's view, Sergeant Byrne's denials of abuse in that March 1, 2001, deposition in People v. Aaron Patterson did not suggest that an investigation was warranted. Devine insisted they were mere exculpatory statements and therefore unprosecutable even if untrue. Furthermore, Devine interpreted the case law to indicate that obstruction is committed when someone knowingly or willfully gives false information to a police officer--and Byrne and the

other officers had made their allegedly false statements not to law enforcement personnel but to attorneys and journalists. Devine maintained that the only allegedly false statements the officers might have made to police officers were their original reports, and "any continuing conspiracy to conceal that wrongdoing would persist for only hours or days after that time."

In Devine's view, the petitioners had failed to show any conspiracy existed. They had cited repeated allegations of torture, but that was redundancy, Devine said, not conspiracy. Repeated allegations by one group of persons against another, coupled with denials by the accused group, did not establish a conspiracy. For Devine, apparently, repeated allegations did not arouse suspicion either.

Devine insisted that his office had never admitted that anyone had been tortured at Area Two, not even Andrew Wilson, whom the city of Chicago agreed had been given electric shock and burned against a radiator. In Devine's view, all he had were allegations of physical abuse that he was prevented from investigating because they were time-barred, and he must be careful not to tread on the rights of his former clients. Former clients of state's attorneys, he wrote, should not be "more vulnerable to ill-founded requests for special prosecutors than are other citizens . . . .When an attorney becomes a State's Attorney, his clients do not thereby suffer unequal protection of the law and become more vulnerable than other citizens to such unfair investigations."

Lastly, Devine expressed surprising concern about the Area Two victims. In Devine's view, the appointment of a special prosecutor and the convening of a grand jury "would only serve to halt those post-conviction proceedings which are examining the patterns and practices at Area Two." He specifically argued that the current supreme court-ordered hearing in the case of Aaron Patterson--a hearing scheduled to start later this year--"increases the threshold" for justifying the appointment of a special prosecutor. This was because such an appointment would turn deposable police officers into criminal suspects who might be more likely to plead the Fifth Amendment than answer questions, and therefore bring Patterson's proceedings to a halt. Patterson, Devine claimed, would want to interrupt the proceedings only "if his objective were to achieve virtual life imprisonment, through suspended post conviction proceedings."

This was some argument. It suggested that Byrne and Dignan and other former Area Two detectives would tell the truth when asked about torture, perhaps admit if they had done it, but only if they weren't targets of prosecution. In essence, Devine was telling Judge Biebel, "Don't appoint a special prosecutor. These claims deserve a full hearing," though when given the chance for a full hearing in the Cannon case last winter, Devine had sabotaged it. The remarkable deal given to the El Rukn general--an exchange of a life sentence for three more years in jail--was offered in large measure because the state did not want to put Byrne and Dignan on the stand. There is no reason to believe that Devine might not produce similar deals every time Burge squad veterans were about to be cross-examined.

And there is some question as to the whole notion that the postconviction proceedings would come to a halt with the appointment of a special prosecutor. The state might make a motion to that effect, but a judge wouldn't necessarily grant it--cases proceed all the time in which witnesses are called who do not want to testify. (Imagine the shoe on the other foot: a defense lawyer asks a judge to halt the prosecution of his client because a witness he wants to call is going to claim Fifth Amendment privileges. Do you think the judge would halt the proceedings?) One defense lawyer involved in the Area Two litigation says he would be delighted with the change in the status of police witnesses. He argues that a parade of policemen proceeding to the witness stand and invoking the Fifth Amendment would impress many judges at 26th Street accustomed to seeing such behavior from mafia and street gang members. In such a case, who would the judges believe--a man who said he was tortured or a policeman who would not answer questions?

**JUDGE BIEBEL WILL** hear oral arguments on October 29. If he agrees to appoint a special prosecutor, he may solicit suggestions from both the state's attorney and the petitioners. For a case of this magnitude, he could be expected to choose a blue-ribbon candidate, someone whose credentials are unassailable. Barnabas Sears, the special prosecutor in the Black Panther case, was a former president of the Chicago Bar Association who, earlier in his career, had prosecuted Chicago policemen from the Summerdale District who had formed a burglary ring. When the Police Board conducted hearings in the Burge case, former assistant U.S. attorney Dan Reidy was brought in to prosecute. Reidy is considered the architect of the 1980s Operation Greylord investigation into court corruption, which resulted in the convictions of more than a dozen judges and more than 40 lawyers.

Upon appointing a prosecutor, Biebel would have to define the job. It seems likely that Biebel would empower the attorney to investigate allegations of a variety of crimes stemming from misconduct committed by Burge and officers who served with and under him. During his career, Burge served as a supervisor in Area Two, Area Three, and Bomb and Arson, and thus the actions of a fair number of detectives could come under the microscope. At least three detectives who served under Burge at Area Two later moved to Area One and have been accused of framing suspects there, and it may be that Burge alumni also took their practices to Areas Four and Five, to various district stations, and to special units like Narcotics and Organized Crime. It is also conceivable that an officer who engages in excessive force and lies about it on the witness stand is prone to other forms of misconduct as well, and information about those practices might turn up. Thus the special prosecutor's staff could find itself either investigating a variety of charges of corruption or referring such cases back to Judge Biebel. In that event, Biebel could broaden the mandate, appoint another prosecutor, or refer the cases to Devine's office or to the U.S. attorney.

If a police officer or former officer were convicted of conspiracy or obstruction in circuit court, he might expect a sentence of no more than three years, which in reality would mean a year and a half in prison once credit were applied for good behavior. However, if the defendant were convicted of multiple counts of conspiracy or obstruction, a judge could order that the sentences be served consecutively, and thus it is possible that a particularly active conspirator or torturer could face several 18-month stretches.

If Judge Biebel declines to appoint a special prosecutor, the petitioners have the right to appeal the ruling. If their efforts in state court come to nought, they also have some options available in the federal system. At this point they have not laid out a strategy for pursuing them.

For the moment, the matter rests with Judge Biebel. The victims of Area Two have nothing to lose at this point--if Biebel denies the petition, they will be no worse off than they are today. Devine, on the other hand, is in something of a corner. He has no good answer for the question "Was there torture at Area Two?"

If his response is no, then he must be asked, "If the state's attorney's office has never investigated the policemen, how can you say there was no torture? If the only government bodies that have investigated it--the Police Board and the Office of Professional Standards--concluded that the police were guilty, how can you unequivocally say they are not?"

If he says, "Yes, there was torture at Area Two," then he admits not only that he knows the police committed Class X felonies and got away with it but that he is putting those officers on the stand knowing they are liars, knowing they may be framing innocent men.

If Devine says, "I don't know if there was torture at Area Two," then he must acknowledge that his star witnesses might be Class X felons obstructing justice every time they take the stand, but that he doesn't want to know and doesn't want anyone else to know, though such willing ignorance could result in the deaths of a dozen men.

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# City Council Committee to Review Special Prosecutor Report on Burge Torture Cases

July 24, 2007

Rep. Davis, Ald. Preckwinkle, Former Area 2 Detective, Attorneys and Advocates Call on Council to Stop Payments to Special Prosecutors, Push for Indictments

What: The Chicago City Council's Police and Fire Committee will hold a hearing today to review the special prosecutors' report on the Burge torture cases and to learn more about why the $7 million taxpayer-funded investigation did not result in indictments despite clear findings of torture.

Prior to the hearing, Ald. Toni Preckwinkle and Rep. Danny Davis (IL-7) will hold a press conference to call on the City Council to stop payments to the special prosecutors and to push for indictments against Burge and his men. At the press conference, Former Area 2 Detective Bill Parker, an African-American officer who worked with Jon Burge, will talk about some of the interrogation methods he witnessed during his time at Area 2.

At the press conference:
-- Ald. Preckwinkle, Rep. Davis, Former Area 2 Detective Bill Parker, Attorneys for torture victims Locke Bowman and Flint Taylor

People expected to testify:
-- Rep. Danny Davis (D-IL) who plans to introduce federal legislation making torture a felony with no statute of limitations
-- Former Area 2 Detective Bill Parker who worked with Jon Burge
-- Dori Dinsmore, Midwest Regional Director, Amnesty International
-- Locke Bowman, legal director, Northwestern University's MacArthur Justice Center, has represented numerous torture victims and was instrumental in getting the special prosecutor appointed in 2002
-- Flint Taylor, People's Law Office, has represented numerous police torture victims for the past 20 years
-- Video taped testimony from torture victims Darrell Cannon, Madison Hobley and Anthony Holmes

-- Video taped deposition of Jon Burge

When/Where: TODAY, July 24, City Hall, 121 N. LaSalle St.

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9:30 am -- Press conference, 2rd Floor, by elevators
10:00 am -- Hearing, Council Chambers
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Why: After a four-year investigation and $7 million in taxpayer dollars, Special Prosecutors Edward J. Egan and Robert D. Boyle released a report on July 19, 2006, that found that African-American men were tortured by former Area 2 Police Commander Jon Burge and his men, but Egan and Boyle sought no indictments. In April, attorneys for Burge torture victims and other victims' rights groups released a report that concluded that the special prosecutors' investigation was 'hopelessly flawed' and failed to bring charges against Burge and his men 'despite the apparent existence of numerous provable offenses within the statute of limitations.' Based on the findings of the advocates' report, Alderman Carrie Austin called for a

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hearing.
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In June, the Cook County Board held hearings about the special prosecutor's report and soon thereafter passed resolutions calling for a federal investigation and prosecution by the U.S. Attorney Office of Burge and his men, federal legislation and state legislation to establish the crime of torture with no statute of limitations, and new hearings for Burge torture victims who were wrongfully convicted or are still incarcerated as a result of

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tortured confessions.
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Attorneys for the torture victims and advocates are calling on the City Council to pass similar resolutions and to continue fighting for indictments against Burge and the men who helped him torture numerous African-American men at Area 2.

CONTACT: Nora Ferrell, +1-312-408-2580 ext. 24, +1-773-510-4819 (cell), nora@vdcom.com, for the MacArthur Justice Center

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# THE NEED FOR INDEPENDENT CIVILIAN REVIEW OF THE CHICAGO POLICE DEPARTMENT

There is no longer any question that Commander Jon Burge and officers under him tortured African-American suspects in order to coerce confessions during the period 1973 to 1991. These abuses have been established by the City, by the federal judiciary, and most recently, by the Report of the Special State's Attorney. Mayor Daley has described them as "a shameful episode in our history."

Against this background, and in light of more recent, post-Burge police scandals, the critically important question is whether the systemic conditions that allowed Burge and his men to commit these human rights abuses for almost two decades have been corrected or do officers with criminal tendencies continue to operate with impunity in Chicago?

Mayor Daley and Superintendent Cline have repeatedly assured us that the necessary reforms have been made. The Chicago Police Department's own statistics, however, tell a very different story.

The source of these figures is *Bond v. Utreras*, a recently settled federal civil rights suit brought by Diane Bond, a resident of the Stateway Gardens public housing development who alleges that she was repeatedly subjected to horrific abuse several years ago by a crew of tactical officers known on the street as the "skullcap crew." Bond charged that the crew had engaged over a number of years in a pattern of racial abuse of public housing residents on the South Side—a pattern that went unaddressed by the CPD.

The statistics disclosed by the CPD in *Bond* demonstrate that its system for investigating police abuse is utterly ineffective in protecting the residents of Chicago from abusive officers:

- During 2002-2004, citizens filed 10,149 complaints alleging police abuses in the categories of excessive force, illegal arrest, illegal searches, racial abuse and sexual abuse. Only 124 of these complaints were sustained—slightly more than one percent.

- To put this in perspective, a U. S. Department of Justice report determined that the national sustained rate for excessive force complaints filed with "large municipal police departments" in 2002 was 8 percent. By contrast, the CPD's sustained rate during 2004, the most recent year for which it has released figures, was less than half of one percent (0.48%). In other words, excessive force—brutality—complaints are 94 percent less likely to be sustained by the CPD than they are by other large municipal police departments across the country.

- Only 19 of the 10,149 complaints resulted in meaningful discipline (a suspension of 7 days or more)—a rate of less than 2 per 1,000 complaints.

- Contrary to the City's assertions that accountability has improved in recent years, the percentage of sustained complaints steadily *declined* during the period 1999-2004. The sustained rate for all civilian abuse complaints decreased from 3.7% in 1999 to 0.6% in 2004—a decline of 84%. The sustained rate for excessive force complaints decreased from 4.8% to 0.5%—a decline of 90%.

- The odds that a CPD officer who abuses a citizen will receive meaningful discipline are in reality even less—far less—than 2 in 1,000. Citizens who believe they have been victims of police abuse often do not file formal complaints. Among the reasons are fear of reprisals and distrust of the investigatory process. A national survey conducted by the U. S. Department of Justice found that only 10% of those who believed they suffered excessive force in an encounter with the police reported the incident to the agency employing the officer. If we use that baseline, an incident in Chicago in which a citizen believes the police used excessive force will result in meaningful discipline in 2 in 10,000 cases.

- Police abuse is a highly patterned, concentrated phenomenon. A relatively small percentage of the force is responsible for most of the citizen complaints. During the period May 2001 - May 2006, 10,387 officers had 0 to 3 complaints. Another 2,451 officers had 4 to 10 complaints. 662 officers had more than 10 complaints. These 662 "repeaters" were named in 10,733 complaints.

- Only 22 or 0.2% of the complaints against the "repeaters" resulted in meaningful discipline.

- 75% of the "repeaters" have never been subjected to discipline of any kind.

- The CPD has two programs that it describes as its "early warning system." It is a measure of the inadequacy of this system that only 89 (13.4%) of the 662 "repeaters" have been identified by these programs. More than 86% of the "repeaters" have not been identified as needing intervention.

- There are officers who amassed 50 or more complaints within the past five years who have never been disciplined or even identified by the CPD's "early warning" programs.

These figures reveal a system that allows officers with criminal tendencies to operate with impunity and denies meaningful recourse to those they abuse. The outcomes reported above are not aberrations. The system is *designed* to produce these results.

CPD investigations are exercises in not connecting the dots. They violate every canon of professional investigatory technique. Investigators look for rationales not to go forward—to make findings of "not sustained" —rather than vigorously pursuing avenues open to them. In more than 85% of cases, the accused officers are not even interviewed beyond filling out a brief form, often months after the alleged abuse, which virtually invites them to coordinate their stories and cover for each other. In the rare instance in which a face-to-face interview actually occurs, investigators do not employ standard

police interviewing techniques. Although they have the discretion to do so, investigators do not perform pattern analyses with respect to individual officers and groups. In other words, the CPD chooses not to know things within its power to know about patterns of abuse. In view of these shoddy investigatory practices, it is not surprising that 998 of every 1,000 complaints result in no meaningful action. Imagine what life in this city would be like, if the CPD investigated other crimes the way it investigates police misconduct.

The CPD masks the weaknesses of its oversight system by withholding information from the public. It fails to provide meaningful reports on a timely basis. It resists even the most minimal transparency. When challenged, it deploys its institutional capacities to resist public scrutiny.

With each successive scandal over the last fifteen years—Miedzianowski, Auburn-Gresham, Englewood, Special Operations Section, and now the videotaped bar beatings—the Mayor and Superintendent have assured the public that the necessary reforms have been made or are imminent. Confronted with the threat of a widening police scandal, they have repeatedly responded the same way. The Superintendent declares that bad cops will not be tolerated and that vigorous investigations are ongoing. The Mayor may appoint a special body to address the problem such as the Commission on Police Integrity in 1997 or the current panel advising him on selection of a director for the Office of Professional Standards. Then, when public attention wanes, the *status quo* is restored without any meaningful reforms having been instituted.

We should be clear about what is at stake here. To the extent the Mayor and Superintendent have long known that the machinery of police accountability is broken and have not fixed it, they are implicated in the crimes of the abusive officers they publicly deplore. That is the ultimate meaning of the statistics cited above: every day residents of Chicago suffer police abuses that could be prevented by an effective system of supervision, monitoring and discipline.

There can no longer be any doubt that the CPD does not have the capacity to police itself. The time has come to institute independent civilian review accountable to the people of Chicago.

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# Blind Justices?

The prosecutors who sent police torture victims to prison are now the judges who keep them there.

**By John Conroy**
December 1, 2006

Brian Gubicza

**LAWYERS WHO DEFEND** police-torture victims in Chicago long ago reached a harsh conclusion about Cook County's criminal judges: most have a vested interest in refusing to acknowledge police brutality. Now these lawyers can point to a case so extreme it's almost funny: a judge who apparently ruled on his own performance as a prosecutor, deciding there was no taint to a confession that the judge himself had written. Judge Nicholas Ford passed judgment on assistant state's attorney Nick Ford. Ford had no problem with Ford's work.

It's a case that's unusual only in degree. Four years ago a group of 17 attorneys whose 12 clients alleged they'd been tortured submitted a remarkable petition to chief criminal court judge Paul Biebel. They wanted Biebel to disqualify the Cook County judiciary from any further involvement in their cases—in essence, to grant them a change of venue to some other county. The attorneys argued that 50 of Cook County's 61 criminal court judges had ties to institutions or individuals who'd benefit from there being no investigation of torture cases.

According to the petition, 3 of the 50 judges were former Chicago police detectives and 2 of those had worked with the notorious former police commander Jon Burge; 3 other judges had previously defended the city in lawsuits alleging police brutality; and 16 judges were former assistant state's attorneys directly involved in the torture cases, men and women who'd either testified on Burge's behalf at police board hearings that led to his firing or who'd taken confessions allegedly coerced by physical means, prosecuted suspects whose statements of guilt were allegedly obtained by torture, or supervised the prosecution of defendants alleging electric shock, suffocation, attacks on the genitals, severe beatings, or other physical abuse at the hands of Burge's detectives.

Even judges who as prosecutors had had no direct or supervisory participation in the torture cases were suspect, the petition argued, because they'd presumably want to protect their former colleagues. And it noted that six judges, all former ASAs, had appeared as witnesses on Burge's behalf at police board hearings when the city was trying to fire him for torture.

The core of the attorneys' argument—that judges with law enforcement or prosecutorial backgrounds cast a blind eye in police brutality cases—was made against a fluid judiciary. Judges retire and are replaced. New ones are hired to relieve caseloads. Yet it would seem the blind-eye infection alleged by the defense attorneys has persisted despite the changing cast of characters. This July, special prosecutors Edward Egan

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## I Saw You

**Tall Girl From Southport Fest**

I saw you at the Southport Fest on Sunday 7/29 around 7:30. You had a fantastic smile, a dark baseball cap on pulled down, and short shorts. You and your girlfriend were quite amused by an instructional book at the Pennyworth bookstand. I was standing next to both of you looking at a book. I'm tall, like you, and was wearing a brown shirt, cargo shorts, and glasses. We made eye contact and smiled...

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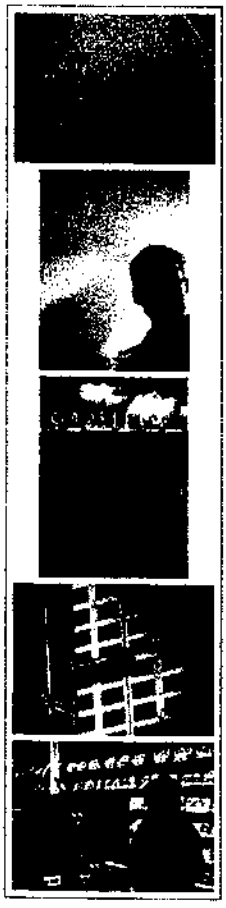

and Robert Boyle released the report of their investigation into alleged police torture by Burge and his detectives in the years 1973 to 1991. Boyle said he believed torture had occurred in "about half" of the 148 cases their staff examined during their four-year investigation. If he was right, detectives committed hundreds of acts of torture, because in abusing a victim they almost never stopped with a single act. And as no officer ever admitted to any coercion, those detectives presumably committed hundreds of acts of perjury. In how many of those cases did a skeptical judge suppress a confession because he or she felt it had been coerced? Zero. (Judge Earl Strayhorn once suppressed a confession for the "oppressive atmosphere" in which it was given, but he didn't conclude that physical abuse had taken place.) And not a single judge publicly recommended that any officer be prosecuted for giving false testimony under oath.

Nicholas Ford

Nor did the state's attorney's office prosecute a single officer for perjury, misconduct, or assault. And it's from the ranks of those prosecutors that most of today's criminal court judges have come.

**THE 15-YEAR HISTORY** of *People v. Keith Walker* has been written by judges with just the kinds of backgrounds that distressed those 17 petitioning lawyers. Walker, a 23-year-old African-American, was allegedly involved in a 1991 southside dope deal and robbery in which a white customer from Arlington Heights was shot dead. After confessing, he was tried, convicted, and sentenced to natural life, but he maintained that his confession had been tortured out of him by Area Three detectives working under Jon Burge. In March 2004 Walker filed a postconviction petition that argued the circumstances of his confession deserved to be reexamined.

A postconviction, or PC, petition, is a legal procedure that allows a prisoner who has exhausted his appeals in state court to ask a judge to reexamine his case. To succeed, the petitioner must raise an issue that wasn't raised on appeal and must present the "gist of a constitutional claim." That is, he must argue that his rights under the state or federal constitution were substantially denied.

Many PC petitions are submitted by prisoners who can't afford attorneys to help them, and some arrive handwritten. Circuit court judges review the filings. Irritation with the number and quality of the petitions has led to the courthouse joke that "anyone with a pencil can write one," and in dismissing petitions judges often fall back on the boilerplate language of the statute, calling the motions "frivolous" or "patently without merit" or both.

Walker's petition, which stated that he "reads at a 4th grade level and [has] an IQ of 65 which is borderline retardation," was a pastiche of well-stated legal argument, seemingly lifted from other prisoners' filings, and sometimes inarticulate material focusing on his particular experience. He argued that his confession had been coerced by electric shock and should be reconsidered; in support he cited the 1993 firing of Commander Burge, the 1990 Goldston Report (Walker spelled it "Gholston"), which was an Office of Professional Standards document that concluded there'd been systematic torture at Area Two, and several higher court decisions in Area Two cases that awarded prisoners new hearings based on their claims of torture. While Burge's firing and the filing of the Goldston Report had occurred before Walker's trial, and thus could technically be barred from consideration on a PC petition because they were not new evidence, the higher court decisions had all come after Walker was convicted, and several of them involved Detective Daniel McWeeny, the officer who had interrogated him.

Thus Walker's petition, while badly written and in places inaccurate (he wrongly alleged that McWeeny, whom he mostly referred to as McQueeny, had been fired over his participation in a torture case), did seem to meet the legal requirements. He made a constitutional claim (coercion in extracting a confession is unconstitutional) and raised an issue that had not been raised in his appeal. Even the fundamental fairness doctrine seemed applicable: in the years after Walker's trial, the Illinois appellate and supreme courts,

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finally convinced that torture might have taken place, had handed down several rulings that allowed for evidence of a pattern of abuse to be considered in Burge torture cases. That avenue of argument had been closed to Walker.

Walker's petition landed on the docket of Judge Ford, who on April 20, 2004, summarily dismissed it.

Although Illinois law requires that the court should specify "the findings of fact and conclusions of law it made in reaching its decision," the certified report of disposition consisted of the name of the judge, the date of the ruling, and four words: "post conviction petition dismissed." The judge saw no problem with Walker's confession, which had been handwritten by a prosecutor and signed by Walker. That prosecutor had testified at a pretrial hearing in Walker's case and had given his name under oath as "Nick Ford."

Once Walker's PC petition had been dismissed, Steven Becker of the Illinois appellate defender's office took on his case. Becker filed his first brief in November 2005, arguing that Walker's plea had met the legal standard necessary to reopen the case. The state responded in January, and Becker replied on February 10. On February 24, however, Becker changed course, filing a brief that attacked not the judge's decision but the judge himself. "According to Judge Ford's biography," Becker wrote, referring to *Sullivan's Judicial Profiles and A Directory of State Judges in Chicago*, "it appears almost certain that the ASA 'Nick Ford' who testified against Walker at his suppression hearing in 1994 is the same Judge Nicholas R. Ford who denied Walker's post-conviction petition in 2004." Becker said Judge Ford should have been disqualified.

The state, quite uncharacteristically, had nothing to say in reply. On May 30, a three-judge appellate court panel headed by Judge Margaret Stanton McBride directed Judge Ford "to determine whether he is the same Nicholas Ford who testified at defendant's suppression hearing. If he answers that question in the affirmative, he should recuse himself and the matter should be reassigned."

Margaret Stanton McBride

Given the seriousness of Ford's gaffe—in a case involving a man serving natural life who claimed to have been tortured with electric shock—the language of McBride's order seems extraordinarily mild. "There is no indication that Judge Ford was aware of this conflict or that he was motivated or biased in his decision," McBride wrote.

Suppose he wasn't aware. Did Judge Ford, known to some courthouse regulars as "Quick Nick," read the petition so hastily that no bells rang? Could he have read the document and not recognized the name of the murder victim, Shawn Wicks? Was his memory so porous that he did not remember a case in which Wicks allegedly made a "dying declaration" to Detective McWeeny, identifying the perpetrators by hand squeezes (once for no, twice for yes)? Did he fail to recall a case that hinged on a confession he'd written, named a station house where he'd worked, and involved allegations of electric shock and the most notorious police commander of the last two decades—whose name, mentioned in print on a regular basis, never appears without the word "torture" in close proximity?

It may be true that Ford paid the case that little attention—though the idea seems damning on its face. It may also be true that the name Keith Walker meant nothing to Ford—though the case had yet another memorable aspect: Walker somehow managed to slip out of his handcuffs and disappear. He was rearrested after any injuries he might have suffered in his interrogation had had a month to heal. Ford did not return calls for comment.

Like Ford, Judge McBride was a former assistant state's attorney who'd had a brush with Burge torture

cases. She served in the state's attorney's office from 1977 to 1987. In January 1980 she took the confession of Derrick King, a suspect in an armed robbery that had resulted in the shooting death of a store clerk. King later alleged that Area Two detectives had used a baseball bat to extract his confession, a statement taken by McBride in the presence of Detective Robert Dwyer. Dwyer's sister came forward in 2004 and said that her brother had told her, in Burge's presence, that in dealing with "niggers" they "beat the shit out of them, they throw them against walls, they burn them against the radiator, they smother them, they poke them with objects, they do something to some guys' testicles."

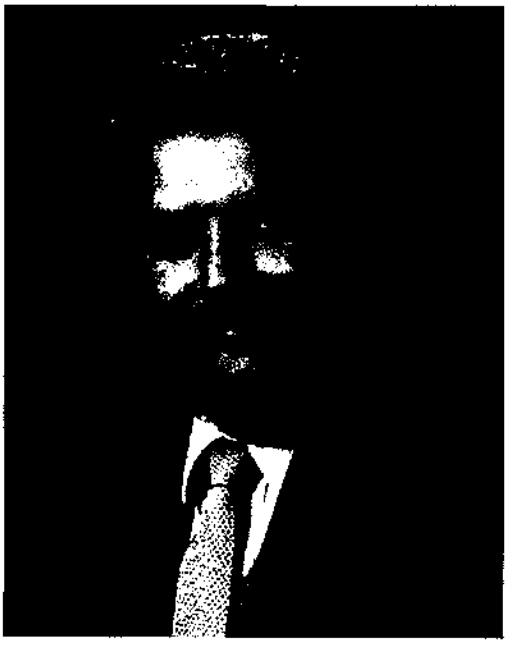
A witness for the state who came to the police station to view a lineup later testified that King's face was bruised and swollen—damage that could not be seen in the black-and-white photo of the suspect taken at the station. The witness's testimony was notable because he believed he'd been robbed by King and therefore had no discernible motive to help him. At a hearing on a motion to suppress King's confession, McBride testified that she'd heard no screams coming from the interrogation room. King was convicted, largely on the basis of his confession, and sentenced to death. (In January 2003, his sentence was commuted to life imprisonment by Governor George Ryan, who did the same for all death row inmates.)

In 2000 the Illinois Supreme Court ordered a new hearing on the issue of whether King's confession was voluntary. That hearing has never taken place, but if and when it does, McBride is likely to be called to testify. She declined an opportunity to answer questions for this article. Six years after taking King's confession, McBride was the prosecutor on duty at a 1986 bond hearing when Aaron Patterson, charged with a double murder, said that he'd been suffocated with a plastic bag and beaten by detectives at Area Two and that an assistant state's attorney had "physically abused" him and "tried to force me to sign a written statement that he conjured up."

Judge Frank Gembala told McBride she was "on notice" to investigate Patterson's story, but the state's attorney's office has never produced documentation proving that any investigation took place. Patterson was convicted and sentenced to death, and Governor Ryan pardoned him in 2003.

And now McBride is an appellate judge. After her ruling returned the Walker case to the lower court, Judge Ford apparently determined that he and ASA Nick Ford were the same person, and the case was reassigned to Judge Lon Shultz.

**LON SHULTZ HAD** been an assistant state's attorney for 16 years before becoming a judge in 1994, and his prosecutorial career overlapped with Nick Ford's. (In fact, Ford took over one of Shultz's more famous cases—the murder of Nick Martini, a west-side grocery store owner—after Shultz ascended to the bench.) Like Ford, Shultz had a history with the Burge gang: he'd prosecuted Lonza Holmes, who claimed Burge had beaten him with a phone book in 1985. In that case detectives told contradictory stories about Holmes's interrogation, but neither the judge nor the appellate court seemed to notice the contradictions.



Lon Schultz

By the time Shultz received the Walker case, the file included two affidavits mailed too late for Ford to have considered them. One was from Walker saying, "I been trying to get in school and better myself and the people here at stateville c.c. told me Im on a waiting list because I have life in jail and that im very depressing and Im on med. I take med. everyday 2 times a day! I try to kill myself of a crime I did not do and I have a doctor at stateville c.c. his name is Dr. Woods he talk to me once a month! he be trying to help me get my life in order." The other was from Stateville inmate Patrick Pursley, who indicated that he helped other inmates with legal documents, that he'd helped Walker, and that Walker could not read, could not

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grasp any law, and had no idea what "gist" meant.

Whether Shultz saw those documents is not clear. On October 11 he hammered Walker in a ten-page opinion that not only dismissed the prisoner's petition as frivolous and patently without merit but also denied his request for appointment of counsel. It was a ruling that, according to attorney Steven Becker, Shultz had no legal authority to make. The appellate court decision that sent the case back to the lower court specifically referred to Illinois statutes dealing with "second stage" postconviction petitions. Once a PC petition has reached second stage—and McBride indicated that Walker's had—a circuit court judge cannot summarily dismiss it. If the defendant is indigent and has requested counsel, the judge has no choice but to appoint one.

Most Burge torture cases have been unsuccessful on appeal. Walker's was one of the few to return to the trial court for further proceedings, and since his 1994 trial much has been learned about Burge's operation. We now know that torture migrated from Area Two to Area Three along with Burge and we know that Detective McWeeny seemed to play "good cop" in several cases, taking confessions from suspects allegedly tortured by other detectives.

At a second stage hearing on Walker's petition, new evidence of abuse might have been introduced, detectives might have been questioned, and Judge Ford might have found himself again testifying under oath. Steven Becker observes that Shultz's ruling to dismiss the petition prevents any of that from happening. Becker and his colleague Michael Polletier have filed a motion asking Shultz to vacate his order, and if it fails, Becker says, they will appeal. Shultz didn't respond to calls for comment.

**RESPONDING TO THE** 17 defense lawyers who'd asked for the disqualification of the Cook County judiciary in torture cases, chief criminal court judge Paul Biebel wrote that he agreed "public confidence in the judiciary is of significant importance." But in his April 2003 ruling he concluded that moving those cases out of the county was the wrong answer. "The best remedy for any perceived lack of faith," he said, "is to allow the judges of this jurisdiction to preside over these matters with diligence and impartiality, as they have sworn to do."

Biebel refused to believe the judges could be as partial and self-serving as the lawyers' petition made them out to be. "The removal of Petitioners' cases from Cook County would, in essence, be an acknowledgement that the judges therein are incapable of fulfilling their duty," he wrote. "This court declines to draw such a conclusion."

Send a letter to the editor.

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# Our Town

## Doe in the Headlights

By trying so hard to keep his name out of the police torture report, Lawrence Hyman has made sure it's a name we'll always associate with police torture.

**By John Conroy**
July 19, 2006

Lawrence Hyman in 1991

**JOHN DOE HAS** been unmasked. Last month the *Reader* reported that Doe, a former assistant state's attorney, had gone to the Illinois Supreme Court in an attempt to derail the release of the special prosecutor's report on Chicago police torture—or at the very least keep his name out of it. But the court rejected Doe's emergency motions, and the report was released Wednesday.

On June 26 the court lifted the seal on the motions filed in Doe's battle. The documents confirmed that he's Lawrence Hyman, as the *Reader* and the *Daily Law Bulletin* had surmised in print. Hyman's attorneys argued that by trying to keep his identity secret and the report from being published, the former prosecutor was exercising his constitutional rights. If the mask were lifted, they said, "undoubtedly the public would draw the inference that Doe had something to hide. Such an inference would be unjustified and unfair." In other words, Hyman concealed his identity and tried to derail

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## I Saw You

**Caribou Coffee morning of 7/31**

You were the stunning, therapist-looking woman with iced coffee and a stale-looking muffin. I was the foul-mouthed gimp dressed in black sitting across from you. You're the most beautiful woman I've seen in, like, infinity days. Maybe you have a cripple fetish we can explore?

## Readr Flickr

the report because he had nothing to hide.

Hyman was sucked into the torture scandal in 1982. That February 14, brothers Andrew and Jackie Wilson were arrested for the February 9 murders of two policemen. The city's own attorneys would eventually admit that Andrew received "savage torture" at the hands of Area Two Violent Crimes commander Jon Burge. (Photographs of Andrew taken after he left police custody show parallel burns on his chest, a large burn on his thigh, and puncture marks in the shape of alligator clips on his ears and nose.)

Hyman, a supervisor in the State's Attorney's Office, took the Wilsons' confessions. Andrew later testified that the first time he was brought before Hyman he said, "You want me to make a statement after they been torturing me?" and Hyman responded, "Get the jagoff out of here." Though Wilson was bleeding from one eye when he eventually gave his confession, Hyman didn't ask if he'd been offered medical treatment, something a prosecutor would normally do to safeguard the confession from a subsequent claim of brutality. More significant, he didn't ask Andrew if he was giving his statement voluntarily.

Asking this question is standard operating procedure. Not asking it is an omission so stunning that 14 criminal defense attorneys I polled—a group with 213 years of criminal practice and more than 950 murder cases among them—had never heard of another instance. Ralph Meczyk, a criminal defense lawyer for 30 years and one of four lawyers representing Hyman in the John Doe battle, said he was "incredulous" at the idea that his client skipped the question. He was sure Hyman hadn't—"I mean it is just not something that is overlooked."

But that's what happened, and that day it happened twice. Hyman took Jackie's statement and didn't ask if his confession was voluntary, then took a witness's statement and asked the question, and finally took Andrew's confession and didn't ask it.

Hence the special prosecutors' particular interest in Hyman. If someone decided the question shouldn't be asked, was it Hyman, or was Hyman following orders from someone higher up? At that point, Richard M. Daley was the state's attorney and Dick Devine was first assistant. Did they, or anyone else in the office, ever ask Hyman why he didn't ask the question? And what did they do—or not do—about it?

These are questions that special prosecutors Edward Egan and Robert Boyle, who spent four years and $7 million in public funds investigating police torture, no doubt hoped to ask Hyman when they subpoenaed him on September 23, 2005, ordering him to appear before the grand jury on October 4.

At that point Hyman became John Doe. Notified that a subpoena was coming, Hyman's attorney Michael Ficaro said he wouldn't accept it. (It's common practice for attorneys to accept subpoenas for their clients.) After that, according to a transcript recently unsealed by the supreme court, the special prosecutor's office managed to serve the subpoena to Hyman himself only "with some difficulty," a description Boyle declined to elaborate on.

Ficaro moved to quash the subpoena, arguing that the statute of limitations had passed for any crime Hyman might have committed. In a hearing before Judge Michael Toomin on October 7, Boyle replied that the special prosecutor's office had been established to determine what happened and whether anyone could be prosecuted. Hyman's argument, Boyle pointed out, "would apply to every witness in this investigation," and its effect was "to say that we never should have been appointed." Toomin ruled against Hyman and ordered him to appear before the grand jury on October 14.

Hyman didn't show.

"John Doe, also known as Lawrence Hyman, was ordered to appear today at nine o'clock," Toomin responded. "He has willfully refused to appear. His refusal constitutes a direct contempt of this Court. . . .The defendant is

ordered to be incarcerated in the Cook County Department of Corrections until he purges himself by agreeing to comply with the subpoena and appearing before the grand jury."

Ficaro asked the judge to stay the arrest order while he appealed to the Illinois Supreme Court. Toomin asked Egan and Boyle, as the aggrieved parties, what they wanted, and they said they wanted him to issue a warrant for Hyman's arrest immediately. Ficaro, who had declined to reveal Hyman's whereabouts, asked if he could step out to talk to him. "Let's not fool around," Boyle shot back. "You don't have to talk to him. The judge has entered an order, for God's sake. Now we have two orders, and you have to talk to Mr. Hyman?"

After a brief recess, however, Egan and Boyle agreed to a stay. The newly released transcript reveals that they changed their minds because it was Friday and if Hyman went to jail he might be stuck there all weekend.

"I don't want people to think I am a weak-kneed son of a bitch," Boyle said last week, "but in my judgment it would be grossly unfair if there was a possibility that the court would give him bail in the normal course of business. . . . If it were any other day of the week I would have just said 'Grab him, lock him up, and whatever the hell happens to him is somebody else's business.' But I know on a Friday afternoon it can be very difficult to get bail. And depending upon where he was picked up and processed it could be just impossible. . . . I suppose if it were prosecutors other than Ed and me, they might have said the hell with this guy. But I just thought that is an unfair advantage to take."

The Illinois Supreme Court declined to take up the issue, and Hyman subsequently appeared before the grand jury. According to documents filed by his attorneys, he pleaded the Fifth Amendment.

One reason Egan and Boyle were so angry when Hyman skipped his first date with the grand jury was that more than 25 former prosecutors had already been interrogated under oath, including some who are now Cook County judges and two who serve on the Illinois Appellate Court. In an interview last week, Boyle revealed that Hyman was the only one who resisted his or her subpoena and the only one who took the Fifth.

These are facts that wouldn't have come out if Hyman's attorneys had persuaded the supreme court to block the report or to at least delete his name and any mention of his taking the Fifth. As an example of the "devastating impact" that they argued the report might have on Hyman, they cited a *Sun-Times* article from May 6 in which Sixth Ward alderman Fredrenna Lyle said, "We want that report released for the same reason Holocaust victims want Nazi soldiers found and prosecuted: to feel there is justice in this world. . . . If there are allegations about any state's attorney, I want their name in the paper so when they try to become a judge we can say, 'Wait a minute. This is the guy who participated when they were torturing people.'"

The special prosecutor's report justifies Hyman's fears: "In our judgment," it says, "Hyman did not tell the truth when he denied [in testimony] that he had been told by Andrew Wilson that he had been tortured by detectives under the command of Jon Burge. His false testimony stands as corroboration of Andrew Wilson."

There's no mention of higher-ups calling the shots. Even so, Boyle regards Hyman as something of a victim. "He was the unfortunate one who was called to Area Two to take the statement that day," he said last week. "I think they started down a road, they never could come back from it, and whatever happened, he got caught up in it."

Send a letter to the editor.

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**Frank Laverty, October 2006**

Lloyd DeGrane

Detective Frank Laverty did the right thing—and paid for it for years.

**By John Conroy**
January 5, 2007

*As I have said previously I do not want to be involved in this affair. That is why I asked for the reassurance that these letters would be kept private. I do not wish to be shunned like Officer Laverty has been. . . . Almost all of the detectives and police officers involved know the Wilson's did the murders but they do not approve of the beatings and torture. . . . I advise you to immediately interview a Melvin Jones who is in the Cook County Jail on a murder charge. . . . When you speak with him. . . you will see why it is important. —anonymous letter to People's Law Office attorney Flint Taylor, March 1989*

**FORMER HOMICIDE DETECTIVE**

Frank Laverty, who died of cancer on December 5, will be remembered for turning the Chicago Police Department on its head. Perhaps that's too mild a statement. In standing up for an African-American teenager the state wanted to put to death, a young man he'd never met, he wasn't just turning the department on its head but bouncing it a few times for good measure.

Laverty shook loose a secret of police record keeping. Twenty-five years ago, in violation of the law, detectives maintained "street files"—documents that weren't turned over to defense lawyers because they contained inconvenient truths that could hamper the prosecution of the men or women the police had decided were perpetrators. Thanks to Laverty, that widely accepted practice came to an end.

Little in Laverty's background separates him from colleagues who marched in lockstep in the opposite direction, officers who took part in, or at least kept their mouths shut about, police torture as innocent men

INT T SE SI

**I Saw You**

**Designated Driver at Hunt Club**

I saw you dancing in the corner at Hunt Club and offered to buy you a drink. You said that you were the DD but you'd take some cranberry juice. You and I danced until you had to leave. I wanted to get your number but I didn't act fast enough. How about another dance sometime.

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were sent to death row. Many are silent even now, as innocent men sit in prison serving long sentences. In interviews with me this fall, as he faced his own death, and in a statement he gave in November as an expert witness in a civil suit, Laverty admitted that he'd looked the other way when fellow officers took money on traffic stops. He said that he'd once hit a man in an interrogation room, that he'd done more than that as a patrolman trying to keep order on the streets, and that he'd used the word nigger. "I'm not taking myself out of it," he said in the statement, "saying that I was an angel or saint or something like that on the police department. You know, I had a bad attitude about [race] sometimes, too."

Laverty paid for speaking up, but he also inspired at least one other person to do the same. The letter quoted above, one of a series mailed to the People's Law Office in police department envelopes by a still-unidentified person, broke open the Jon Burge scandal. It led Flint Taylor and his colleagues to one victim who led them to others, until finally the highest levels of city and state government admitted that for nearly two decades police had used torture to extract confessions.

**AS LAVERTY GREW** up his family moved, like many other Irish families, into and out of south-side neighborhoods as they changed from white to black. He wasn't a stellar student. At 16 he went to work in the Rock Island Railroad payroll department, where he soon learned that he could make much more money as a railroad policeman, a job he applied for and eventually got. As a railroad cop, young and unmarried, he was moved around the country and lived in rented rooms. When he tired of the moving he put in an application with the Chicago police. His first post was the Ninth District, a station just down the street from Mayor Richard J. Daley's family home in Bridgeport.

He was hired in March 1968. In April Martin Luther King was assassinated. August brought the Democratic convention. Laverty spent a lot of time on riot duty, which was fine with him—he liked the action. But by the following February he was on more mundane duty, guarding the mayor's house. There'd been threats against the mayor, he recalled, so there was a two-man car in front, another in back, and one on each corner. "It was pretty boring, especially for a new guy wanting to get out and save the world. The old guys always wanted it, kept it. Then they wanted the newest guys, the youngest guys, to be down there too, in case something really did happen. It made me crazy, and the other young guys too, but we had to take our turn."

In 1957 *Life* magazine called the Chicago police the most corrupt in the nation. Reforms were made after a police burglary ring was exposed in 1960, but petty corruption was still prevalent when Laverty joined the force. He says he didn't take money himself, but he did "look the other way."

After five years as a patrolman he went to Area One homicide, commanded by lieutenant Walter Bosco. Shortly after he got there a brutality complaint was filed against him, the result of an incident from his days as a patrolman. Although the Office of Professional Standards dismissed it as unfounded, its mere existence bothered Bosco, who called Laverty into his office. "He said, 'Detectives don't get brutality complaints, I don't tolerate it, so straighten out your act.'" In 1979 Laverty moved to Area Two homicide, where he'd heard the detectives enjoyed a longer leash. "When you're working for somebody that's by the book, it's kind of a pain in the ass," he said. "But in retrospect, Bosco was one of the better bosses by far. Area One was actually a much safer, better place to work. Area Two was more freewheeling. Area Two you could do anything, nobody would say anything. . . . If somebody would make a brutality complaint it wouldn't go anyplace. Of course I had a couple and they didn't go anyplace . . .

"There is a certain amount of brutality that just goes with the territory. I mean, you have to keep control of the interrogation room. You are dealing with all hardened criminals usually. They gotta understand that you're in charge of the interrogation room. If that involves smacking them in the head sometimes, then it does."

But for Laverty, hitting someone once order was established meant the end of the interrogation. "If I hit 'em, I'm done. Interrogation's over. Frank loses, he wins." He recalled losing his patience just once, with a man who'd been arrested for molesting and murdering a child. "He did the reverend route on me. 'God told me to talk to you.' 'OK. What'd God tell you? To tell me what you did?' He'd sit. He'd laugh. 'No, God didn't tell me to tell you what I did. Ha ha ha. God told me not to tell you.'

"This tactic goes on and on and on and on. He's probably the guy, but I don't know. So finally he threw that at me and I gave him a smack. Then I left. I'm done. He won. I interrogated him wrong. Now I can't answer the cross without perjury. If I can't do it without perjury then I'm not going to have the confidence. You

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know what I mean? It's just like a vicious [circle], 'Oh, now I gotta lie. Oh, shit. Now I'm lying, they'll be able to tell. Oh, shit.' So that would be about it for brutality. It made me sick to my stomach."

**ONE SUMMER MORNING** in 1978 Laverty was ordered to notify the family of Hamp Burks, a janitor, that Burks had committed suicide the night before in a tavern on 103rd Street. The paperwork, written by an Area Two detective, said Burks had grabbed the gun of Chicago police sergeant Henry Cooper, who was also in the bar, and shot himself in the head. "I don't know why the midnight crew can't make their own damn notifications," Laverty told me, "but I went over to make the notifications by myself."

Laverty, however, also dropped by the tavern. He found witnesses who said that the sergeant, a 25-year veteran whose brother owned the place, had executed the janitor. At first Laverty thought the suicide report must have been a mistake made by a detective who didn't know better, but he later concluded that the detective had given the sergeant a pass. "I locked [Cooper] up," he said. "It was hard to make it stick."

Cooper was convicted in January 1980 and sentenced to 20 years. Not long after, Laverty was looking at a homicide victim in a hospital when a sergeant told him he wished it was Laverty on the slab, "because I locked up Henry Cooper and he was their favorite. He was the corruption king of the Fifth District." Laverty realized he'd made enemies he didn't even know.

Laverty and his sons in the 1970s

He soon made more. On May 4, 1981, 12-year-old Sheila Pointer was sexually assaulted and bludgeoned to death with a pipe. (For a more complete account of the Pointer case, read Steve Bogira's book, Courtroom 302, to which I'm indebted here.) Sheila's ten-year-old brother Purvy was also brutally beaten but survived with skull fractures. When he was finally able to be questioned, a week later, Area Two detectives James Houtsma and Victor Tosello asked him who'd attacked them. They thought they heard him say the name *George*. Because it was hard for Purvy to talk, Houtsma set up a hand-squeeze system—once for yes and twice for no—and thereby determined that "George" was a gang member, lighter skinned than Purvy, and lived nearby. Houtsma and Tosello soon settled on 18-yearold George Jones Jr., who lived around the corner, though he was neither a gangbanger nor lighter skinned than Purvy.

In fact, George Jones was a junior deacon at his church, a hurdler on the Fenger High School track team, and an above-average student—his nickname was "Bookworm." He'd never been arrested for any crime whatsoever. His father, George Jones Sr., was a Chicago police officer, working as a 911 dispatcher, who willingly provided a photo of his son ("just to clear him," the now-retired officer recalls). Detectives got Purvy to tell them that he knew the boy in the picture—though not that he was the perpetrator. In a memo they noted that Purvy kept trying to say a last name that sounded like "Anderson-Henderson- Harrison." The next day, however, Houtsma and Tosello showed Purvy the photo again. They reported that the boy cried and said the man in the picture was the killer.

Jones was arrested at Fenger. The following day he was presented at the hospital to Purvy, who according to the detectives' report initially said no, but then, when the overhead lights were turned on and Jones removed his glasses, said, "That's him." Others present heard other things. Jones's attorney Peter Schmiedel heard "yes, no, yes, no, yes, no." A nurse heard "no," and later "yes, yes, yes." Another nurse, who later testified that Purvy "appeared not to know what was going on," heard "yes, yes, no, no." A prosecutor heard an unambiguous identification of the suspect. A federal appeals court would later conclude that whatever was said had been uttered in suggestive circumstances by a child afflicted with a head injury and was "worthless."

19-cv-4048(FBI)-3311

On May 12 Jones was charged with murder, aggravated battery, and rape. No physical evidence was ever produced to link him to the crime.

**THE TRIAL TOOK** place the following April. The state asked for the death penalty. Purvy took the stand and upon being shown his sister's bloodstained clothing screamed and wailed so fiercely that the *Tribune* described him as hysterical. Judge William Cousins Jr. called a recess, and Purvy was escorted from the courtroom.

The outburst made headlines the next day, and Laverty read them. He was on furlough, preparing to fly to Colorado to visit family, but he picked up the phone, called the judge's courtroom, and asked to speak to anyone connected to the Jones trial. The call came in during the noon recess, but Schmiedel and cocounsel Jeff Haas, both from the People's Law Office, happened to be there.

"Whenever I address law students about my career or this case," says Haas, "I always say that the moral of the story is 'Work during lunch hour.' We are sitting in the courtroom, the phone rings, and a clerk says, 'Is anybody here from the Jones case?' Well, we were there, the judge wasn't there, the prosecutor wasn't there, so I said, 'Yeah, I am.' So I go in the back to take the phone call, and this voice on the phone I've never heard says, 'Are you working on the Jones case?' And I said 'Yeah,' and he said something like, 'How's it going?' And I don't know why I said, 'Well, I think it's going pretty good, but you can't ever tell with a sympathetic witness.' He says, 'Well, I think they got the wrong guy.' And I said, 'I do too, who are you?' At which point he says, 'I am detective Frank Laverty, I worked on this case, they had assured me it wasn't going to trial, I developed a substantial amount of evidence that someone else did it, I interviewed him, and I have notes and reports of the interview and the investigation that indicates someone else did it.' And I said, 'Well, are you willing to come forward?' And he said yes."

Laverty was on the stand that afternoon. With the jury absent, he testified that he'd gotten involved in the case five days after Jones's arrest, when the dead girl's mother called Area Two and asked to have a detective sent to the hospital to talk to Purvy. Because detectives Houtsma and Tosello weren't available, Laverty and another detective went. Purvy told them two men in stocking masks carried out the attacks, one of them armed with a gun, the other a man named George who took his mask off. Purvy referred to this man as George Anderson, described his car, and said he was the leader of a gang that hung around the local public school. An aunt kept correcting Purvy, telling him he meant George Jones, and Purvy would change his story to suit his aunt, then go back to calling the man Anderson. Purvy's mom arrived and said she'd found two pairs of panty hose in Shella's bedroom.

To Laverty, all this made Houtsma and Tosello's case against Jones look extremely weak. In September, Laverty told me that after retrieving the stockings he'd met with commander Milton Deas, who supervised the violent crimes and property crimes units at Area Two. Deas, according to his own subsequent testimony, told Laverty his hands were tied because the state's attorney's office had already indicted Jones.

Laverty then went to assistant state's attorney Larry Hyman, supervisor of the felony review unit. (For an account of Hyman's controversial involvement in the Jon Burge torture cases, see "Deaf to the Screams," "What Does John Doe Know?" and "Doe in the Headlights" in the *Reader*'s police torture archive, at chicagoreader.com/policetorture.) Hyman would later testify that he passed Laverty's information up his own chain of command.

Laverty later put his thoughts into a memo to Deas, telling him, among other things, that he suspected a connection between the Pointer murder and a man he'd questioned who'd confessed to a sexual assault and murder three blocks from the Pointers' house. Laverty then turned his attention back to his own caseload. He'd later testify that at some point Houtsma told him there was no way the prosecution of Jones could go forward.

The day after Laverty testified in Judge Cousins's courtroom, the court heard from Commander Deas. He confirmed that he'd kept Laverty's memo in his office, a clear violation of the state's obligation to turn over potentially exculpatory evidence to the defense. But then came the real bombshell. Deas testified that it was standard procedure for detectives to maintain a secret file—the street file—that included reports and documents that might damage the case against their chosen suspect. Besides Laverty's memo, the Pointer case's street file also included mention of a relative of the victims as a possible suspect and the victims' father's suspicions about an older neighbor named George. It revealed that Purvy had at first identified the

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killer as a gangbanger with lighter skin than his own, someone possibly named Anderson, Henderson, or Harrison, and that he'd failed to identify Jones as the killer the first time he was shown his photo. A police crime lab report on the panty hose found at the scene that would've helped Jones's defense had not been turned over, nor had a doctors' warning that Purvy might not remember anything about the attack when he came out of his coma.

Judge Cousins threw out the case against Jones "with prejudice"—which meant Jones could not be tried again. The judge said he firmly believed the state had arrested the wrong man. But the police did not resume their search for the right one.

Jones filed a civil suit. The city's lawyers, both of whom are now judges, responded by trying to persuade a jury that Houtsma and Tosello had the right man in Jones and that Laverty was out to free him simply because Jones's father was a fellow cop. Two detectives, one who was present for Laverty's interview of Jones and another who saw him interview the man who confessed to the other local sexual assault and murder, testified that Laverty's leading questions had produced the answers Laverty wanted to hear. The jury gave Jones $801,000 plus attorneys fees, which exceeded $600,000. A separate class-action suit brought an end to the practice of keeping street files. The U.S. Court of Appeals would affirm the verdict and praise Laverty for going "above and beyond the call of duty" and upholding "the highest ethical standards of the United States justice system."

Detective Houtsma retired in 1986, Tosello in 1999. Attempts to get them to comment for this story were unsuccessful.

**LAVERTY's INTERVENTION, SO** highly praised by the judiciary, was not appreciated in some quarters of the police department. Internal Affairs began an investigation—not of Houtsma, Tosello, and Deas for concealing evidence, but of Laverty for failing to notify his superiors before testifying. (Laverty said he had. He ultimately prevailed.) By this time Jon Burge was supervising the Area Two violent crimes unit. In a sworn statement in 2004, retired sergeant Doris Byrd recalled being in a meeting when Laverty walked in to retrieve a file: "When he left, Burge took out his gun, pointed it at the back of Laverty, and said, 'Bang.'"

With the Henry Cooper and George Jones cases occurring relatively close to each other, Laverty told me, "I couldn't tell where my enemies were coming from. I made so many all at once. My partner said, 'They're meeting at the amphitheater just to get you. Every morning, there you are again pissing someone off.'"

That partner was Larry Nitsche, now director of investigations in the corporation counsel's office and no fan of the man he used to ride with. He remembers the remark and says he made it facetiously, because he thought Laverty was paranoid. "When all this stuff happened, I said, 'Frank, I really think you're like having a nervous breakdown.'

"The guy smoked Carlton Light cigarettes, and we go out to Indiana, right across the border, he'd buy ten cartons every couple days. I don't smoke. I'd come home at night and my wife said I should take my clothes off and hang them outside. This is how nervous he got—he'd light a cigarette, I swear to God he would drive about 30 feet, he would put it in the ashtray. He'd drive another half a block, and all of a sudden he is reaching in his pocket pulling out a cigarette. 'Whoa, Frank, hey, we got one going here.'"

Laverty was moved from the day shift to afternoons and evenings, assigned to clerical work. Burge, he recalled, told him he would soon be fired. He was later moved to midnights and put in a one-man car. His car was serviced at Area Two, and one day he pulled onto the Dan Ryan and the brakes failed. He believed they'd been tampered with by a mechanic whose brother was an Area Two detective.

Attorney Flint Taylor remembers Laverty dropping by with a package and an odd request. "He said to me, 'Here, hold on to this for me, will you?' I said, 'What's this?' 'It's a urine sample. I'm afraid they're going to drop a dirty one on me.'" Taylor says he kept the sample in his refrigerator for years.

In a sworn statement given to Taylor a month before his death, Laverty recalled one time on the midnight shift when he noticed a brown Buick following him. "This is about two-thirty, three o'clock in the morning. . . . It looked awful suspicious to me. . . . People don't follow the police. What are they going to follow the police for?. . . I made a turn and the car made a turn. I made another turn, I went down Cottage [Grove]."

Laverty said that as he cruised at 30 miles an hour a call came over the radio—"dark brown car, robbery in progress." "So I whipped a U-turn and I got behind this dark brown car and pulled him over for looking like

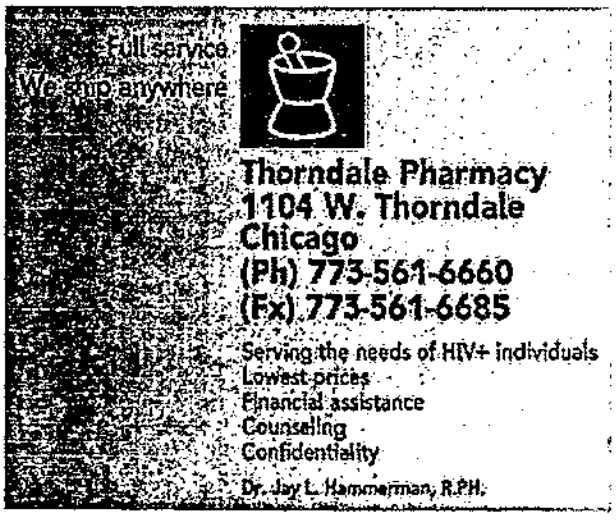
the robbery offender. I drew my revolver and I went up to his car door and he got real scared. I pulled him by the shoulder and he fell on the ground. So I put the gun next to his head because I couldn't tell whether he had a gun or not. I patted him down, didn't find anything, didn't find any ID, didn't find a gun, so I let him go. But then I was later told that it was sergeant so-and-so from Internal Affairs. I almost gave him a heart attack."

Laverty also believed the state's attorney's office was making him pay. He told me that one time he made a routine call for a felony review assistant to come to the station to approve charges and no one showed up, and that another time a prosecutor in a murder case failed to "rehabilitate him on redirect." At a criminal trial, the defense routinely cross-examines the detectives to raise doubts about their investigation; the prosecution just as routinely uses redirect to clear up those doubts.

After some months, Laverty put in for a transfer. Police superintendent Richard Brzeczek, now a defense lawyer, says he respected what Laverty had done and arranged for him to work in personnel at police headquarters. Other journalists and I have reported that part of his job there involved watching recruits give urine samples and have portrayed that as punishment duty. But this fall Laverty told me he liked the job in personnel: he got to work days, the city paid his way through law school, and he thought he was doing something important in helping to supervise the hiring of new officers. He insisted, contrary to the impression he'd given me in the past, that the urine-sample duty was necessary—everyone took a turn, and he wouldn't have refused because he was no prima donna.

Laverty retired in 1997. He practiced some law, though not with the enthusiasm he'd given to police work, in part because he'd been diagnosed with cancer in 1994. He fought the disease and recovered, only to have his wife, Janice, die of cancer in 1999. Laverty married Linnea Weaver in 2004, and she and his three sons survive him.

In retirement Laverty became an expert witness in police misconduct cases. He testified against former Area Two colleagues in civil suits filed by Michael Evans and Paul Terry, who spent 27 years in prison for a 1976 rape and murder and were freed after DNA tests proved they weren't the culprits. Even as he was dying, weak from cancer treatments, he continued to submit himself to hostile questioning by lawyers representing the arresting detectives. The depositions were lengthy and had to be taken on multiple dates scheduled around Laverty's medical care. Two of the defendants began sitting in on them—permissible but highly unusual. Unintimidated, Laverty plowed forward. After a few sessions the two detectives stopped coming.




**AFTER HE WAS** arrested in 1981, George Jones Jr. spent five weeks in jail. Finally his lawyers got his bond lowered and his family was able to post it. In that time, he says, he was incarcerated with other men accused of the most violent crimes, "the worst of the worst," but in some ways it was tougher to come home and face relatives, neighbors, and strangers who believed he might be a killer and a rapist. By the time the case was dismissed, Jones, who had been the editor of his school newspaper, had lost his desire to become a journalist, in part because of what had been written about him, and he thinks his arrest in the Pointer case was a factor in his rejection by the army in 1982. In his civil suit a psychiatrist testified that he suffered from post-traumatic stress disorder. He's held a variety of jobs since graduating from Fenger—steelworker, investigator, waiter, custodian, bodyguard—and lived in Michigan, Iowa, and Washington. "I graduated from college," he says, "but it took me eight and a half years to do it."

Jones now lives in a Chicago suburb, where he works in public relations. He avoids the city, he says,

because he fears policemen with long memories. "I have a habit now of constantly looking at my watch so that I know what I am doing, where I am doing it, and where I was at what particular time."

Because his lawyers thought it best to keep Laverty and Jones apart, the two met face-to-face for the first and only time at a gathering in March 1987, after Jones won his civil suit. The last time he remembers speaking with Laverty was on the phone a few years later. Despite the lack of contact, he says Laverty has been in his thoughts ever since. "That took more guts than anything—to come forward and say, 'Hey this isn't right,' to go against the entire department, and to go through the hell that he went through afterward. . . . I know his life was never the same again. How do you say 'Thank you' enough?"

So why did Laverty do it? Jeff Haas, who took the call in Judge Cousins's courtroom, says that in his 35 years as a lawyer he's never seen or heard of another officer doing what Laverty did. He thinks the bottom line is that Laverty had a certain integrity, but that there were other factors as well. Laverty's wife, for instance, may have pulled him toward a more liberal view of social justice. Haas also believes that investigators of all kinds categorize the people they're investigating and that for Laverty, Jones wasn't a black kid but a cop's son.

"And then he had his own hunch about another person committing the murder," Haas says. He speculates that Deas and Hyman's unresponsiveness to Laverty's information affronted his sense of how good he was as a homicide detective. Haas also thinks Laverty knew testifying could end his career in homicide, which he loved.

"It seems to me he had that something that a lot of people don't have," says Flint Taylor, who spoke at Laverty's memorial service. "He didn't feel under pressure to conform to the group. . . . Laverty says 'I'm no angel, but I don't think the shit we did was right.' Sure, maybe for a while he went along with stuff. He saw guys take money, you tell me he even hit a guy in an interrogation room. But it was the exception for him. It wasn't the rule."

Today retired police commander Milton Deas, who was a defendant in Jones's civil suit and had $25,000 in damages charged to him personally, praises Laverty as "energetic, thorough, conscientious, and dedicated." What bothers him isn't what Laverty did, he says, but how he did it. He says Laverty didn't like Houtsma and Tosello and they didn't like him, and that Laverty saw the Jones case as a way to embarrass them. "He didn't care how he accomplished it. If he embarrassed them, OK. If he embarrassed me in doing that, it didn't matter to him. If he embarrassed the superintendent, it didn't make him any difference."

But why Laverty spoke up might not be the best question here. A better question might be why nobody else did. Why not Deas, for instance? The African-American commander of all Area Two detectives, a policeman since 1947, he was told by Laverty two weeks after the murder that Houtsma and Tosello's case was a wreck. And as he'd admit when he testified in the civil suit, at that point he knew that two stocking masks had been found and that one of the dead girl's relatives had been labeled uncooperative and deceptive by a polygraph examiner. By then he'd already met with George Jones Sr., black cop to black cop, and been told there was another George in the neighborhood who might be a better suspect.

Why not Larry Hyman, the felony review supervisor, someone else Laverty informed? Hyman was in a far better position to put the brakes on the Jones prosecution than a detective.

And why were other Area Two detectives so resistant to Laverty's argument that the case against Jones smelled rotten?

"I don't bear them any animosity because I'm way ahead of that game," Laverty said in September. "I would never trust them, or not look over my shoulder, but I don't have any grudges against them. Look how good it worked out for me." Laverty was talking about the job in personnel and his law degree. "And what would have happened if I'd kept going down the road that they traveled? I'd be up there taking the Fifth Amendment because I'd looked the other way one too many times.

"In retrospect, I'd rather be me than any of them." Я

Send a letter to the editor.

## Comments

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**FEDERAL BUREAU OF INVESTIGATION**

Date of transcription 02/04/2008

[redacted] date of birth [redacted] who resides at [redacted] was interviewed telephonically, at telephone number [redacted] by Federal Bureau of Investigation (FBI) Special Agent (SA) [redacted] SA [redacted] asked [redacted] for her cellular telephone number. [redacted] initially stated that she did not have a cellular telephone. After further questioning, she stated that she did have a cellular telephone but that she hardly ever had it on, as nobody called her on it. [redacted] did not provide the number.

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Investigation on 2/4/2008 at Chicago, Illinois (telephonically)

File # 282A-CG-126294-302 -3 Date dictated 2/4/2008

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by SA [redacted]

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FD-302 (Rev. 10-6-95)



**FEDERAL BUREAU OF INVESTIGATION**

Date of transcription 01/29/2008

[redacted] date of birth [redacted] who resides at [redacted] was interviewed telephonically, at telephone number [redacted] by Federal Bureau of Investigation (FBI) Special Agent (SA) [redacted] and SA [redacted] After being advised of the nature of the interview and the identities of the interviewing Agents, [redacted] provided the following information:

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b6 -5
b7C -5

When asked to describe the general environment, [redacted] said it was a normal police station. When asked if there had been any difference in police tactics or behavior from the 1980s to the present, [redacted]

b6 -5
b7C -5

b6 -5
b7C -5

Investigation on 1/29/2008 at Chicago, Illinois (telephonically)

File # 282A-CG-126294-302 - 4 Date dictated 1/29/2008

by SA [redacted] mlf

b6 -1
b7C -1
b7E -4

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[redacted]

b6 -5
b7C -5

[redacted]

b6 -5
b7C -5

The interview was concluded at approximately 1:45 p.m.

282A-CG-126294-302
MLF:mlf

1

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

[redacted] also known as [redacted] date of birth [redacted] Social Security Account Number [redacted] who resides at [redacted] telephonically contacted Federal Bureau of Investigation (FBI) Special Agent (SA) [redacted] on 02/02/2008. [redacted] provided his cellular telephone number as [redacted] and his home telephone number as [redacted] stated that [redacted] He said he recalled the Andrew Wilson incident fully and was willing to provide any information necessary.

MLF

b6 -1
b7C -1
b7E -4

282A-CG-126294-302-5

19-cv-4048(FBI)-3325

282A-CG-126294 -302- 6
KKK:kkk



The following investigation was conducted by SA [redacted] at Chicago, Illinois:

b6 -1
b7C -1
b7E -7

On February 28, 2008, SA [redacted] determined that [redacted]

This information was obtained through the [redacted]

KK



02-11KKK02.ins.pdf

282A-CG-126294 -302-7
KKK:kkk

1

The following investigation was conducted by SA [redacted] at Chicago, Illinois:

b6 -1
b7C -1
b7E -7

On February 28, 2008, SA [redacted] determined that [redacted] This information was obtained through the [redacted]

FEDERAL BUREAU OF INVESTIGATION

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

Date of transcription 02/25/2008

[redacted] date of birth [redacted] Social Security Account Number [redacted] who resides at [redacted], [redacted] telephone number [redacted] was interviewed at her home by Federal Bureau of Investigation Special Agents [redacted] and [redacted] After being advised of the identities of the interviewing Agents and the nature of the interview, [redacted] provided the following information:

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

[redacted] worked as [redacted] During that time, [redacted] She also worked with [redacted] also known as (a.k.a.) [redacted] usually worked the [redacted] Occasionally, they worked the [redacted] Most of the activity, as far as [redacted]

[redacted]

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

It was common knowledge that BURGE had a particular group of people that used excessive force on subjects in order to obtain confessions. These people were referred to as "the A-Team" and worked mostly midnights. It was common knowledge that they used a

Investigation on 02/22/2008 at Chicago, Illinois

File # 282A-CG-126294-302 -8 Date dictated 02/25/2008

by SA [redacted]

b6 -1
b7C -1
b7E -4

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 b6 -5
b7C -5

shock box to shock subjects, though [redacted] never saw it. It was common knowledge that they beat people and used typewriter covers to suffocate them. When asked who told her about it, [redacted] stated she could not recall a specific person, as everyone talked about it.

[redacted]

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

Continuation of FD-302 of [redacted], On 02/22/2008, Page [redacted]

b6 -5
b7C -5

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

[redacted] that had been sent to attorney [redacted] in the past. [redacted] stated [redacted] She stated she believed [redacted] She suggested [redacted]

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

[redacted] recalled hearing that BURGE would go out to a tavern on Western Ave., but she did not know the name of it. She did not recall him ever having a drinking issue while on-duty, but recalled that he had a "nasty" mouth. BURGE once [redacted] and [redacted] He told [redacted] that, [redacted]

[redacted] identified the following individuals as being part of what was referred to as [redacted] JOHN YUCAITIS, [redacted] and PATRICK O'HARA.

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

FD-302 (Rev. 10-6-95)



**FEDERAL BUREAU OF INVESTIGATION**

Date of transcription 03/17/2008

[redacted] date of birth [redacted] who resides at [redacted] b6 -1,-5
[redacted] telephone number [redacted] was b7C -1,-5
interviewed at his residence by FBI Special Agents [redacted]
and [redacted] After being advised of the identities of the interviewing Agents and the nature of the interview, [redacted] provided the following information:

[redacted] began working with [redacted] b6 -5
b7C -5

[redacted]

While assigned to Area 2, [redacted] b6 -4,-5
b7C -4,-5

[redacted] In general, [redacted]

LT. JON BURGE was in charge of Area 2. BURGE did not like black detectives and he did not allow them to work homicides. In addition, other white detectives refused to work with the black detectives. [redacted] b6 -4,-5
b7C -4,-5

[redacted]

Investigation on 2/25/2008 at Chicago, Illinois

File # 282A-CG-126294-302 - 9 Date dictated 3/17/2008 b6 -1
b7C -1
b7E -4

by SA [redacted]
SA

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[redacted]

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

[redacted]

It was common knowledge that BURGE's "A-Team" worked midnights and that the "A-Team" would "whoop ass." [redacted] b6 -5 b7C -5

[redacted]

Regarding the ANDREW WILSON case, [redacted] said that soon after the two CPD officers were murdered, [redacted] b6 -4,-5 b7C -4,-5

[redacted] As this matched the vehicle description provided for the shooters in the police officer killings, [redacted] went to BURGE with the information. [redacted]

[redacted]

At some point, CPD arrested some people in relation to the investigation and took them to the CPD offices at 11th and State St. [redacted] b6 -4,-5 b7C -4,-5

[redacted]

also took the witness to a line-up. [redacted] believes it was one of the eye-witnesses to the shootings.

[redacted]

b6 -4,-5,-6
b7C -4,-5,-6

b6 -5
b7C -5

[redacted]

b6 -4,-5,-6
b7C -4,-5,-6

282A-CG-126294-302-11
KKK:kkk



[redacted] The following investigation was conducted by SA [redacted] and SA [redacted] at Chicago, Illinois.

b6 -1
b7C -1

A review of public record databases conducted on March 26, 2008, found the following contact information for individuals associated with the above case:

1) [redacted]

b6 -4,-6
b7C -4,-6

2) [redacted]

3) Milton B Deas, retired CPD
8415 S. Indiana Ave
Chicago, IL 60619
(773) 846-7293
DOB 2/25/1920
SSN 459-22-6666

4) [redacted]

5) [redacted]

DSUKKK02.ins.wpd

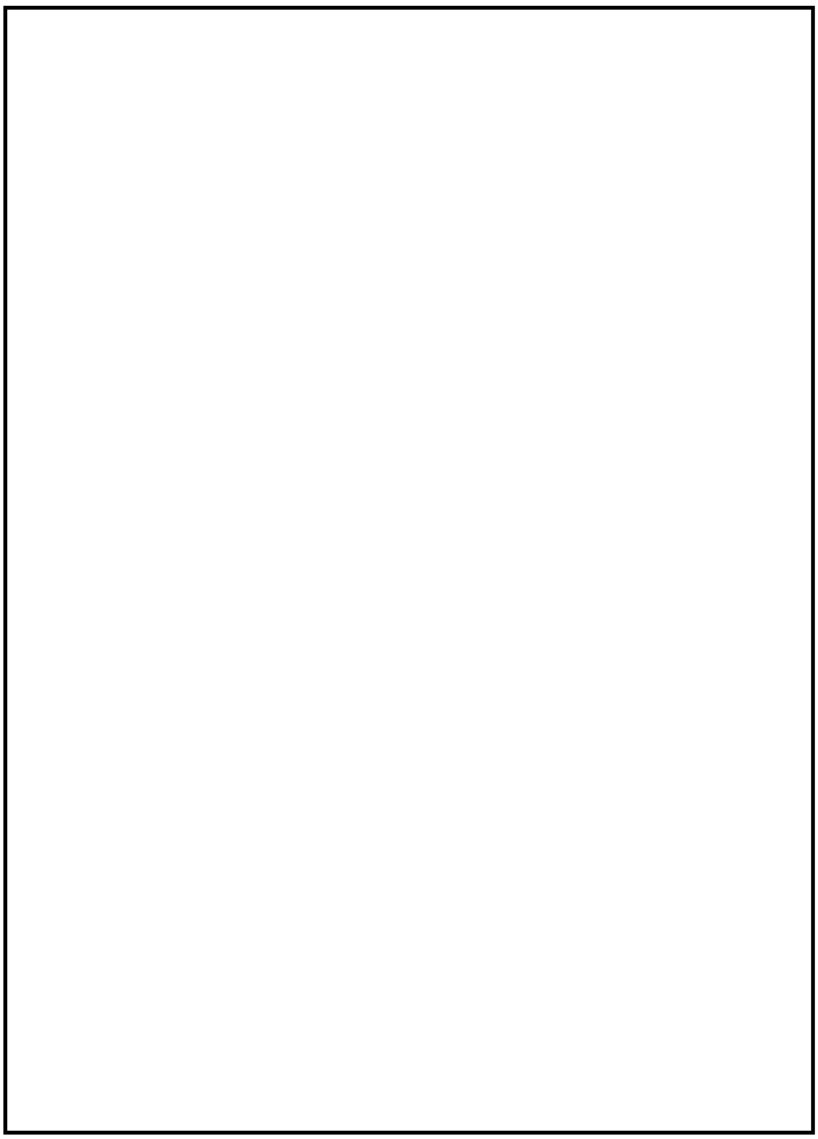
6)

7)

8)

9)

10)



b6 -2,-4,-6
b7C -2,-4,-6

282A-CG-126294 -302-12
KKK:kkk

1

On April 7, 2008, SA [redacted] attempted to view [redacted] received from the United States Attorney's Office (USAO) containing [redacted] It was determined that the [redacted] with the FEDERAL BUREAU OF INVESTIGATION (FBI) [redacted] to the USAO for [redacted]

b5 -1,-3
b6 -1,-7
b7C -1,-7

OTBKKK01 ins.wpd



282A-CG-126294-302-12

**FEDERAL BUREAU OF INVESTIGATION**

Date of transcription 04/14/2008

RICHARD J. MORAN, date of birth 7/3/1928, Social Security Account number 338-22-6728, who resides at 3530 Gladstone, Sarasota, Florida, 34231, telephone number 941-924-4679, was interviewed at the [redacted] was also present for the interview. After being informed of the identity of the interviewing Agents and the purpose of the interview, MORAN provided the following information.

b6 -6
b7C -6

MORAN came on the job with the CHICAGO POLICE DEPARTMENT (CPD) in 1954. He was a patrolman for four years, then was promoted to sergeant. In 1975, he worked in the Robbery division. When that division was disbanded, MORAN worked in the Violent Crimes division. MORAN worked in that division as Desk Sergeant for a few years before JON BURGE began working there. BURGE promoted MORAN to Case Management Sergeant. In that position, MORAN had five detectives reporting to him. MORAN would review all the Violent Crime reports and find patterns to the crimes. He would assign the robberies out to one of the five detectives under his supervision. MORAN provided the names of these detectives, Det. KENNEY, Det. KRUGER, Det. COPELAND, Det. DUDEK, and Det. SULLIVAN. MORAN believes them all to be deceased. Around 1985, MORAN was promoted to Lieutenant in Gangs West. MORAN retired as a Lieutenant in 1987.

MORAN spent approximately seven years in Area 2. He knew BURGE very well, as BURGE was MORAN's lieutenant. MORAN felt they had a good working relationship. MORAN described BURGE as an astute policeman for whom the department was his whole life. MORAN thought BURGE was fair to his subordinates who worked hard and did their job well. The punishment for not working was "severe". MORAN did his job to BURGE's satisfaction. The two had a personal relationship as well. MORAN last saw BURGE about ten months ago, and last spoke to BURGE about five months ago.

When MORAN was Desk Sergeant at Area 2, his office was right next to BURGE's office. Once MORAN became Case Management Sergeant, his office moved down the hall, but was still only about forty yards from BURGE's office.

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Investigation on 4/11/2008 at Chicago, Illinois

File # 282A-CG-126294-302 -13 Date dictated 4/14/2008

b6 -1
b7C -1

by SA [redacted]
SA

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MORAN became aware of the allegations of abuse through the newspaper. He cannot believe the allegations. MORAN never saw or witnessed any act of abuse at Area 2. He never heard any allegations that abuse occurred. He never received complaints from witnesses about abuse. MORAN never saw any phone books or typewriter covers being brought into interview rooms. He never heard any screams coming from the interview rooms. MORAN would have stopped any abuse if he had known about it.

MORAN never saw any electric shock box at Area 2. He heard about such a device from an article in the Chicago Reader, but does not believe the story.

MORAN never knew BURGE to fabricate reports. He did not hear allegations that BURGE fabricated reports.

MORAN repeated that he did his job well and would have stopped any abuse if he had known about it. MORAN explained he was never a detective, and therefore never interviewed people at Area 2. He does not know if the number of confessions obtained at Area 2 were excessive, and never heard any talk of that being the case.

MORAN does not know if BURGE was racist. BURGE treated people fine if the work was done right. MORAN does not know if BURGE had any negative feelings towards blacks. Nobody reported any such allegations to him regarding treatment by BURGE or BURGE's subordinates.

MORAN took the call reporting the murders of the police officers in 1982. He was the only sergeant working when the call came in, so he went to the scene. He recalled seeing about 150 squad cars at the scene. MORAN remembered everyone working around the clock for three or four days looking for the WILSON brothers. MORAN was not present at the search of the beauty shop or at the scene of ANDREW WILSON's arrest.

MORAN was not at Area 2 when WILSON was brought in. He recalled seeing one of the brothers at Area 2, but was not sure which brother he saw. MORAN was at Area 2 around noon when he walked by one of the interview rooms and saw the WILSON brother handcuffed, MORAN believes to a ring on the wall, in the room alone. MORAN did not observe any injuries to WILSON at that time. MORAN had no further part in the case.

MORAN also took the call reporting the arson deaths in the [redacted] case. The fire department initially reported five dead, which turned out to be four dead. BURGE called to check in, and MORAN told him about the call. At first, BURGE did not believe the report. BURGE met MORAN at the scene. MORAN recalled every detective in the unit worked on the case. The lieutenant requested everyone be sent to the scene when they reported to work. MORAN was at the crime scene until late that day. b6 -2 b7C -2

MORAN was at the scene of [redacted] arrest. MORAN thinks BURGE was one of the many people there. He remembered it being an "easy" arrest. [redacted] and the police officers were waiting for him to arrive. MORAN saw and spoke to [redacted] at Area 2 after his arrest. MORAN was at his desk and asked [redacted] who was handcuffed, if he wanted to go have a Coke with him. MORAN took [redacted] to the lounge and bought him a Coke. As the two were sitting there, MORAN recalled [redacted] saying [redacted] MORAN told BURGE about that statement but did not tell many other people. MORAN remembered [redacted] being fully clothed and not beaten up. [redacted] did not complain of any mistreatment while the two were in the lounge. MORAN handcuffed [redacted] to the ring on the wall and then went home. MORAN never saw [redacted] again. b6 -2 b7C -2

MORAN never heard any claims of mistreatment from anyone who was arrested at Area 2. He never heard any complaints regarding mistreatment by BURGE. MORAN never had any personal conflicts or adverse interactions with BURGE.

MORAN believes the allegations are false. He believes that the prisoners and the attorneys got together and made up the stories to get money. He thinks they targeted BURGE because he was the leader of the district at the time. MORAN worked in the ghetto for twenty-three years, and knows that people there will do things just to get money.

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 04/07/2008

MILTON B. DEAS, date of birth 2/25/1920, social security account number 344-12-7209, who resides at 8415 S. Indiana, Chicago, Illinois, 60619, telephone number 773-846-7293, was interviewed at his residence. After being advised of the identity of the interviewing Agents and the purpose of the interview, DEAS provided the following information.

DEAS started his law enforcement career with the Chicago Park District police in 1947. The Park District police consolidated with the Chicago Police Department (CPD) in about 1959, when DEAS became a patrolman. DEAS moved into the position of civilian detective, which at the time was a plainclothes position still classified as "patrolman" by the CPD payroll department. DEAS retired from CPD in 1983 as an Area Commander.

DEAS came to Area 2, located on 91st and Cottage, in 1979 or 1980. He was a detective in the building in the late 1970's, prior to the reorganization which designated that location as Area 2. JON BURGE was already working out of that building in the Robbery division. After the reorganization, everyone in the building got different titles. DEAS became Area Commander. BURGE became Lieutenant in the Violent Crimes Division. [redacted] b6 -4 b7C -4 [redacted] DEAS recalled BURGE being promoted to Lieutenant after the reorganization. DEAS did not have the authority to promote people. He thinks that BURGE may have been promoted by [redacted] At the time, DEAS was just worried about getting himself promoted.

The lieutenant's offices at Area 2 were located in separate areas of the building. [redacted] office was on the [redacted] Lt. BURGE and [redacted] b6 -4 b7C -4

DEAS described BURGE as young, very energetic and "gung-ho." He said BURGE may have been prone to deviate from the righteous path. When asked to clarify that answer, DEAS explained that "you don't go into the woods with a switch to hunt bear." He described a situation where officers would be looking for someone

Investigation on 4/7/2008 at Chicago, Illinois

File # 282A-CG-126294-302 -14 Date dictated 4/7/2008

by SA [redacted] b6 -1 b7C -1

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who killed police officers and explained that the adrenaline would be high, and the officers would want to find the individuals and possibly do damage to the individuals, such as using some physical force to bring the guy down, maybe put a foot on his back, and cool things off before handcuffing the subject. DEAS further explained that Robbery detectives are not investigating nice, courteous people. These detectives always had to be ready for whatever they met with on the street.

DEAS has heard the allegations that BURGE abused subjects in the Area 2 station. DEAS worked different hours, not nine-to-five, and BURGE was not a nine-to-five employee either. BURGE worked around the clock as the job dictated. DEAS should have heard screaming, as the building had no carpeting, curtains or anything which would have absorbed sound. DEAS does not recall hearing any screaming. He does not recall seeing a black box. He would occasionally go upstairs to the second floor. He never saw any subjects with injuries when he went upstairs. DEAS can only say it is possible that BURGE did commit the acts contained in the allegations.

In 1982, DEAS conducted a roll call with respect to the ANDREW WILSON incident. During that roll call, DEAS told the officers that the police wanted to get the individuals and wanted to prosecute them. He instructed the officers to take the individuals down as necessary to protect themselves and handcuff them, but once they were cuffed to no longer be physical with them. DEAS did not want the subjects to be able to get out on a technicality of undue or unnecessary force. On the day before ANDREW WILSON's arrest, DEAS was in the office until 10:00 pm. BURGE and a few of the men were out following up on tips. BURGE came into the office and told DEAS about a tip which put WILSON on the west side, and said he wanted to hit the location early in the morning.

DEAS was present on site when officers went to the beauty shop and found some of the guns. He explained that he decided to go along on the search as a show of concern for the search and to show its importance. DEAS wanted to be on the scene. He had been a street officer for twenty years before his first promotion and wanted to be out there for this search. The owner of the beauty shop gave permission for the officers to search. Detective [redacted] recovered one of the guns and told DEAS about it. DEAS left the scene and went back to the station.

b6 -4
b7C -4

DEAS was more worried about his men getting injured than he was worried about his men hurting the WILSON brothers. When the guys went to get ANDREW WILSON, DEAS went home because he was tired. He told his men to be careful and to let him know how it went. After ANDREW WILSON was arrested, DEAS got a phone call, most likely from BURGE, telling him the arrest had been accomplished. DEAS remembers asking BURGE if all the men were O.K. and if there had been any problems in the arrest. BURGE responded that WILSON had reached for a bag underneath the bed and had been taken down physically. DEAS is not sure, but he thinks he told BURGE that he would see him at the station and ended the call. DEAS was not told of any other injuries to WILSON at that time.

DEAS remembers arriving at Area 2 within approximately 30 minutes of the phone call. It was early in the morning, as DEAS remembers it being dark outside. When he arrived, DEAS spoke with BURGE who told him ANDREW WILSON was upstairs. DEAS went with BURGE up the stairs to the second floor. BURGE indicated WILSON was standing off to the left. DEAS remembers WILSON standing up, facing east. DEAS noticed a piece of tape over the bridge of WILSON's nose. DEAS asked BURGE about the tape. BURGE indicated that the injury occurred when the officers had grabbed WILSON after he had reached for the bag under the bed. DEAS thinks WILSON hit his nose on the side of the bed, but he is not certain. DEAS does not remember WILSON wearing a jacket. He recalls WILSON wearing just a shirt and pants. DEAS does not recall WILSON being handcuffed at that time. He would have thought WILSON would be handcuffed, but he can not say for certain.

DEAS does not remember which other individuals were present with WILSON. DEAS knows BURGE was in the room and recalls three or four other guys standing around the area. DEAS did not speak to WILSON. That was the only time DEAS recalls seeing WILSON.

DEAS described the station at 11th and State as being where the "bigger wigs" were located, along with the central lock-up. He remembers being at 11th and State with RICHARD BRZECZEK before WILSON was arrested. DEAS recalled that BRZECZEK called a meeting to inform the commanders that he had received citizen complaints that the officers were snatching people out of cars and kicking in doors to try and find WILSON. The meeting struck DEAS as odd, and he told BRZECZEK that the one person he should be speaking to about this, [redacted] was not there. [redacted]

b6 -4
b7C -4

was the [redacted] which was described by DEAS as "gung-ho personified". b6 -4 b7C -4

When DEAS arrived at Area 2 the day of WILSON's arrest, he could not get through to the front door as all [redacted] men had parked their cars out front. [redacted] wanted to set up a command post at Area 2. He set up in [redacted] office on the first floor. DEAS did not remember a meeting with BURGE and [redacted] in which BURGE asked DEAS and [redacted] to leave, stating that he had it handled.

DEAS did not recall that central lockup would not take WILSON because he was injured. DEAS explained that his memory was "vague".

DEAS heard about a letter to BRZECZEK in connection with WILSON being injured. DEAS asked BURGE "did you beat this man?" and got a negative response. DEAS did not look any further into the matter, as it was sufficient for him that BURGE said no. In addition, DEAS knew that the Office of Professional Standards (OPS) had already started investigating the matter. DEAS overheard some of the men in the office saying that another officer was responsible for WILSON's injuries. He cannot recall who said it, but about a week after he heard WILSON was injured there was conversation in the office in which some of the men stated that the officers who took WILSON to 11th and State in the squadrol had injured him and were being investigated. DEAS wanted to let OPS and Internal Affairs do their job and investigate the matter.

No one ever told DEAS to cut BURGE some slack. When asked who would be considered responsible if the allegations are true, DEAS stated that he himself could be seen as a responsible party because he was BURGE's commanding officer. DEAS recalled BURGE was mentored by FRANK PAPE, who DEAS described as being from the old regime. DEAS thought BURGE may have taken a little bit of PAPE with him.

DEAS never received any complaints regarding BURGE outside the chain of command. He remembered [redacted] but did not recall her ever complaining regarding BURGE's treatment. DEAS recalled only one incident where someone came to him in his supervisory capacity to complain about a white supervisor treating a black detective in a derogatory manner, but that was when DEAS was working in burglary in Area 4. BURGE never indicated any b6 -4 b7C -4

racist tendencies. DEAS never received any complaints about BURGE.

DEAS last spoke to BURGE several years ago when BURGE was in Chicago for a court case. DEAS thought it may have been for a case with ANDREW WILSON.

DEAS knew [redacted] DEAS heard [redacted] was racist, but it was never directly brought to DEAS' attention that [redacted] was racist. It was brought to his attention that [redacted] was a nuisance. [redacted] had a tendency to interfere in and take over other detectives' cases. DEAS had heard that [redacted] tended to violate the civil rights of black individuals, and that [redacted] admitted to doing so. b6 -4 b7C -4

DEAS was shown the first anonymous letter written to [redacted] DEAS could provide no insight into the letter. He was then shown the second anonymous letter, and thought that the tone of the letter sounded like [redacted] DEAS recalled Detective [redacted] as being one of the fellas, but more like a gentleman. DEAS felt [redacted] was out of place in Robbery. DEAS does not know if [redacted] worked with [redacted] b6 -4,-6 b7C -4,-6

282A-CG-126294-302-15
KKK:kkk



The following investigation was conducted by SA [redacted] and SA [redacted] on 4/15/2008 and 4/16/2008 at Chicago Police Department (CPD) Headquarters, located at 3500 S. Michigan Avenue, Chicago, Illinois. b6 -1 b7C -1

CPD [redacted] provided access to [redacted] selected in response to a request by the Special Prosecutor's Office during their review of Area 2 allegations and covering a number of years from [redacted] Review of [redacted] provided the names of the following individuals who worked as polygraphers at Area 2 during the referenced time frame. b5 -1,-3 b6 -4 b7C -4

[redacted] b6 -4,-6 b7C -4,-6

[redacted] and [redacted] are CPD officers who administered polygraph examinations on various investigations. Further investigation will be undertaken to determine any of the other of the listed individuals were CPD officers. b6 -4 b7C -4

Review of CPD Area 2 Case Log Books for Property Crimes, dated 1981-5/28/1986, and Violent Crimes, dated 1981-1985, showed the books to provide the following information:

1) Records Division Number
2) Victim name
3) Address of incident
4) Beat of occurrence
5) Investigator assigned
6) Offense/Type
7) Status
8) Date of occurrence

The log books did not contain information showing arrests made on a particular date and time, or individuals arriving at Area 2 on a certain date.

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282A-CG-126294-302-16
JAO:jao

1

b6 -5
b7C -5

On May 1, 2008, [redacted] Assistant for the Special Prosecutor's Office (SPO), provided the following items:

[redacted]

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

A copy of the [redacted] were made and provided to Assistant United States Attorney [redacted] The [redacted] will be maintained in the 1A section of the file.

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



282A-HQ-126294-302-16
127 jao 01.105

282A-CG-126294-302-17
JAO:jao

1

On May 7, 2008, the following documents were provided on disk to Assistant United States Attorney [redacted]

[redacted]

b5 -1,-3
b6 -3,-5,-6,-7
b7C -3,-5,-6,-7

JAO

282A-CG-126294-302-17
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FD-302 (Rev. 10-6-95)



FEDERAL BUREAU OF INVESTIGATION

Date of transcription 05/06/2008

[redacted] date of birth [redacted] Social Security Account Number [redacted] who resides at [redacted] telephone number [redacted] cellular telephone number [redacted] was interviewed at the United States Attorney's Office located at 219 S. Dearborn St., Chicago, Illinois. Present during the interview were FBI Special Agent [redacted] and Assistant United States Attorney (AUSA) [redacted]. After being advised of the identity of the interviewing Agent and the nature of the interview, [redacted] provided the following information: b6 -1,-3,-5 b7C -1,-3,-5

[redacted] b6 -5 b7C -5

AUSA [redacted] provided [redacted] with transcripts documenting her prior testimony. [redacted] reviewed the transcripts and said the transcripts refreshed her memory. [redacted] stated her previous statements were accurate to the best of her recollection. [redacted] did not wish to make any changes to her previous statement. b6 -3,-5 b7C -3,-5

[redacted] WILSON did not say much and appeared withdrawn. WILSON was very compliant with [redacted] b6 -5 b7C -5

[redacted] b6 -5 b7C -5

Investigation on 04/14/2008 at Chicago, Illinois

File # 282A-CG-126294-302-18 Date dictated 05/06/2008

by SA [redacted] b6 -1,-5 b7C -1,-5

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 05/27/2008

[redacted] date of birth [redacted] social security account number [redacted] telephone number [redacted] pager number [redacted] who is employed [redacted] was interviewed at [redacted] After being advised of the identity of the interviewing Agents and the purpose of the interview, [redacted] provided the following information. b6 -5 b7C -5

[redacted] b6 -5 b7C -5

Agents presented [redacted] with photographs of WILSON's injuries taken in 1982. [redacted] reviewed the photographs and provided the following additional information. b6 -5 b7C -5

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

Investigation on 5/23/2008 at San Francisco, California

File # 282A-CG-126294-302 -19 Date dictated 5/27/2008

by SA [redacted] 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;

 b6 -5 b7C -5

[redacted]

282A-CG-126294-302 - 26
KKK:kkk

1

The following investigation was conducted by SA [redacted] on May 6, 2008:

b6 -1
b7C -1

A search of public source database information revealed that former inmate CHARLES HILL, social security account number 329-48-4090, a potential victim of abuse by JON BURGE, is deceased. A death claim was filed for his social security account number in February 2007.

1
KK

130KKK02.ins

282a-cg-126294-302-25

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 05/02/2008

[redacted] date of birth [redacted] social security account number [redacted] who resides at [redacted] telephone number [redacted] telephone message number [redacted] was interviewed at the UNITED STATES ATTORNEY'S OFFICE, 219 S. Dearborn Avenue, Chicago, Illinois. Also present for the interview were Assistant United States Attorney (AUSA) [redacted] and AUSA [redacted] After being advised of the identities of the interviewing Agents and the purpose of the interview, [redacted] provided the following information.

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

[redacted]

b6 -5
b7C -5

Agents presented [redacted] with photographs of WILSON's injuries taken in 1982. [redacted] reviewed the photographs and provided the following additional information.

b6 -5
b7C -5

[redacted]

b6 -5
b7C -5

Investigation on 5/2/2008 at Chicago, IL

File # 282A-CG-126294-302 - 21 Date dictated 5/2/2008

by SA [redacted]
SA [redacted]

b6 -1
b7C -1

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 b6 -5 b7C -5

Based upon [redacted] review of his previous notes and testimony and the photographs of WILSON's injuries, [redacted] concluded that [redacted]

[redacted] b6 -5 b7C -5

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 06/11/2008

[redacted] (formerly [redacted], date of birth [redacted] who resides at [redacted] telephone number [redacted] was interviewed telephonically. After being advised of the identity of the interviewing agents and the purpose of the interview, [redacted] provided the following information. b6 -5 b7C -5

[redacted] started at the CHICAGO POLICE DEPARTMENT (CPD) on [redacted] working in Area 2. b6 -5 b7C -5

[redacted] b6 -5 b7C -5

During her time in Area 2, [redacted] worked mostly [redacted]

[redacted] never saw BURGE or his people threaten any witnesses or point weapons at anyone. Nobody ever complained to [redacted] about the treatment received from BURGE or his crew. Mayor BYRNE, Chicago's mayor at the time, was proud of BURGE because he "got the job done." BURGE's inner circle was very close-mouthed, and [redacted] b6 -5 b7C -5

On one occasion, [redacted] b6 -5,-6 b7C -5,-6

[redacted] does not know of anyone who would have knowledge of any abuse in Area 2.

[redacted]

Investigation on 6/10/2008 at Chicago, Illinois (telephonically)

File # 282A-CG-126294-302 -22 Date dictated 6/11/2008

by SA [redacted] b6 -1 b7C -1

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FD-302 (Rev. 10-6-95)



FEDERAL BUREAU OF INVESTIGATION

Date of transcription 06/11/2008

[redacted] telephone number [redacted] a [redacted] b6 -5 b7C -5
[redacted] for the Chicago Police Department, was interviewed at [redacted] After being advised of the identity of the interviewing Agents and the purpose of the interview, [redacted] provided the following information.

[redacted] b6 -5 b7C -5

168HQ-1102302 insp

Investigation on 6/5/2008 at Chicago, Illinois

File # 282A-CG-126294-302 - 23 Date dictated 6/11/2008

SA [redacted] b6 -1 b7C -1

by SA [redacted]

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FD-302a (Rev. 10-6-95)

282A-CG-126294-302

Continuation of FD-302 of [redacted], On 6/5/2008, Page 2

[redacted]

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

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 05/27/2008

[redacted] date of birth [redacted] Social Security Account Number [redacted] address [redacted] cellular telephone number [redacted] home telephone number [redacted] was interviewed at the United States Attorney's Office located at 219 S. Dearborn St., Chicago, Illinois. Present during the interview were the following individuals: b6 -5 b7C -5

FBI Special Agent (SA) [redacted]
FBI SA [redacted]
Assistant United States Attorney (AUSA) [redacted]
AUSA [redacted]
Department of Justice Attorney [redacted] b6 -1,-3 b7C -1,-3

After being advised of the identities of the interviewing Agents and the nature of the interview, [redacted] provided the following information: b6 -5 b7C -5

[redacted]

[redacted] was provided with transcripts which documented his prior testimony. [redacted] reviewed the transcripts and stated his prior testimony was accurate to the best of his recollection. [redacted] did not wish to make any corrections to his previous statements. b6 -5 b7C -5

[redacted] recalled officially testifying on two occasions concerning the ANDREW WILSON incident. [redacted] did not recall providing any other sworn depositions or statements concerning WILSON, although he may have spoken to the Chicago Police Department's Office of Professional Standards and/or [redacted] on different occasions concerning the incident. [redacted] recalled meeting with the Special Prosecutors, but he did not think he was asked any questions about the WILSON incident. [redacted] believed the b6 -5,-6 b7C -5,-6

Investigation on 03/07/2008 at Chicago, Illinois

File # 282A-CG-126294-302 - 24 Date dictated

by SA [redacted] b6 -1 b7C -1

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 b6 -5
b7C -5

Special Prosecutors asked him his professional opinion regarding other cases during their meeting.

[redacted]

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

[redacted]

[redacted] did not recall [redacted] or [redacted].

282A-CG-126294 Sub 302 -25
TJS:dd



b6 -1,-4,-6
b7C -1,-4,-6

The following investigation was conducted by FEDERAL BUREAU OF INVESTIGATION (FBI) Special Agent [redacted] on July 7, 2008 in Chicago, Illinois:

SA [redacted] attempted to locate retired CHICAGO POLICE DEPARTMENT Officer [redacted] Date of Birth (DOB): [redacted] at address [redacted] answered the door and informed the interviewing agent that [redacted]

b6 -1,-4
b7C -1,-4
b7E -7

SA [redacted] attempted to located retired CHICAGO POLICE DEPARTMENT Officer [redacted] DOB: [redacted] at [redacted] A Hispanic male opened the door to this building indicating that [redacted] does not live in this building and has not for quite some time. A [redacted] search indicates that [redacted] Further indication in [redacted] is that [redacted]

b6 -1
b7C -1
b7E -4



25
282A-CG-126294-302- PBC/JMO

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 07/08/2008

[redacted] Date of Birth (DOB): [redacted] b6 -5
home address: [redacted] retired b7C -5
City of Chicago Police Officer currently employed [redacted]
telephone number: [redacted] was advised of the identity of the interviewing agent and the purpose of the interview. Prior to the interview, [redacted] was provided with a non-target letter from the UNITED STATES ATTORNEY'S OFFICE. [redacted] then provided the following information:

[redacted] entered on duty with the CPD on [redacted] b6 -5
He was made [redacted] and was b7C -5
stationed at Area 2.

[redacted] b6 -5
b7C -5

[redacted] never witnessed anything violent occurring within Area 2 HQ. [redacted] never recalled sitting in on a BURGE interrogation.

The were no rumors about BURGE using violent interrogation techniques around Area 2 until allegations began b6 -5,-6
surfacing in the newspapers. In fact, it was from the newspapers b7C -5,-6
that [redacted] learned about allegations surrounding BURGE using typewriter bags, phone books, Russian roulette, and shock treatments to illicit confessions from subjects. In the early 1990s, [redacted]

BURGE had [redacted]

Investigation on 7/03/2008 at Chicago, Illinois

File # 282A-CG-126294 Sub 302 26 Date dictated 7/07/2008 b6 -1

by SA [redacted] dd b7C -1
b7E -4

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[redacted] FBC/JHO

[redacted] There was no agreement between [redacted] and anyone else about how to handle inquiries about BURGE.

[redacted] opinion is that BURGE did not torture people. The torture allegations arose from opportunistic people looking for cash settlements driven by the PEOPLE'S LAW OFFICE. b3 -1 b6 -5 b7C -5

[redacted]

282A-CG-126294-302 -27
KKK:kkk



b6 -1
b7C -1

The following investigation was conducted by Special Agents (SA) [redacted] and [redacted] in Chicago, Illinois.

On July 8, 2008, SA's [redacted] and [redacted] accompanied by Assistant United States Attorneys (AUSA) [redacted] b6 -1,-3
[redacted] and [redacted] and Department of Justice (DOJ) b7C -1,-3
Attorney [redacted] interviewed the following individuals regarding abuse allegations made against JON BURGE and other Area 2 detectives. The interviews were conducted via videoconference.

[redacted] an inmate at [redacted] provided information consistent with his prior statements.

[redacted] an inmate at [redacted] provided information consistent with his prior statements. b6 -5
b7C -5

[redacted] an inmate at [redacted] provided information consistent with his prior statements.

On July 9, 2006, SA's [redacted] and [redacted] accompanied by AUSA's [redacted] and [redacted] and DOJ Attorney [redacted] b6 -1,-3
interviewed the following individuals regarding abuse allegations b7C -1,-3,
made against JON BURGE and other Area 2 detectives. The interviews were conducted via videoconference.

[redacted] an inmate at [redacted] provided information consistent with his prior statements. b6 -5
b7C -5

[redacted] an inmate at [redacted] provided information consistent with his prior statements.

[redacted] an inmate at [redacted] provided information consistent with his prior statements.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 07/09/2008

[redacted] date of birth [redacted] social security number [redacted] home address [redacted] spoke briefly with the interviewing agents at his home. After being advised of the identity of the interviewing agents and the purpose of the interview, [redacted] asked if he was a subject of the investigation. The agents told [redacted] that he was not and provided [redacted] with a non-target letter, which [redacted] accepted and read. [redacted] then told the agents that [redacted] before talking to the agents. [redacted] was then provided with a Federal Grand Jury subpoena commanding [redacted] was given contact information for the prosecutor as well as the interviewing agents.

b3 -1
b6 -5
b7C -5

Investigation on 07/09/2008 at Chicago, Illinois

File # 282A-CG-126294 -302- 28 Date dictated

by SA [redacted] jmh

b6 -1
b7C -1

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FD-302 (Rev. 10-6-95)

[redacted]

b7E -4

-1-

**FEDERAL BUREAU OF INVESTIGATION**

Date of transcription 07/08/2008

[redacted], also known as [redacted] born [redacted] Social Security number [redacted] a retired Chicago police officer, currently residing at [redacted] telephone [redacted] was interviewed at his residence regarding former Chicago police officer JON BURGE (BURGE). After being advised as to the identities of the interviewing agents and the purpose of the interview, [redacted] provided the following information:

b6 -5
b7C -5

b6 -5
b7C -5

[redacted] started his career with the Chicago Police Department (CPD) on [redacted] retired from CPD on [redacted] When he retired, [redacted] was [redacted]

During his career with CPD, [redacted] in the Area 2 [redacted]

b6 -5
b7C -5

[redacted] It was at that point, around early [redacted] that time. [redacted] summarized that incident as follows:

[redacted]

b6 -5
b7C -5

Investigation on 07/07/2008 at Chicago, Illinois

b6 -1
b7C -1

File # 282A-CG-126294-302-29 Date dictated n/a

by SA [redacted] /jsr

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[redacted]

b6 -5
b7C -5

[redacted] actually saw BURGE or any other Chicago police officers abuse any suspects. [redacted] does not know the name of the suspect who BURGE and the two homicide detectives were abusing.

BURGE worked the night shift in Area 2 from 5:00 p.m. to 1:00 a.m. Prior to the incident [redacted]

b6 -5
b7C -5

another night shift with BURGE.

[redacted] recalls hearing rumors after the incident in early 1973 that the Area 2 building on South Cottage Grove was called "the House of Screams" because people in the neighborhood would hear screams coming from the building.

b6 -5
b7C -5

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

[redacted] has previously testified about the incident in Area 2 in [redacted] testified before the

[redacted]

282A-CG-126294-302

Continuation of FD-302 of [redacted], On 07/07/2000 b6 -4,-5,-6,-7 b7C -4,-5,-6,-7

[redacted]

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 07/03/2008

[redacted] date of birth [redacted] residing at [redacted] social security account number [redacted] telephone number [redacted] was interviewed at his residence on 07/02/2008. After being advised of the identity of the interviewing agents and the purpose of the interview, [redacted] provided the following information: b6 -5 b7C -5

[redacted] was hired by the Chicago Police Department (CPD) in [redacted] During his career, [redacted] then was assigned [redacted] b6 -5,-6 b7C -5,-6

The civil suit was filed both in federal court and state court. The suit is still pending in state court, however, a jury in the federal suit ruled that no award should be provided to the defendants. The federal suit was resolved approximately one year ago.

[redacted] b6 -5 b7C -5

[redacted] stated that he has never heard anyone, to include BURGE, discuss the use of force during interviews and

Investigation on 07/02/2008 at Chicago, Illinois

File # 282A-CG-126294-302 - 30 Date dictated [redacted] b6 -1 b7C -1

by SA [redacted] ja

SA [redacted]

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185-HQ-302

interrogations of suspects at Area 2. [redacted] further stated that he did not have any knowledge of any individual utilizing excessive force in an effort to coerce information or confessions from suspects.

[redacted] did not socialize with BURGE unless both were attending a work related event. [redacted] knew that BURGE did not typically go to bars or drink after work, however, [redacted] did see BURGE at bars along Western Avenue on occasion. [redacted] did not know any of BURGE's friends or associates, however he did recall [redacted] b6 -5,-6 b7C -5,-6

[redacted] described BURGE as an excellent police officer and stated that BURGE was a police officer twenty-four hours per day. If BURGE observed activity while off-duty and felt the need to intervene as a police officer, BURGE would do just that. BURGE was a personable individual and was sociable. [redacted] described BURGE as being level headed and not prone to overreaction. BURGE was not a person with a short temper. b6 -5 b7C -5

[redacted] did not recall BURGE being personally involved in interviews or interrogations of suspects. Furthermore, BURGE did not dictate to interviewing detectives how the detectives should conduct their interviews. BURGE also did not instruct [redacted] to dictate how detectives should conduct interviews. BURGE typically relied on detectives to conduct their investigations and report through appropriate chain of command. [redacted] described BURGE's management style and involvement as being appropriate for a lieutenant. BURGE was not hard on detectives and did not press the detectives to clear cases. b6 -5 b7C -5

[redacted] estimated that he last spoke to BURGE at a fund raiser in or about 1990. b6 -5 b7C -5

[redacted] reiterated that he never observed anyone using excessive force, nor did he observe signs of anyone using excessive force on suspects. Specifically, [redacted] had never observed, nor heard discussion of a black box utilized to apply electric shocks prior to the claims of such a device made in the media. [redacted] had no knowledge of anyone utilizing type writer bags over suspect heads, Russian roulette, beating suspects with telephone books or forcing suspects against hot radiators as a means to coerce confessions. [redacted] never heard any suspects complaining about detectives of officers utilizing excessive force.

b6 -5
b7C -5



[redacted] stated that he and others from Area 2 have not discussed the allegations against BURGE in an effort to formulate a cohesive story.

[redacted]

b3 -1
b6 -5
b7C -5

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 07/03/2008

[redacted], date of birth [redacted], was interviewed at his residence, [redacted] b6 -5 b7C -5 [redacted] was advised of the identity of the interviewing agents and the nature of the investigation and provided the following information:

[redacted] began his career with the Chicago Police Department (CPD) in [redacted] He was assigned to the [redacted] where he remained until about [redacted] b6 -5 b7C -5

[redacted] was assigned to Case Management in Area 2. [redacted] described this as "desk work" and advised that officers [redacted] were usually assigned to this work. [redacted] remained in Case Management [redacted] b6 -2,-5 b7C -2,-5

[redacted] advised that [redacted] advised that JOHN BURGE was a lieutenant and eventually Commander of Area 2 in the mid-1980s [redacted] advised that BURGE worked the hours that he wanted and [redacted] including [redacted] b6 -4,-5,-7 b7C -4,-5,-7

[redacted] stated that if the acts of torture which are being alleged in the media were occurring, they did not occur in [redacted] presence. [redacted] also stated that if they occurred, they likely did not occur during the day or night shifts, as there were too many people around Area 2 who could see or hear b6 -5 b7C -5

Investigation on 07/02/2008 at Chicago, Illinois

File # 282A-CG-126294-302-31 Date dictated 07/03/2008

by SA [redacted] tjk b6 -1 b7C -1

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things occurring. [redacted] opined that if these acts occurred, they would have happened on the midnight shift when fewer people were around, and even could have happened at locations outside of Area 2, such as near the railroad tracks. [redacted] stated that he is not aware that such tactics such as electrical shocks with a "black box", placing typewriter bags over subjects heads, Russian roulette, hitting subjects with phone books, or putting subject's skin in contact with hot radiators were used as coercion tactics at Area 2. [redacted] never heard subjects complain that they were abused by officers in Area 2.

[redacted] advised that he did not see eye-to-eye with BURGE, stating that they argued about racial matters. [redacted] stated that [redacted]

b6 -5
b7C -5

[redacted] advised that it was not uncommon for BURGE to conduct subject interviews.

b6 -5
b7C -5

[redacted] has not spoken to BURGE since the mid-1980s, and was not advised by anyone as to how to answer questions about BURGE if ever approached by law enforcement.

[redacted]

b3 -1
b6 -5
b7C -5

**FEDERAL BUREAU OF INVESTIGATION**

Date of transcription 07/09/2008

[redacted] b6 -5 b7C -5
[redacted] Date of Birth: [redacted]
Social Security Account Number: [redacted] was advised of the identity of the interviewing Agent and the nature of the interview. [redacted] provided the following information:

The interviewing Agent advised [redacted] of the need to discuss matters and incidents which transpired while [redacted] was employed as a CHICAGO POLICE DEPARTMENT (CPD) officer. Thereupon, [redacted] asserted, "I have never seen BURGE abuse a prisoner." The interviewing Agent then ask [redacted] to speak about his employment history at the CPD concerning Area Two or Area Three. b6 -5 b7C -5

[redacted] stated that he began working for CPD as [redacted] He could not recall the exact month or date of his retirement. When asked when he began working at CPD Area Two, [redacted] stated that he did not know. He believed that his employment at Area Two began during the 1960's. Further, [redacted] stated that [redacted] b6 -5 b7C -5

When asked whether or not [redacted] previously had given depositions concerning his employment at the CPD, in general, and concerning JON BURGE specifically, [redacted] indicated that [redacted] He further stated that he did not understand why the FEDERAL BUREAU OF INVESTIGATION (FBI) was interviewing him, given the fact that he had participated in so many depositions in the past. [redacted] stated that any further interviews and depositions would be a waste of time because the authorities never would get BURGE. [redacted] stated that if he spoke to the FBI, he would be providing the same information over again, and that the entire process had become redundant. [redacted] stated that he wanted to be careful concerning the information he provided to the FBI because since he had given so many depositions in the past, he did not want to inadvertently contradict himself. b6 -5 b7C -5

When asked about alleged inappropriate activities which may have occurred involving BURGE, [redacted] repeated that he never witnessed BURGE doing anything inappropriate concerning an individual who had been arrested or detained by the CPD. b6 -5 b7C -5

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Investigation on 07/09/2008 at Chicago, Illinois

File # 282A-CG-126294 -Jon- 32 Date dictated 07/09/2008

by SA [redacted] b6 -1 b7C -1

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[redacted]



b7E -4

 b6 -5 b7C -5

[redacted] confirmed that [redacted] though he was unable to recall the time period. At that time, [redacted] When asked about BURGE'S reputation, [redacted] stated that BURGE was untouchable. When asked to expound on that characterization of BURGE, [redacted] stated that BURGE was highly respected and feared by other police officers at Area Two, regardless of their rank. BURGE was very influential at the CPD, and other personnel did not challenge him often. [redacted] did not know of BURGE having a proclivity for using violence or excessive force against persons detained or arrested by CPD. [redacted] never witnessed BURGE using excessive/aggressive interrogation techniques. [redacted] was unable to recall when he last spoke to BURGE, and he did not know of any associates or [redacted] never heard of any subject who had complained about being abused by BURGE or BURGE'S colleagues. Further, no one advised [redacted] what to say to investigators if they ever questioned him concerning BURGE. b6 -5 b7C -5

[redacted] stated that he never witnessed or heard of anyone using items or techniques during an interrogation or investigation, to include a black box, type writer bag, telephone books, Russian roulette, shock treatments, or the forcing of a subject against a hot radiator. When asked to recall any incidents which took place involving BURGE which one could infer to be inappropriate, [redacted] mentioned [redacted] When asked what the connection was between the device and BURGE, [redacted] did not have an answer. He just recalled that the [redacted] b6 -5 b7C -5

[redacted] stated that the most recent deposition he participated in occurred approximately three months ago. At that time, he was questioned and challenged by BURGE'S attorneys. BURGE'S attorneys attempted to discredit [redacted] because they believed that [redacted] had held animosity toward BURGE. However, that belief was not true. According to [redacted] since BURGE had treated black detectives disrespectfully while working at CPD, BURGE'S attorneys thought that [redacted] would have been acrimonious toward BURGE. b6 -5 b7C -5

When asked to expound on the way in which BURGE treated black personnel at the CPD, [redacted] stated that BURGE was a racist, and often times, he would give black detectives undesirable assignments. Specifically, [redacted] b6 -5 b7C -5

[redacted]

When asked if there were other individuals who would be able to provide information concerning BURGE and his activities at the CPD, [redacted] stated the names, [redacted] b6 -5 b7C -5 All of the aforementioned individuals were during the time period in question.

[redacted] b3 -1 b6 -5 b7C -5

**FEDERAL BUREAU OF INVESTIGATION**

Date of transcription 07/14/2008

[redacted] b6 -5 b7C -5

[redacted] Date of Birth: [redacted] Place of Birth: [redacted] telephone number, [redacted] Social Security Account Number: [redacted] was advised of the identities of the interviewing Agents and the nature of the interview. [redacted] provided the following information:

[redacted] stated that he was a CHICAGO POLICE DEPARTMENT (CPD) officer from [redacted] Subsequent to [redacted] b6 -5 b7C -5

[redacted] stated that during a period of time when he worked at the CPD, he worked at Area Two [redacted] could not recall the exact time he began working at Area Two. However, the time would have been [redacted] At some point while [redacted] worked in [redacted] the [redacted] was unable to recall the time frame of [redacted] b6 -5 b7C -5

[redacted] Shortly after [redacted] arrival at the facility, he requested to be taken off of the street. As a result, [redacted] b6 -5 b7C -5

[redacted]

When asked to describe the working relationship [redacted] had with former CPD officer, JOHN BURGE, [redacted] stated that BURGE was the best detective in Area Two. When [redacted] was assigned to Area Two, BURGE was already at the location. Concerning [redacted] assignment at Area Two, he stated that he had not provided testimony during any proceedings regarding BURGE in the past. [redacted] stated that BURGE had a good reputation while working at b6 -5 b7C -5

Investigation on 07/09/2008 at Chicago, Illinois

File # 282A-CG-126294 -302- 33 Date dictated 07-14-2008

by SA [redacted] SA [redacted] b6 -1 b7C -1 b7E -4

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 b6 -5 b7C -5

Area Two. [redacted] never witnessed BURGE use excessive or aggressive force interrogation techniques while dealing with individuals who had been arrested or detained by police officers. Further, to [redacted] knowledge, BURGE never directed anyone to use excessive or aggressive interrogation techniques. [redacted] never heard of anyone speaking about BURGE abusing subjects. b6 -5 b7C -5

[redacted] stated that he had never heard of anyone using excessive force or overly aggressive or abusive interrogation techniques against subjects. He further indicated that he never witnessed or heard of anyone ever using items or techniques during an interrogation/investigation, to include a black box, type writer bag, telephone books, Russian roulette, shock treatments, and the forcing of subjects against a hot radiator. [redacted] did not know any of BURGE'S associates or girlfriends outside of work. In addition, [redacted] never heard of any subjects having complained about being abused at the Area Two facility. Also, no one ever advised [redacted] what to say if investigators ever questioned him concerning abuse at Area Two. Finally, when asked what his opinion was about abuse at Area Two, [redacted] affirmed that he never witnessed any such abuse. b6 -5 b7C -5

[redacted] b3 -1 b6 -5 b7C -5

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 07/15/2008

On 07/15/2008, SA [redacted] telephonically contacted [redacted] Illinois Department of Corrections (IDOC), Intelligence Department, telephone number [redacted] fax number [redacted] After the interviewing agent identified himself and told [redacted] the nature of the interview, [redacted] provided the following information: b6 -1,-5 b7C -1,-5

[redacted] identified three individuals requested by SA [redacted] from the visitor's log for [redacted] Facility: b6 -1,-5.-6 b7C -1,-5,-6

[redacted] date of birth [redacted] Illinois driver's license number [redacted] who resides at [redacted] was listed as a "friend". b6 -6 b7C -6

[redacted] who resides at [redacted] (assume this is a typo, meaning IL), is listed as [redacted]

[redacted] Illinois driver's license number [redacted] who resides at [redacted] is listed as [redacted]

197KJB01.302

Investigation on 07/15/2008 at Chicago, IL (telephonically)

File # 282A-CG-126294 -302- 3f Date dictated not dictated

by SA [redacted] b6 -1 b7C -1

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FD-302 (Rev. 10-6-95)



**FEDERAL BUREAU OF INVESTIGATION**

Date of transcription 07/30/2008

On 07/30/2008, [redacted] date of birth [redacted] telephone number [redacted] who resides at [redacted] was telephonically contacted concerning JON BURGE. After being advised of the nature of the interview and the identity of the interviewing agent, [redacted] provided the following: b6 -5 b7C -5

[redacted] was employed from [redacted] b6 -5 b7C -5

[redacted] is familiar with JON BURGE only by news accounts. [redacted] stated that he saw the news stories and believed BURGE was currently in Florida. After seeing the news stories, he attempted to recall if he had participated in any of the cases in which accusations of brutality occurred. He could not recall any. He does not recall ever meeting BURGE. b6 -5 b7C -5

[redacted] never witnessed any brutality by the Chicago Police Department or its detectives. The interviewing agent read the names of some of the detectives which were employed at Area 2 and Area 4 during that time, and [redacted] could not recall any of the names. b6 -5 b7C -5

[redacted] stated that the only incident that he remembers that may be interpretted as brutality is when a murder suspect was left handcuffed while he was recording the statement, which is not customary. [redacted] did not recall the suspect's name. He said that it was standard practice for him to request that suspects remain uncuffed while they make a statement. b6 -5 b7C -5

[redacted] is available for re-contact if necessary.

212KJB01.302

Investigation on 07/30/2008 at Zion, IL (telephonically)

File # 282A-CG-126294-302-35 Date dictated not dictated

by SA [redacted] : kjb b6 -1 b7C -1

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**FEDERAL BUREAU OF INVESTIGATION**

Date of transcription 07/22/2008

[redacted] of the Chicago Police Department (CPD), date of birth [redacted] telephone number [redacted] cellular telephone number [redacted] was interviewed at the Chicago Police Department, 3340 W. Fillmore, Chicago, Illinois. Also present was Assistant United States Attorney [redacted] After being advised of the identity of the interviewing Agents and the purpose of the interview, [redacted] provided the following information. b6 -3,-5 b7C -3,-5

[redacted] started his career with CPD on [redacted]

[redacted] b6 -5 b7C -5

[redacted] first met JON BURGE in 1985, when BURGE became the Commander of the BAU. [redacted] had not met BURGE prior to his arrival in the unit. The initial feeling in the BAU was that BURGE was a "street copper." As time went on, [redacted] b6 -2,-5 b7C -2,-5

[redacted]

BAU did not have a lot of hard workers at that time. BURGE was a hands-on manager. Every morning he would review all the case reports. [redacted] recalled BURGE being involved in the [redacted] investigation, but does not remember BURGE interviewing any subjects while he was in the BAU.

[redacted] does not believe the BAU was BURGE's "cup of tea." He described BURGE as a more hands-on, violent crime kind of guy. BURGE left the BAU around 1988 and moved to Area 3. [redacted] recalled hearing allegations of abuse through the newspapers while BURGE was at Area 3, but cannot recall anything specific. b6 -5 b7C -5

211 CHIC 02.303.wpd

Investigation on 7/22/2008 at Chicago, Illinois

File # 282A-CG-126294-302 -36 Date dictated 7/22/2008

SA [redacted]

by SA [redacted] :kkk b6 -1 b7C -1

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[redacted] never saw an electrical device while working with BURGE at the BAU. He never saw plastic bags being placed over a subject's head. [redacted] never spoke to BURGE about any electrical device or plastic bags. He never heard anyone else talk about those items. His opinion on the [redacted] investigation is that the WILSON's murdered two police officers. [redacted] was not involved in that investigation and only knows of it through the newspapers. b6 -5,-6 b7C -5,-6 b6 -4,-5 b7C -4,-5

[redacted] GRUBISIC and SURDEJ are both deceased. [redacted] never asked BURGE about the torture allegations, or whether BURGE had done the things being talked about on the news. BURGE never said anything specifically about the allegations, but did mention that the PEOPLE'S LAW OFFICE was out to get him.

Based upon [redacted] experiences with BURGE during their time in the BAU, [redacted] would be shocked if the allegations are true. [redacted] thinks people jumped on the bandwagon in order to get money. [redacted] does not believe the allegations. He never heard BURGE say he beat or tortured anyone, or use any similar phrasing regarding the allegations. [redacted] never heard anyone say anything bad about BURGE, but indicated that most people know BURGE and [redacted] are friends. Nobody ever told [redacted] they witnessed JON BURGE commit a crime. [redacted] never saw or heard about an offender being bloodied or shocked, but read about such allegations in the papers. b6 -5 b7C -5

[redacted] has not spoken to BURGE in about a year. He has never been to BURGE's home in Florida. [redacted] corresponds with BURGE on holidays with short telephone conversations.

If the allegations were proven, [redacted] would be disappointed in BURGE. [redacted] emphasized that BURGE never told him about abusing subjects, and he never heard BURGE say such things to anybody else. No other officers ever told him they witnessed such treatment by BURGE. b6 -5 b7C -5

FEDERAL BUREAU OF INVESTIGATION
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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 08/08/2008

b6 -5
b7C -5

employed by located at telephone number was telephonically interviewed. After being advised of the identity of the interviewing Agent and the nature of the interview, provided the following information:

advised that on June 24, 2008, he provided Assistant United States Attorney (AUSA) with the following:

b5 -1,-3
b6 -2,-3,-5,-6
b7C -2,-3,-5,-6

Attached to this communication are copies of the documents provided by to AUSA

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

Investigation on 07/30/2008 at Chicago, Illinois

File # 282A-CG-126294-302 -37 Date dictated

by SA

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

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282A-CG-126294-302 -38
JAO:jao

1

The following investigation was conducted by SA [redacted] on August 7, 2008:

b6 -1
b7C -1

A search of public source database information revealed that former Cook County Sheriff's Employee EDMUND F. DOBBS, date of birth May 18, 1928, is deceased. A death claim was filed for DOBBS on March 25, 2002.

DOBBS was friends with JON BURGE and frequently attended outings on BURGE'S boat during the late 1980s.

b6 -1
b7C -1



282A-CG-126294-302 - 38

[redacted] / Dobbs. Edmund 8-7-08. ins

282A-CG-126294-302-39
JAO:jao

1

The following investigation was conducted by SA [redacted] on August 7, 2008: b6 -1 b7C -1

A search of public source database information revealed that former Chicago Police Department (CPD) Officer JOSEPH E. DEMKOWICZ, social security account number 342-38-1429, is deceased. A death claim was filed for his social security account number in September 1985.

DEMKOWICZ was a friend of CPD Detective [redacted] and was a social acquaintance of JON BURGE. b6 -7 b7C -7

b6 -1
b7C -1

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 08/08/2008 b6 -5 b7C -5

[redacted], who resides at [redacted] telephone number [redacted] was telephonically interviewed. After being advised of the identity of the interviewing Agent and the nature of the interview, [redacted] b6 -5,-6,-7 b7C -5,-6,-7 provided the following information:

[redacted] recalled a time in the [redacted] She could not remember everyone present, but she recalled that a friend named [redacted] and a Chicago Police Department officer named [redacted] were present. [redacted] thought [redacted] may have been present, but she was not sure. Sometime during the evening, [redacted] became the topic of discussion. [redacted] advised [redacted] BURGE because BURGE and his associates were trouble. [redacted] could not recall any further details pertaining to that conversation or any other comments pertaining to BURGE.

JOSEPH DEMKOWICZ (deceased), was [redacted] believed [redacted]

b6 -5,-6,-7
b7C -5,-6,-7

Investigation on 08/07/2008 at Chicago, Illinois

File # 282A-CG-126294-302 -40 Date dictated [redacted] b6 -1,-5 b7C -1,-5

by SA [redacted]

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FD-302 (Rev. 10-6-95)



**FEDERAL BUREAU OF INVESTIGATION**

Date of transcription 08/08/2008 b6 -5 b7C -5

On August 6, 2008, [redacted] telephone number [redacted] was contacted. [redacted] knew the identity of the interviewing Agent from previous interviews. [redacted] provided the following information:

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

[redacted] said [redacted] said he would try to find documentation to confirm the date of [redacted] believed [redacted] Although [redacted] did not realize it at the time, he now believed [redacted] JON BURGE at the same time [redacted]

Investigation on 08/06/2008 at Chicago, Illinois

File # 282A-CG-126294-302 -41 Date dictated [redacted] b6 -1,-5 b7C -1,-5

by SA [redacted]

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[redacted] [redacted] 8-6-08, 303

FD-302 (Rev. 10-6-95)



FEDERAL BUREAU OF INVESTIGATION

b3 -1
b6 -1,-3,-4,-6
b7C -1,-3,-4,-6
b7D -4

Date of transcription 08/08/2008

The following investigation was conducted by SA [redacted] on August 7, 2008:

[redacted]

Investigation on 08/07/2008 at Chicago, Illinois b3 -1 b6 -1 b7C -1

File # 282A-CG-126294-302 -42 Date dictated [redacted]

by SA [redacted]

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 08/08/2008

[redacted] aka [redacted] date of birth [redacted] social security account number [redacted] telephone number [redacted] was interviewed. After being advised of the identity of the interviewing Agent and the nature of the interview, [redacted] provided the following information: b6 -5 b7C -5

[redacted] did not personally know JON BURGE. [redacted] believed [redacted] DEMKOWICZ met BURGE while employed as a Patrol Officer for the CHICAGO POLICE DEPARTMENT (CPD). [redacted] did not know BURGE'S title or function while employed at CPD. [redacted] had not seen or spoken with BURGE since before DEMKOWICZ passed away in 1985. [redacted] first heard of the allegations against BURGE from the newspapers about five years ago. [redacted] did not have any independent knowledge of abuse or torture occurring at area 2 or under the command of BURGE. b6 -5 b7C -5 b6 -5,-6 b7C -5,-6

[redacted] did not recognize the name [redacted] did not know any of [redacted]

[redacted] stated that DEMKOWICZ and [redacted] stated [redacted] could not recall a time when [redacted] and BURGE was the topic of discussion. [redacted] could not recall a time when [redacted] did not know [redacted] opinion of BURGE. Even after the allegations against BURGE surfaced in the newspapers, [redacted] did not have any conversation with [redacted] concerning the allegations of abuse and torture at Area 2. [redacted] had not seen or spoken to [redacted] could not recall the names of any other detective who worked at Area 2. b6 -5,-7 b7C -5,-7

Investigation on 08/07/2008 at Chicago, Illinois

File # 282A-CG-126294-302 -43 Date dictated [redacted] b6 -1,-5 b7C -1,-5

by SA [redacted]

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**FEDERAL BUREAU OF INVESTIGATION**

Date of transcription 07/16/2008

On July 15, 2008, [redacted] date of birth [redacted] telephone number [redacted] was interviewed at his residence of [redacted] After being advised of the nature of the interview as well as the identity of the interviewing agents, [redacted] provided the following information: b6 -5 b7C -5

[redacted] served as a court reporter for the Cook County State's Attorney between [redacted] reporting to the Felony Review Board. [redacted] was typically called in to take statements from subjects after an oral confession was given to an Assistant State's Attorney (ASA). The ASA then decided whether a formal statement was required, at which point a court reporter was summoned. [redacted] spent the [redacted] b6 -5 b7C -5

Subjects were typically not shackled during statements, and they would already be seated in rooms by the time [redacted] arrived. In Area Two, a subject could be in any section of the building as there were no specific rooms for interviews. [redacted] would typically take the statement from a subject, type it, review it, then take a photograph of the subject, make copies of the statement and leave. [redacted] emphasized his desire to do his work and have as little effect upon the proceedings as possible. When called in to take a statement, it was [redacted] understanding that everything was cleared by the ASA. b6 -5 b7C -5

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

[redacted] during his term, and they covered all of Cook County. The names he recalled were his supervisor [redacted] (who later served as [redacted] and [redacted]

While in Area Two, [redacted] never heard yelling or chaos that would reflect abuse. [redacted] saw subjects who had blood on them, though not necessarily their own, and if they were disheveled he believed it came from the subject's actions prior to arrest. If someone had been beaten at Area Two, [redacted] believes he would have heard it. He never heard a subject asking for help while b6 -5 b7C -5

Investigation on 07/15/2008 at [redacted] b6 -1,-5 b7C -1,-5 b7E -4

File # 282A-CG-126294-302 -44 Date dictated

SA [redacted] er

by SA [redacted]

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taking a statement, never had a subject complain of abuse, and never heard of abuse through colleagues.

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

[redacted] When [redacted] by Special Agent (SA) [redacted] stated that he did not recall [redacted] repeatedly stated that the wound in the photograph did not look like what he witnessed at the time of [redacted] When told by SA [redacted] that [redacted] stated that this was the first he had heard of this, and that [redacted] stated that [redacted]

**FEDERAL BUREAU OF INVESTIGATION**

Date of transcription 07/29/2008 b6 -5 b7C -5

[redacted] date of birth [redacted] who resides at [redacted] mailing address [redacted] telephone number [redacted] was interviewed telephonically. After being advised of the identities of the interviewing Agents and the purpose of the interview, [redacted] provided the following information. b6 -5 b7C -5

[redacted] lived in Chicago until [redacted] when he moved to [redacted] He eventually got a job with [redacted] and [redacted]

In the early 1970's, the Chicago Police Department station at 61st and Racine had a basement room known as "the kitchen." The "kitchen" was a little office with a typewriter. [redacted] recalled seeing a beige or brown plastic typewriter cover in the room. Sometime around the time [redacted] was arrested, [redacted] was picked up by Chicago Police officers and brought to 61st and Racine. [redacted] Eventually, he was brought down into the "kitchen" in handcuffs. There were four officers in the room with him, two black officers and two white officers. One of the black officers put the typewriter bag over [redacted] head and pulled it tight on his face. [redacted] heard someone say "breathe through your ears." Other officers were laughing and hitting [redacted] with clubs on the back of his legs. [redacted] yelled. His nose was bleeding and his eyes were red. He remembers going unconscious two or three times as a result of the bag being put over his head. b6 -2,-5 b7C -2,-5 b6 -2 b7C -2

[redacted] was kept in the "kitchen" all night. The police initially told [redacted] that he was not at 61st and Racine. The next day he was released to [redacted] did not tell anyone about the bagging or the beatings, and did not go to a doctor to have his injuries treated.

[redacted] recalled that the Chicago Police Department station at 91st and Cottage Grove was called "nightmare avenue." [redacted] When [redacted] entered the station, a lady there identified him as being one of the individuals who robbed her. The officers b6 -2,-5 b7C -2,-5

211WMC01.302.1pgd

Investigation on 7/25/2008 at Chicago, Illinois (telephonically)

File # 282A-CG-126294-302 -45 Date dictated 7/29/2008 b6 -1 b7C -1

by SA [redacted] :kkk

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handcuffed [redacted] to a chair. Despite [redacted] telling the officers that [redacted] had been at home during the time of the robbery, [redacted] was kept in police custody for three months. [redacted] said that nothing physical happened at 91st and Cottage Grove. He thought that the police would do what they were going to do on the streets, before getting to the station.

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

[redacted] can not recall the time frame when either of the two described events occurred.

FEDERAL BUREAU OF INVESTIGATION

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

Date of transcription 06/04/2008

On June 3, 2008, [redacted] date of birth [redacted] was interviewed at his residence of [redacted] by Special Agents (SAs) [redacted] and [redacted] of the Federal Bureau of Investigation (FBI). After being advised of the identity of the agents, as well as the nature of the interview, [redacted] provided the following information:

[redacted] began work in the Chicago Police Department (CPD) on [redacted] and was assigned as an Area 2 homicide detective in [redacted] impression of JON BURGE is that he did not like homicide detectives. BURGE [redacted] Area 2 after the Wilson brothers incident, and [redacted] at the suggestion of BURGE around [redacted] was not part of BURGE's "A-Team," and so was not privy to their activities.

b6 -5
b7C -5

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

[redacted] had heard stories of past abuses in the Chicago Police Department (CPD), with officers shaking a subject out of a second story window, for example. However, [redacted] never saw BURGE strike anyone and never saw abuse while he was an officer. He never saw or heard of BURGE hurting ANDREW WILSON, yet an officer from the [redacted] that [redacted]

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

BURGE was one to hold a grudge for getting a suspect off the hook. For example, [redacted] BURGE got [redacted] to confess to the homicide even though [redacted] and described the scene of the crime in a manner that was different from the original scene. [redacted] described [redacted] at the crime scene, a detail which was not originally in the home but was in the home at the time of the confession. [redacted] did not agree with the confession, so BURGE attempted to intimidate [redacted] by saying he would be in the next room if [redacted] had anything to say to him.

To [redacted] knowledge, BURGE did not like [redacted]

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

Investigation on 06/03/2008 at [redacted]

File # 282A-CG-126294-302 Date dictated [redacted]

b6 -1,-5
b7C -1,-5
b7E -4

by SA [redacted]
SA [redacted]

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FEDERAL BUREAU OF INVESTIGATION

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

Date of transcription 06/04/2008

On June 3, 2008, [redacted] date of birth [redacted] home telephone number [redacted] was interviewed at his residence of [redacted] by Special Agents (SAs) [redacted] and [redacted] of the Federal Bureau of Investigation (FBI). After being advised of the identity of the agents, as well as the nature of the interview, [redacted] provided the following information:

b6 -5
b7C -5

[redacted] began work in the Chicago Police Department (CPD) on [redacted] and was assigned as an Area 2 detective in [redacted] leaving at sometime between [redacted] worked under JON BURGE when BURGE was a lieutenant during the 1980's and retired from CPD in [redacted]

b6 -5
b7C -5

[redacted] never saw any abuse in Area 2 other than hearing of "beefs." No one else reported abuse to him in Area 2. [redacted] was not aware of any specific reputation owned by BURGE other than him being a hard-working policeman. [redacted] has no knowledge of a black box, bags over heads or pointing of guns utilized to elicit confessions by BURGE. At one time, BURGE was directed to fire four or five detectives, which caused discord.

Investigation on 06/03/2008 at [redacted]

b6 -1,-5
b7C -1,-5
b7E -4

File # 282A-CG-126294-302 -49 Date dictated

SA [redacted] er

by SA [redacted]

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 08/04/2008

On 08/04/2008, [redacted] date of birth [redacted] telephone number [redacted] who resides at [redacted] currently a [redacted] came to FBI Chicago, West Resident Agency, located at 4343 Commerce Court, Lisle, IL, for an interview. After the being advised of the identities of the interviewing agents and the nature of the interview, [redacted] provided the following: b6 -5 b7C -5

[redacted] does not recall taking the statements of [redacted] or [redacted] was given a copy of his testimony to read regarding the recorded statement of [redacted] and he still did not recall the nigh b6 -2,-5 in question. He recognized his words in testimony as his own, bu b7C -2,-5 he did not recall testifying in this case. [redacted] was also read portions of historical investigative reports concerning his statements about the above individuals, and [redacted] stated that he still did not recall the individual cases.

Generally, [redacted] responded to several calls from the Cook County Assistant State's Attorney (ASA) Felony Review dispatcher regarding black male homicide suspects at Area 2 and Area 4 during his career with the ASA's office. He would respond only at the request of the responding ASA with Felony Review, and that would only be after the suspect had decided to make a statement. After arriving at the station, he would briefly go over some factual information with the ASA and the detectives, such as spelling of names and locations. He would then enter the room with the ASA, who would lead the interview. The detectives typically would not say anything during the taking of the statement, and if they did, it would be recorded. Either before or after taking the statement, he would take a picture of the suspect with a polaroid camera, and he would label the back of the picture with the names of those present at the time the photo was taken. He would give the typewritten statement to the ASA, who would then give it to the suspect for corrections, then it would be given back to the ASA. b6 -5 b7C -5

During his career, he never took the statement of someone who was handcuffed. He never witnessed or heard about anybody being coerced or abused to make a statement. He never left the room before the statement was completed, or the suspect invoked his



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19-cv-4048(FBI)-3521

rights; and he was never left alone in a room with a suspect. He never witnessed any items such as a flashlight, baseball bat, phone book, typewriter bag, or tweezers which may have been used to elicit a confession from a suspect. Generally, the interview room typically had only a table, chairs, and snacks and was otherwise free of clutter. He never witnessed any injuries which he thought had come from abuse, although he was clear to state that he is not trained to observe such injuries, only to record the suspect's condition with a polaroid camera. [redacted] said that if injuries were evident, the ASA would sometimes ask about the nature of the injuries, and [redacted] does not recall a suspect ever saying that the injuries resulted from torture or abuse. [redacted] stated that if a suspect had complained, it would have been documented in the statement. b6 -5 b7C -5

[redacted] recognized the names of several former Area 2 and Area 4 detectives, but he did not know any specifics about any of them. He has never been directed to give false testimony, and he has never been approached by anyone except investigators regarding this case. He has never been threatened or accepted payment for false testimony. His first knowledge of police abuse by Area 2 or Area 4 came from media reports. b6 -5 b7C -5

[redacted] is available for re-contact and promised to contact the interviewing agent if he recalled anything different than what was said during this interview. b6 -5 b7C -5

The original notes authored during this interview have been placed in an FD-340 envelope and sent to the appropriate section of this file.

282A-CG-126294-302 -49
KJB:kjb



On 07/30/2008, SA [redacted] performed the following investigation:

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

A telephone call to [redacted] a former [redacted] telephone number [redacted] went unanswered. SA [redacted] left a message to return his call.

282A-CG-126294-302 -58
KJB:kjb



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

On 07/30/2008, SA [redacted] and SA [redacted] performed the following investigation:

The agents attempted to locate [redacted] a former [redacted] for interview at [redacted] No one answered when the door man rang the residence.

SA [redacted] then attempted to call [redacted] twice at [redacted] The calls were unanswered.

19-cv-4048(FBI)-3527

212KJB01. insert

282A-CG-126294-302-58

282A-CG-126294-302
KJB:kjb



On 07/30/2008, SA [redacted] performed the following investigation:

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

A telephone call to [redacted] a former [redacted] telephone number [redacted] went unanswered. SA [redacted] left a message to return his call.



212KJB02. Insert

282A-CG-126294-302-5

FEDERAL BUREAU OF INVESTIGATION

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

Date of transcription 06/04/2008

On June 3, 2008, [redacted] date of birth [redacted] home telephone number [redacted] was interviewed at his residence of [redacted] by Special Agents (SAs) [redacted] and [redacted] of the Federal Bureau of Investigation (FBI). After being advised of the identity of the agents, as well as the nature of the interview, [redacted] provided the following information: b6 -2,-5 b7C -2,-5

[redacted] began work in the Chicago Police Department (CPD) in [redacted] serving as a Police Officer until his retirement in [redacted] In [redacted] served as [redacted] when he was called to the scene of the shooting death of two Chicago Police Officers. [redacted] which contained sparse information regarding the shooting, since only a nearby electrician had heard shots and witnessed a vehicle speed away. [redacted] on the incident, however, he did not see the report again until he was called on to testify in the case against [redacted] recalled that when reviewing his report prior to testifying, he noticed nothing out of the ordinary and that no changes had been made. b6 -4,-5 b7C -4,-5

[redacted] had no contact with JON BURGE beyond the February incident and has never heard of violent tactics utilized by BURGE or other detectives other than what had been reported through the media. CPD Detective [redacted] having investigated property crimes in Area 2 while BURGE was also a detective in that Area. [redacted] stated that [redacted] never shared stories of abuse. Furthermore, [redacted] knows of no one who had witnessed abuse under BURGE.

Investigation on 06/03/2008 at [redacted] b6 -1,-5 b7C -1,-5

File # 282A-CG-126294-302 -52 Date dictated [redacted] b7E -4

by SA [redacted]

SA [redacted]

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FEDERAL BUREAU OF INVESTIGATION

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

Date of transcription 07/16/2008

On July 3, 2008, [redacted] date of birth [redacted] residing at [redacted] home telephone number [redacted] cellular telephone number [redacted] was interviewed at her place of employment, [redacted] The interview was conducted in the [redacted] work telephone number [redacted] extension [redacted] cellular telephone number [redacted] After being advised of the nature of the interview as well as the identity of the interviewing agents, [redacted] provided the following information: b6 -5,-6 b7C -5,-6

[redacted] met JON BURGE [redacted] Last Name Unknown (LNU) and [redacted] At the time that [redacted] met BURGE he held the rank of Sergeant with the Chicago Police Department. [redacted] continues to speak with BURGE, calling him on his birthday and perhaps on one other occasion each year. [redacted] considers BURGE a friend to this day. b6 -2,-5 b7C -2,-5

BURGE and [redacted] never spoke of his tactics used to interrogate subjects, never saw a "black box" or cattle prod and only heard about these torture tools from agents during the present interview. She never saw an item of this or a similar nature dumped over the side of BURGE's boat. [redacted] asked on two further occasions during the interview for agents to describe the black box purported to be used by BURGE). BURGE never spoke of criminals he investigated other than ANDREW and [redacted] and the circumstances surrounding the death of an elderly woman and a child. With the death of the elderly woman, [redacted] said that she knew that the police would not treat the suspected killer the same as other criminals. [redacted] stated that her perception of the attitude of BURGE was that if one gang member killed another the police would not care much. She could see in BURGE's eyes, however, that the murder of an elderly woman affected him. [redacted] was aware that when the [redacted] arrived at the jail that they were not accepted because of injuries. She stated that even

Investigation on 07/03/2008 at [redacted]

File # 282A-CG-126294-302 -53 Date dictated [redacted] b6 -1,-5 b7C -1,-5 b7E -4

by SA [redacted]

SA [redacted]

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though she neither heard of nor saw specific abuse, she could imagine that each officer accepting the [redacted] would have "taken a turn" at them. [redacted] had never heard BURGE speak of [redacted] or [redacted]

BURGE and [redacted]

BURGE and his colleagues would also spend time on his boat, among them being [redacted] ED DOBBS and BILL DILLARD. [redacted] does not recollect BURGE speaking with other officers about cases or interrogation techniques. [redacted] b6 -4,-5,-7 b7C -4,-5,-7 [redacted] but was unsure whether BURGE ever visited the [redacted] suggested that agents speak with [redacted] who would know BURGE well. b6 -5,-6 b7C -5,-6

[redacted]

[redacted] b6 -5,-6 b7C -5,-6 however, would know nothing about BURGE.

[redacted]

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

[redacted] led by BURGE. [redacted]

[redacted]

LINDA FARKAS was [redacted] b6 -5 involved in narcotics. FARKAS grew up in the vicinity of Avenue L b7C -5 or Avenue M and later went to prison on drug possession charges.

[redacted] who knew BURGE then [redacted] She lived in b6 -5,-6 b7C -5,-6

[redacted] BURGE and also lived in [redacted] at one time.

An unidentified woman once filed a civil suit against BURGE when she hurt herself on BURGE's boat. b6 -5 b7C -5

[redacted] stated that she had never previously been interviewed regarding BURGE and wondered aloud why she had not been interviewed prior to this time.

**FEDERAL BUREAU OF INVESTIGATION**

b6 -5
b7C -5

Date of transcription 08/20/2008

On Wednesday, August 20, 2008, at approximately 9:15am, [redacted] Date of Birth [redacted] Social Security Account Number [redacted] telephone number [redacted] residing at [redacted] was interviewed at his residence. After being advised of the identities of the interviewing agents and the nature of the interview, [redacted] provided the following information:

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

[redacted] has never met JON BURGE and does not know what BURGE looks like. However, [redacted] does know BURGE. [redacted] with BURGE.

[redacted] that BURGE was a police officer. [redacted] did not recall having heard anything about BURGE regarding allegations of abuse except for what has been reported in the media. [redacted] had never heard anything about BURGE regarding stolen vehicles or drug activity.

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

[redacted] did not recognize the names [redacted] The name [redacted] sounded familiar to [redacted] advised that [redacted] but provided no additional information about her. [redacted] did not know any other friends of [redacted] but provided the name [redacted] adding that [redacted] telephone number [redacted] cellular telephone number [redacted] lives in [redacted]

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

[redacted] attempted to contact [redacted] telephone number [redacted] who he believed could provide additional information. [redacted] advised [redacted] resided at [redacted] He further advised that [redacted]

The original interview notes will be maintained in the 1A section of the captioned file.

b6 -1,-5
b7C -1,-5
b7E -4

Investigation on 08/20/2008 at [redacted]

File # 282A-CG-126294 -302- 54 Date dictated 08/20/2008

by [redacted] mma

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 08/15/2008

[redacted] who resides at [redacted] date of birth [redacted] social security account number [redacted] telephone number [redacted] was interviewed telephonically. After being advised of the identity of the interviewing Agent and the purpose of the interview, [redacted] provided the following information. b6 -5 b7C -5

[redacted] met [redacted] sometime in the [redacted] knew that [redacted] JON BURGE, can recall she never brought BURGE [redacted] may have met BURGE once, just in passing, but never had a conversation with him. b6 -5,-6 b7C -5,-6

[redacted] and [redacted] never discussed BURGE, the allegations against BURGE, any conversations between [redacted] and BURGE, or BURGE's black box. [redacted] indicated [redacted] and he does not remember any details of that time in his life. b6 -5,-6 b7C -5,-6

YLC

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Investigation on 8/7/2008 at Chicago, Illinois (telephonically)

File # 282A-CG-126294-302-55 b6 -1 b7C -1 Date dictated 8/15/2008

by SA [redacted]

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282A-CG-126294-302 -56
KKK:kkk

1

b6 -1
b7C -1

The following investigation was conducted by Special Agent [redacted] in Hamilton, Ohio.

On August 8, 2008, SA [redacted] accompanied by Assistant United States Attorney (AUSA) [redacted] and Department of Justice (DOJ) Attorney [redacted] met with [redacted] date of birth [redacted] social security account number [redacted] who resides at [redacted] telephone number [redacted] cellular telephone number [redacted] The interview was conducted at the [redacted] provided information consistent with his prior statements.

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

At the conclusion of the interview, [redacted] was served with a Federal Grand Jury subpoena.

b3 -1
b6 -2
b7C -2

19-cv-4048(FBI)-3544

282a-cg-126294-302-56

227KKK01.1176.wpd

282A-CG-126294-302 -57
KKK:kkk

1

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

The following investigation was conducted by Special Agents [redacted] and [redacted] in Chicago, Illinois.

On August 11, 2008, SA's [redacted] and [redacted] accompanied by Assistant United States Attorneys (AUSA) [redacted] interviewed the following individuals at the United States Attorney's Office, 219 South Dearborn Street, Chicago, Illinois.

[redacted] who resides at [redacted] telephone number [redacted], provided statements consistent with his previous testimony.

b6 -2
b7C -2

[redacted] who resides at [redacted] telephone number [redacted] provided statements consistent with his previous testimony.

57

282a-cg-126294-382-

227KKK02 ins.wpd

FD-302 (Rev. 10-6-95)



**FEDERAL BUREAU OF INVESTIGATION**

Date of transcription 08/20/2008

On Wednesday, August 20, 2008, at approximately 9:30am, [redacted] Date of Birth [redacted] Social Security Account Number [redacted] telephone number [redacted] residing at [redacted] was interviewed at his residence. After being advised of the identities of the interviewing agents and the nature of the interview, [redacted] provided the following information: b6 -5 b7C -5 b6 -5,-6 b7C -5,-6

[redacted] met JON BURGE approximately [redacted] ago and stated that BURGE used to be Chief of Police. [redacted] which [redacted] believed was also BURGE's residence. [redacted] did not know that [redacted] did not recall having heard anything about BURGE regarding allegations of abuse except for what had been reported in the media. In fact, [redacted] never heard BURGE discuss his work or anything related to abuse involving tortures or beatings. BURGE and [redacted]

[redacted] did not recognize the names [redacted] When asked whether he recognized the name [redacted] recalled an individual by the name of [redacted] who had contact with him, BURGE, and [redacted] but did not know [redacted] last name. [redacted] knew [redacted] but believed it to be legitimate and never heard anything about it's having been used [redacted] lives in [redacted] and is [redacted] BURGE and [redacted] who may have been named [redacted] Last Name Unknown (LNU). [redacted] would be able to provide information regarding this individual's identity. b6 -5,-6 b7C -5,-6

[redacted] released two (2) photographs to interviewing agents that were taken on [redacted] did not know of any other family members who had contact with BURGE. b6 -5,-6 b7C -5,-6

[redacted] had never heard anything about BURGE regarding stolen vehicles or drug activity. [redacted] did know that BURGE investigated and arrested [redacted] LNU for his involvement [redacted] BURGE never talked about shocking people. While BURGE

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Investigation on 08/20/2008 at [redacted] b6 -1,-5 b7C -1,-5

File # 282A-CG-126294 -302 - 58 Date dictated 08/20/2008 b7E -4

by [redacted] :mma

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19-cv-4048(FBI)-3549

did know [redacted] was involved in [redacted] he never questioned [redacted] The entire group, including BURGE, referred to black people as "niggers" and "craz niggers." b6 -5,-6 b7C -5,-6

[redacted] which is another reason [redacted] did not know that [redacted] stated that [redacted] was arrested approximately [redacted]

[redacted] telephone number [redacted] residing at [redacted] may be able to provide additional information. b6 -5,-6 b7C -5,-6

The original interview notes and photographs supplied by [redacted] will be maintained in the 1A section of the captioned file.

282A-CG-126294-302 - 59
KKK:kkk

1

b6 -1
b7C -1

The following investigation was conducted by Special Agents (SA) [redacted] and [redacted] in Chicago, Illinois.

On July 23, 2008, SA's [redacted] and [redacted] accompanied by Assistant United States Attorney (AUSA) [redacted] interviewed [redacted] date of birth [redacted] Also present for the interview was [redacted] During the interview [redacted] provided information consistent with his prior statements.

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



234KKK03.ins

282a-cg-126294-302-59

**FEDERAL BUREAU OF INVESTIGATION**

Date of transcription 08/14/2008

[redacted] date of birth [redacted] who resides at [redacted] telephone number [redacted] cellular telephone number [redacted] was interviewed at [redacted] After being advised of the identities of the interviewing Agents and the purpose of the interview, [redacted] provided the following information. b6 -5 b7C -5 b6 -5,-6 b7C -5,-6

[redacted] met JON BURGE [redacted] (phonetic). [redacted] and BURGE [redacted] thought BURGE was [redacted] BURGE joined the military, and after he was discharged he returned to Chicago and joined the Chicago Police Department (CPD).

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

[redacted] VINCENT SKIBA (deceased), was also an officer with the CPD. [redacted] BURGE handcuffing people to radiators. She later heard about the allegations of BURGE using a black box to electric shock people. [redacted] can not remember when she first heard about BURGE's black box. She does not know what happened to the box. [redacted] remembers [redacted] talking about BURGE abusing people in order to obtain confessions. b6 -5 b7C -5

1,2 K

[redacted] and BURGE went [redacted] She explained that BURGE [redacted] she could not stand to be around BURGE. He knew how she felt, and he never talked in front of her. [redacted] and BURGE never had a social relationship. b6 -5,-6 b7C -5,-6

BURGE would [redacted] stories about BURGE and

282A-CG-126294-302-302.wpd

Investigation on 8/12/2008 at [redacted] b6 -1,-5 b7C -1,-5

File # 282A-CG-126294-302 -60 Date dictated 8/14/2008

by SA [redacted] SA [redacted] kkk

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[redacted] heard these stories from [redacted] and she repeated them to [redacted] also heard that [redacted] but never heard abo b6 -5,-6 b7C -5,-6 BURGE using anything other than marijuana.

BURGE kept quiet regarding [redacted] recalled the name [redacted] but thought [redacted] that BURGE was going to marry a judge's daughter. She did not know the name of the woman or her father and does not know if the marriage ever took place.

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

[redacted]

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

[redacted] is confident that the allegations against BURGE are true. SKIBA was a decent officer who was shocked when he found out about what was going on. [redacted]

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

[redacted] did not recognize the name [redacted] or the [redacted] She did not know [redacted]

[redacted]

used to come into [redacted] but [redacted] never told [redacted] any stories about JON BURGE.

[redacted] thought the name [redacted] sounded familiar. She also recognized the names [redacted] and [redacted]

[redacted] is a former police officer who may be able to provide information on BURGE.

FD-302 (Rev. 10-6-95)



**FEDERAL BUREAU OF INVESTIGATION**

Date of transcription 08/15/2008

On July 28, 2008, [redacted] telephone number [redacted] was interviewed at the United States Attorney's Office located at 219 S. Dearborn St, Chicago, Illinois. Present during the interview were the following individuals: b6 -1,-3,-5 b7C -1,-3,-5

FBI Special Agent [redacted]
Assistant United States Attorney (AUSA) [redacted]
AUSA [redacted] b6 -5 b7C -5
AUSA [redacted]

[redacted] knew the identity of the interviewing Agent from previous contacts. [redacted] voluntarily provided the following additional information: b6 -5 b7C -5

[redacted] was formerly employed by the [redacted] is now employed by [redacted] b6 -5,-6 b7C -5,-6

In [redacted] (1-3 JAO)

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

[redacted] recalled another conversation which occurred in the [redacted] asked BURGE if he told [redacted] that he used the black box to obtain the confession from WILSON. [redacted] BURGE'S response was a waving of his hands in a motion to tell [redacted] to keep quiet while verbally telling [redacted] not to talk about it. BURGE did not deny using the black box and even had a smirk on his face while telling [redacted] to keep quiet. [redacted] believed the black box was used to "juice him." Present during this conversation was an individual

Investigation on 07/28/2008 at Chicago, Illinois

File # 282A-CG-126294-302 -61 Date dictated [redacted] b6 -1 b7C -1

by SA [redacted]

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named PAT Last Name Unknown (LNU). PAT (known to the writer to be deceased) was a regular patron of POPOLANO'S.

[redacted] recalled another instance when BURGE talked about handcuffing subjects to a ring attached to the wall of an interview room. BURGE explained that the ring was too high and when he attached the subject's handcuffs to this particular ring, it would place them in a very painful position due to the handcuffs digging into the subject's hands. BURGE did this to see how long a subject could stand it. [redacted] did not know the names of subjects who were subjected to this kind of torture. b6 -5 b7C -5

b6 -5 b7C -5

[redacted]

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

[redacted] voluntarily provided miscellaneous documents, receipts, and pictures which were in [redacted] also provided a [redacted]

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

[redacted] attempted to contact attorney [redacted] to provide information he knew about BURGE along with information concerning [redacted] but [redacted] did not return his call.

[redacted] telephone number [redacted] may have information concerning BURGE. [redacted] advised [redacted] to stay away from BURGE. [redacted] may also have information about BURGE.

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

[redacted] employed as [redacted] and knew BURGE and may have information concerning the abuse and torture at Area 2.

An individual known as [redacted] knew BURGE through [redacted] and frequented similar bars to [redacted] and BURGE.

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

[redacted] knew BURGE through [redacted] believed that [redacted] had frequent contact with BURGE and may have been present when BURGE talked about abusing and torturing subjects.

b6 -6
b7C -6

[redacted] other acquaintances included [redacted] telephone number [redacted] and [redacted]

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

[redacted] did not get along with BURGE. [redacted] believed that [redacted] also believed that BURGE killed GENE KUFFEL (phonetic), former CPD police officer, to prevent KUFFEL from coming forward with derogatory information and [redacted] and others a message not to provide information against him.

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 08/15/2008

[redacted] a.k.a. [redacted], date of birth [redacted] address [redacted] telephone number [redacted] was interviewed. After being advised of the identity of the interviewing Agent and the nature of the interview, [redacted] provided the following information:

[redacted] did not recognize the names JON BURGE or [redacted] did not recall ever speaking to anyone about torture or abuse committed by Chicago Police Department Commander JON BURGE or by anyone under BURGE'S command at Area 2 or Area 3.

[redacted] advised that [redacted] and could have had contact with one or both of the above listed individuals, but he could not remember. [redacted] further advised that [redacted] and would have no problem divulging information if he had it. He gave his sentiments and wished he could help, but he did not have any recollection of the previously mentioned topics.

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

(1)

Investigation on 08/13/2008 at Chicago, Illinois (telephonic)

File # 282A-CG-126294-302 -62 Date dictated [redacted]

b6 -1
b7C -1

by SA [redacted]

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FD-302 (Rev. 10-6-95)



**FEDERAL BUREAU OF INVESTIGATION**

Date of transcription 08/15/2008

b6 -5
b7C -5

[redacted], date of birth [redacted] telephone number [redacted] telephone number [redacted] residing at [redacted] was interviewed. After being advised of the identities of the interviewing Agents and the nature of the interview, [redacted] provided the following information: b6 -5,-6 b7C -5,-6

[redacted]

[redacted] (known to the writer as [redacted] was employed [redacted] was employed for approximately [redacted] never heard [redacted] talk about JON BURGE or the alleged abuse and/or torture committed by BURGE. [redacted] never heard of anyone talking about a black box or a shock box. [redacted] described [redacted] who may have been [redacted] never personally saw [redacted] in possession of illegal drugs or using illegal drugs. b6 -5,-6 b7C -5,-6

[redacted] recalled seeing JON BURGE in [redacted] once or twice. [redacted] was introduced to BURGE by [redacted] and was told that BURGE was a Detective for the Chicago Police Department. [redacted] never engaged in conversation with BURGE other than to exchange greetings. [redacted] BURGE [redacted] b6 -5,-6 b7C -5,-6

[redacted] remembered that an individual named [redacted] Last Name Unknown (LNU) was [redacted] did not know much about [redacted] and did not remember [redacted] at the same time as BURGE. [redacted] said [redacted] and BURGE could have been in the bar at the same time when he was not present.

[redacted] described "Pat's Corner" as the corner of the bar where a patron named PAT LNU would stand. PAT was a patron of the bar for many years before he died. A corner of the bar was named b6 -5 b7C -5

Investigation on 07/24/2008 at Chicago, Illinois (telephonic)

File # 282A-CG-126294-302 -163 Date dictated [redacted] b6 -1 b7C -1

by SA [redacted] jao

19-cv-4048(FBI)-3569

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[redacted] 1228 ja003.302

in honor of PAT because of his patronage and that he always stood at that location when he drank.

[redacted] telephone number [redacted] residing in [redacted] residing in [redacted] or b6 -6 b7C -6 [redacted] telephone number [redacted] residing in [redacted] and DAN SHANNON (deceased) were all [redacted]

FD-302 (Rev. 10-6-95)



**FEDERAL BUREAU OF INVESTIGATION**

Date of transcription 08/15/2008 b6 -5 b7C -5

[redacted], date of birth [redacted] telephone number [redacted] was interviewed. After being advised of the identities of the interviewing Agents and the nature of the interview, [redacted] provided the following information:

[redacted] currently works as [redacted] b6 -5,-6 b7C -5,-6

[redacted] did not recognize the names [redacted] or [redacted] recognized the name (JON BURGE) from local news reports and/or newspaper articles. [redacted] did not ever recall speaking to anyone about the alleged abuse and torture which occurred at Area 2 and Area 3 in the 1980s. She did not recall overhearing any conversations concerning abuse and torture occurring at the hands of BURGE or anyone under his command. [redacted] did not recall ever seeing BURGE at [redacted] but she advised she would look up a picture of BURGE to see if it would refresh her memory. [redacted] said it was possible that BURGE frequented [redacted] because there were many police officers that frequented [redacted] b6 -5,-6 b7C -5-6

Investigation on 08/13/2008 at Chicago, Illinois (telephonic)

File # 282A-CG-126294-302 -64 Date dictated [redacted] b6 -1 b7C -1

by SA [redacted] jao

19-cv-4048(FBI)-3572

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[redacted] / 228-004-302-

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 08/15/2008

b6 -5
b7C -5

[redacted] telephone number [redacted] residing at [redacted] was interviewed. After being advised of the identity of the interviewing Agent and the nature of the interview, [redacted] provided the following information: b6 -5,-6 b7C -5,-6

[redacted] would not consider [redacted] to be a good friend, but more of an acquaintance. He had not spoken with [redacted] b6 -5,-6 b7C -5,-6

[redacted] had no recollection of taking [redacted] but he recalled being with [redacted] when they [redacted] (known to the writer as [redacted] did not recall if [redacted]

[redacted] did not personally know [redacted] and only saw her couple of times. [redacted] never heard [redacted] never met or even seen JON BURGE. [redacted] never heard [redacted] talk about JON BURGE abusing or torturing anyone. b6 -5,-6 b7C -5,-6 b6 -5,-6 b7C -5,-6

[redacted] identified [redacted] said he spoke to [redacted] a couple of times per week, but advised that [redacted] identified [redacted]

Investigation on 08/11/2008 at Chicago, Illinois (telephonic) b6 -1 b7C -1

File # 282A-CG-126294-302 -65 Date dictated [redacted]

by SA [redacted]

19-cv-4048(FBI)-3574

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[redacted] / 228 0005. 302

282A-CG-126294-302 -66
JAO:jao

1

The following appeared before the Federal Grand Jury in the Northern District of Illinois, Eastern Division, along with his respective appearance date:

| NAME | Appearance Date |
|---|---|
| [redacted] | |

b3 -1
b6 -5
b7C -5

(1)
JAO

b6 -1
b7C -1

282a-cg-126294-302-66

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 08/15/2008 b6 -5 b7C -5

[redacted] date of birth [redacted] Social Security Account Number [redacted] telephone number [redacted] was interviewed. After being advised of the identity of the interviewing Agent and the nature of the interview, [redacted] provided the following information:

[redacted] identified [redacted] He explained that [redacted] was trouble from the start. He knew she [redacted] was glad to get that [redacted] said [redacted] and she would be approximately 50 years old. [redacted] believed [redacted] was somewhere in Florida. b6 -5 b7C -5

[redacted] was familiar with the names [redacted] and JON BURGE. He was not familiar with the names [redacted] said these individuals could have been [redacted] but he never associated with [redacted] b6 -5,-6 b7C -5,-6

[redacted] never met or saw BURGE. [redacted] believed he had heard of the allegations or torture and abuse against BURGE from the media, but neither [redacted] nor her associates ever told him anything about it.



19-cv-4048(FBI)-3578

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[redacted] / 302 dated 08/14/2008

282A-CG-126294-302 -68
JAO:jao



On July 15, 2008, [redacted] cellular telephone number [redacted] home telephone number [redacted] advised she had obtained an attorney named [redacted] telephone number [redacted] said she spoke with some friends who advised her to obtain an attorney.

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

282a-cg-126294-302- 68

FEDERAL BUREAU OF INVESTIGATION

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

Date of transcription 08/28/2008

On August 28, 2008, [redacted] date of birth [redacted] home telephone number [redacted] cellular telephone number [redacted] residing at [redacted] was interviewed by Special Agent (SA) [redacted] of the Federal Bureau of Investigation (FBI) via his work telephone number of [redacted] After being advised of the identity of the agents, as well as the nature of the interview, [redacted] provided the following information: b6 -5,-6 b7C -5,-6

[redacted] while [redacted] was employed there. On one occasion during the [redacted] This occurred on either the [redacted] This was the only occasion when [redacted] recalls being in BURGE's presence. He did, however, recall that BURGE drove a Cadillac. [redacted] does not recall any other occupants on BURGE's boat from that evening, nor does he recall any of [redacted]

[redacted] inferred that [redacted] even though [redacted] never heard [redacted] make statements about BURGE's abuse of subjects while serving with the Chicago Police Department. On one occasion, however, [redacted] stated that [redacted] She then stated that she was not concerned because of her connection with BURGE. [redacted] stated that the [redacted] and he concluded from [redacted] statements that BURGE had [redacted] b6 -5,-6 b7C -5,-6

[redacted] b6 -5 b7C -5

Investigation on 08/28/2008 at Chicago, Illinois (telephonic)

File # 282A-CG-126294-302 -69 Date dictated [redacted] b6 -1 b7C -1- b7E -4

by SA [redacted] er

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FD-302 (Rev. 10-6-95)



**FEDERAL BUREAU OF INVESTIGATION**

Date of transcription 08/27/2008

b6 -5
b7C -5

[redacted] date of birth [redacted] Social Security Account Number [redacted] cellular telephone number [redacted] home telephone number [redacted] was interviewed. After being advised of the identity of the interviewing Agent and the nature of the interview, [redacted] provided the following information: b6 -5,-6 b7C -5,-6

[redacted] did not socialize with [redacted] and was not aware of any of [redacted] personal relationships or acquaintances. [redacted] recalled that [redacted] did not recognize the name JON BURGE. She did not recall anyone speaking to her about the alleged torture and abuse occurring at the Chicago Police Department in the 1980s. [redacted] never heard anyone talk about a black box or a shock box. b6 -5,-6 b7C -5,-6

[redacted] and [redacted] were co-workers of [redacted]

Investigation on 08/21/2008 at Chicago, Illinois (telephonic)

File # 282A-CG-126294-302 -70 Date dictated

b6 -1
b7C -1

by SA [redacted]

19-cv-4048(FBI)-3584

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[redacted] / 240900001 302

FEDERAL BUREAU OF INVESTIGATION

b6 -5
b7C -5

Date of transcription 07/11/2008

[redacted] date of birth [redacted] residing at [redacted] telephone number [redacted] was telephonically interviewed. After being advised of the identity of the interviewing Agent and the nature of the interview, [redacted] provided the following information: b6 -5 b7C -5

[redacted] advised he had spoken with the Special Prosecutor's Office concerning abuse and torture at Area 2. [redacted] had no knowledge of abuse or torture occurring at Area 2.

[redacted] began his career with the Chicago Police Department (CPD) in [redacted] could not remember when he was assigned to Area 2, but he recalled being [redacted] at Area 2 and [redacted] investigations were not handled by [redacted] and were handled by a different Sergeant. [redacted] could not recall when he was [redacted] or if he was [redacted] prior to being assigned to Area 2. b6 -5 b7C -5

[redacted] believed he met JON BURGE at Area 2 when BURGE was a Sergeant in the robbery division. [redacted] could not remember the exact year he met BURGE. BURGE was later moved to the homicide division. At some point, the homicide division combined with the robbery division to form the violent crimes section. BURGE was later promoted to Lieutenant of the violent crimes section. [redacted] believed he worked under BURGE for about a year and a half before being transferred to [redacted] never knew why he was [redacted] When he questioned BURGE about the [redacted] BURGE blamed it on Area 2 Commander MILTON DEAS. MILTON DEAS never told [redacted] b6 -5 b7C -5

[redacted] never recalled any detective reporting excessive force, abuse, and/or torture. [redacted] never witnessed excessive force, abuse, and/or torture. [redacted] did not see anyone ever play "Russian roulette" or use phone books to coerce a confession from a subject. [redacted] never saw a subject with radiator burns or any other type of burn injury. [redacted] did not see anyone ever place a bag over a subject's head in order to obtain a confession or other information. [redacted] never saw any kind of shock device at Area 2. [redacted] only saw the "shock box" from pictures in the newspapers. b6 -5 b7C -5

Investigation on 07/08/2008 at Chicago, Illinois

File # 282A-CG-126292-302 -71 Date dictated b6 -1,-5 b7C -1,-5

by SA [redacted]

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[redacted] was present at Area 2 during the FAHEY/OBRIEN murders. [redacted] did not conduct any part of the investigation himself, but he did help assign leads out to other detectives who conducted the investigation. [redacted] did not participate in the arrest or interrogation of the [redacted] did not se[redacted] the [redacted] when they were at Area 2. b6 -5,-6 b7C -5,-6

[redacted] did not socialize with BURGE. Occasionally, [redacted] would show up at the same tavern as BURGE, but it would not be a planned event. [redacted] did not know anyone close to BURGE or anyone who had issues with BURGE. [redacted] last spoke to BURGE in 1986 before [redacted] A detective named [redacted] was also [redacted]

Although he never witnessed any abuse, excessive force, or torture; [redacted] believed anything could be possible concerning the allegations at Area 2. [redacted] was inclined to believe that the allegations were embellished and result mainly from a defense attorney's desire to get BURGE prosecuted. b6 -5 b7C -5

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 07/11/2008

[redacted] date of birth [redacted] residing at [redacted] telephone number [redacted] [redacted] was telephonically interviewed. After being advised of the identity of the interviewing Agent and the nature of the interview, [redacted] provided the following information: b6 -5 b7C -5

[redacted] was a Chicago Police Department (CPD) Area 3 Detective in [redacted] when he first met JON BURGE. [redacted] under BURGE'S command. During that time, [redacted] said BURGE pushed for his detectives to solve cases and make arrests, but he never witnessed any abuse or torture committed by BURGE at Area 3. [redacted] never witnessed any abuse or torture of subjects as a Chicago Police Officer. b6 -5 b7C -5 b6 -2,-5 b7C -2,-5

[redacted] could only recall the [redacted] investigation in which abuse was alleged and he was part of the investigation. [redacted] stated he had previously answered questions concerning this incident and explained the following: b6 -2,-5,-7 b7C -2,-5,-7

[redacted] partner at Area 3 was [redacted] and [redacted] were two of several detectives who were called to investigate a fire which killed seven people. [redacted] received a page from BURGE while on the scene of the fire. [redacted] called BURGE and BURGE requested [redacted] to meet two detectives from Area 2 to find and arrest [redacted] could not recall the names of the detectives he met from Area 2 to arrest [redacted] was arrested without incident. [redacted] was transferred to Area 2 by the Area 2 detectives. [redacted] proceeded to Area 2 to complete their paperwork. Upon [redacted] arrival at Area 2, he saw [redacted] in the open area of Area 2. After some time, [redacted] saw [redacted] being escorted to an interview room. [redacted] never observed [redacted] while he was in the interview room nor did he ever speak with [redacted] while at Area 2. [redacted] was at Area 2 for approximately one hour and never heard any screaming or anything out of the ordinary coming from any of the interview rooms. b6 -2,-5 b7C -2,-5

[redacted] later heard that [redacted] confessed to the crime. He could not recall how he learned of [redacted] confession.

[redacted] had no further information concerning BURGE.

Investigation on 07/09/2008 at Chicago, Illinois b6 -1,-5 b7C -1,-5

File # 282A-CG-126294-302 -72 Date dictated

by SA [redacted]

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FD-302 (Rev. 10-6-95)



**FEDERAL BUREAU OF INVESTIGATION**

Date of transcription 07/11/2008

[redacted], date of birth [redacted] residing at [redacted] telephone number [redacted] was telephonically interviewed. After being advised of the identity of the interviewing Agent and the nature of the interview, [redacted] provided the following information: b6 -5 b7C -5

[redacted] was a Chicago Police Department (CPD) Detective in Area 2 from [redacted] had never seen any abuse or torture at Area 2. [redacted] never committed any abuse or torture against any subjects. He never saw a black box or shock box lying around or being used on any subjects. [redacted] never saw anyone put a bag over a subjects head or point a gun at a subject while being interviewed or interrogated. b6 -5 b7C -5

[redacted] got along with JON BURGE. He feels the allegations against BURGE are fabricated and are "bull-shit." [redacted] never saw BURGE abuse or torture anyone. b6 -5 b7C -5

[redacted] provided no further information.

Investigation on 07/08/2008 at Chicago, Illinois

File # 282A-CG-126292-302 - 73 Date dictated b6 -1,-5 b7C -1,-5

by SA [redacted]

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FD-302 (Rev. 10-6-95)



**FEDERAL BUREAU OF INVESTIGATION**

Date of transcription 07/11/2008

[redacted] date of birth [redacted] Social Security Account Number [redacted] residing at [redacted] telephone number [redacted] was interviewed at his attorney's office located at [redacted] Present with [redacted] and the interviewing Agents was Attorney [redacted] telephone number [redacted] After being advised of the identities of the interviewing Agents and the nature of the interview, [redacted] provided the following information:

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

[redacted] began his career with the Chicago Police Department (CPD) [redacted] certified as a polygraph examiner for CPD. [redacted]

b6 -5
b7C -5

As a polygrapher, he conducted most all of his exams at [redacted] interacted with detectives from many different areas in the Chicago Police district while working as a polygrapher. [redacted] never saw any subject abused or mistreated in order to obtain a confession or after failing an exam. [redacted] could not recall any subject complaining to him that they were abused or mistreated by officers or detectives. [redacted] never recalled testing any subject who needed medical attention. In fact, if a subject needed medical attention, he or she would not have been permitted to take the polygraph exam. All exams were done by an examiner only. No detectives were allowed in the room during the exam. However, prior to beginning an exam, [redacted] would go over the facts of the case and questions with the investigating detective. If a subject would fail the exam, [redacted] would attempt to interrogate the subject on why she failed particular questions.

b6 -5
b7C -5

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

[redacted] never had any conversations with JON BURGE. He did not know BURGE on a personal level and never had worked with BURGE. [redacted] considers [redacted] and [redacted] has never had any conversations with [redacted] concerning alleged abuse or torture at Area 2.

[redacted] CPD polygraphers named [redacted]

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

Investigation on 06/18/2008 at Chicago, Illinois

File # 282A-CG-126294-302 - 74 Date dictated b6 -1,-5 b7C -1,-5

by SA [redacted] : jao

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19-cv-4048(FBI)-3594

FD-302 (Rev. 10-6-95)



**FEDERAL BUREAU OF INVESTIGATION**

Date of transcription 07/11/2008

[redacted] date of birth [redacted], who resides at [redacted] telephone number [redacted] was interviewed at his residence. After being advised of the identity of the interviewing Agent and the nature of the interview, [redacted] provided the following information:

[redacted] denied knowing JON BURGE or anyone associated with BURGE. [redacted] knew that BURGE beat confessions out of "blacks" while a detective for the Chicago Police Department. [redacted] learned this information through the newspaper. [redacted] or even knew of individuals named [redacted]

b6 -5
b7C -5

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

(1)

Investigation on 07/09/2008 at [redacted]

File # 282A-CG-126290-302 -75 Date dictated [redacted]

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

by SA [redacted]

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 07/11/2008

[redacted] date of birth [redacted] employed at [redacted] located at [redacted] telephone number [redacted] fax number [redacted] After being advised of the identities of the interviewing Agents and the nature of the interview, [redacted] provided the following information:

b6 -5
b7C -5

[redacted] began his employment with the Chicago Police Department (CPD) in [redacted]

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

[redacted] met JON BURGE when he was first assigned to Area 2 as a detective. [redacted] did not really get along with BURGE and felt BURGE never really liked him. [redacted] believed those feelings may have resulted from [redacted] stated he was [redacted] and did not have [redacted]

b6 -5
b7C -5

[redacted] never witnessed BURGE abuse, torture, or use any kind of excessive force against anyone. He never remembered BURGE participating in any interviews, but he was not in a position to witness anything concerning BURGE [redacted] never witnessed anyone being mistreated, abused, or tortured on the midnight shift. He never saw anything resembling a black box or a shock box. He never saw anyone "bagged," shocked with any kind of device, hit with telephone books, or having a gun pointed at them in order to obtain a confession or other information. [redacted] stated if had seen such activity, he believed he would have reported the actions of the offender to the Office of Professional Standards. [redacted] had witnessed Detectives using the "good cop, bad cop" routine and raised voices, but he never witnessed any excessive force, abusive behavior, or torture towards a subject.

b6 -5
b7C -5

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

[redacted] spent almost all of his time at Area 2 on the [redacted] and was rarely around BURGE. [redacted] and

Investigation on 07/10/2008 at Chicago, Illinois

File # 282A-CG-126298-302 -76 Date dictated [redacted]

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

by SA [redacted] jao

SA [redacted]

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

[redacted] is not in contact with any other detectives from Area 2. Every now and then he will run in to a detective from Area 2 and will exchange greetings. [redacted] does not attend the yearly Area 2 reunions, as he has no desire to keep in touch with anyone from Area 2 [redacted].

[redacted] could not comment on the WILSON incident as he was [redacted] the WILSON investigation had already been completed. When [redacted] found out their unit was receiving an award for the FAHEY/O'BRIEN murder investigation, he told his superior he did not participate in that particular investigation. His superior told him to attend the award presentation regardless.

b6 -5
b7C -5

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

[redacted] was asked about the [redacted] arrest. [redacted] did not initially recall the [redacted] arrest until being refreshed by Agents. [redacted] stated he was at the arrest location, but never recalled personally arresting [redacted] or even seeing [redacted] at the arrest location as he was covering the rear of the residence. [redacted] went back to Area 2 after the arrest, but was allowed to go home by his superiors shortly after his arrival. [redacted] did not recall seeing [redacted] at Area 2. [redacted] did not participate in the interrogation of [redacted]

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

[redacted] did not recall any details concerning individuals named [redacted] or [redacted]

[redacted] never heard about the black box until years later in the newspapers. [redacted] never heard of anyone talking about or using excessive force or alternative interrogation tactics on subjects. [redacted] never used any excessive force or torture tactics on subjects. [redacted] does not know of anyone who might come forward with such information. [redacted] did not know of any detectives who had issues with BURGE. [redacted] could not recall any subjects complaining of torture or abuse by detectives or officers while in his custody or while on the street. [redacted] heard that [redacted] and BURGE were good friends and [redacted]

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

[redacted] believed BURGE to be a "loud mouth" and did not know what BURGE would be capable of doing.

b6 -5
b7C -5

282A-CG-126294-302 -77
KKK:kkk

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

1

The following investigation was conducted at the United States Attorneys Office, 219 S. Dearborn Street, Chicago, Illinois, on August 21, 2008.

[redacted] met with Special Agent (SA) [redacted] and Assistant United States Attorney (AUSA) [redacted] prior to his testimony before the federal grand jury.

[redacted] met with SA [redacted] and AUSA [redacted] prior to her testimony before the federal grand jury.

[redacted] met with SA [redacted] and Department of Justice, Civil Rights Division attorney [redacted] prior to his testimony before the federal grand jury. [redacted] provided a [redacted] which will be stored in a 1A envelope.

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

282a-cg-126294-302-77

19-cv-4048(FBI)-3601

282A-CG-126294-302 -77
KKK:kkk

1

The following investigation was conducted at the United States Attorneys Office, 219 S. Dearborn Street, Chicago, Illinois, on August 21, 2008.

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

met with Special Agent (SA) and Assistant United States Attorney (AUSA) prior to his testimony before the federal grand jury.

met with SA and AUSA prior to her testimony before the federal grand jury.

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

met with SA and Departm of Justice, Civil Rights Division attorney prior to his testimony before the federal grand jury. provided a which will be stored in a 1A envelope.

242 FBI01.tmp.mpD

**FEDERAL BUREAU OF INVESTIGATION**

Date of transcription 06/30/2008

On June 23, 2008, Federal Bureau of Investigation (FBI) Special Agents [redacted] and [redacted] photographed interior rooms at the Chicago Police Department (CPD) Area 2 Headquarters, 727 E. 111th Street, Chicago, and the previous CPD Area 2 headquarters, located at 9059 S. Cottage Grove, Chicago. SA [redacted] took the photographs and SA [redacted] compiled the photograph log. Also in attendance were Assistant United States Attorneys (AUSA) [redacted] and [redacted] and Department of Justice (DOJ) attorney [redacted] The photographs taken are listed below. b6 -1,-3 b7C -1,-3

Photographs taken at CPD Area 2, 727 E. 111th Street, Chicago

Film Roll #1

| PHOTO # | PHOTO DESCRIPTION |
|---|---|
| 1 | Interview Room 2, door number from hallway |
| 2 | Interview Room 2, west wall from inside |
| 3 | Interview Room 2, through door from hallway to back corner |
| 4 | Interview Room 2, northeast wall from inside corner |
| 5 | Interview Room 2, ceiling |
| 6 | Interview Room 2, interior, from hallway |
| 7 | Interview Room 4, door number from common area |
| 8 | Interview Room 4, handcuff ring on west wall |
| 9 | Interview Room 4, north wall |
| 10 | Interview Room 4, south wall |
| 11 | Interview Room 4, west wall and door from back wall |
| 12 | Interview Room 5, door number from hallway |
| 13 | Interview Room 5, south wall from front wall |
| 14 | Interview Room 5, west wall with mirror |
| 15 | Interview Room 5, east wall from interior of room |
| 16 | Interview Room 5, north wall and door from back wall |
| 17 | Interview Room 6, door number |
| 18 | Interview Room 6, west wall |
| 19 | Interview Room 6, south wall |
| 20 | Interview Room 6, east wall |
| 21 | Interview Room 6, north wall from back |
| 22 | District 5, Room 3, door number from hallway |

182WKO1.302 lopl

Investigation on 6/23/2008 at Chicago, Illinois

File # 282A-CG-126294-302-78 Date dictated 6/30/2008 b6 -1 b7C -1

by SA [redacted]

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Film Roll #2

| PHOTO # | PHOTO DESCRIPTION |
|---|---|
| 1 | District 5, Room 3, bench and bar, back wall from doorway |
| 2 | Room 3, back wall from doorway |
| 3 | Room 3, door from interior front corner of room |
| 4 | Room 3, door from interior front corner of room |
| 5 | Room 3, north wall from inside room |

Photographs taken at old Area 2, 9059 S. Cottage Grove, Chicago

| PHOTO # | PHOTO DESCRIPTION |
|---|---|
| 6 | Second Floor, current Room B from doorway |
| 7 | Room B, north wall |
| 8 | Room B, north wall radiator |
| 9 | Room B, north wall radiator close up |
| 10 | Room B, north wall hole area |
| 11 | Room B, north wall radiator |
| 12 | Room B, north wall hole area |
| 13 | Room B, south wall from rear of room |
| 14 | Second floor, northeast corner from hallway |
| 15 | Second floor, doors Room A and B, from common area |
| 16 | Second floor, first office from doorway |
| 17 | First office, south wall radiator from doorway |
| 18 | Second floor, second office from doorway |
| 19 | Second office, back wall radiator from doorway |
| 20 | Second floor, third office from doorway |
| 21 | Third office, radiator from doorway |
| 22 | Second floor, fourth office radiator from doorway |
| 23 | Second floor, fifth office radiator from doorway |
| 24 | Second floor, northwest corner office, general |
| 25 | Second floor, northwest corner office heat source and window |
| 26 | [redacted] b6 -3 b7C -3 |
| 27 | Second floor, general room southwest corner |
| 28 | Stairway from second floor |
| 29 | Stairway from landing |
| 30 | First floor, east wall, tall radiator |
| 31 | First floor, cells |
| 32 | First floor, back room, radiator on north wall |
| 33 | First floor, cells |
| 34 | First floor, west wall radiator |

35 First floor, southwest room from hallway
36 Exterior of building, garage from sidewalk

FD-302 (Rev. 10-6-95)



FEDERAL BUREAU OF INVESTIGATION

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

Date of transcription 08/27/2008

[redacted], date of birth [redacted] Social Security Account Number [redacted] telephone number [redacted] residing at [redacted] was interviewed. Present during the interview was Department of Justice Trial Attorney [redacted]. After being advised of the identity of the interviewing Agent and the nature of the interview [redacted] provided the following information: b6 -5,-6 b7C -5,-6

[redacted] mother and father are deceased. [redacted] (known to the writer as [redacted] does not really keep in touch with [redacted] telephone call.

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

[redacted] believed [redacted] were residing in [redacted] while [redacted] was residing in [redacted] had not spoken to [redacted]

1-4

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

[redacted]

Investigation on 08/19/2008 at Chicago, Illinois (telephonic)

File # 282A-CG-126294-302 - 79 Date dictated [redacted] b6 -1 b7C -1

by SA [redacted]

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[redacted]

M [redacted] to JON BURGE when [redacted] b6 -5,-6 b7C -5,-6

[redacted]

recalled that most of her interaction with BURGE was [redacted] BURGE always told stories and bragged about things he had done. He was very boastful and proud of himself. [redacted] remembered BURGE saying many cruel things, but she had trouble recalling details because she tried to block them out. She did not understand how a police officer would be able to do some of the things he did and then brag about them. [redacted] recalled stories of how BURGE talked about getting subjects to confess to crimes. He rationalized his behavior because he knew they were guilty, but he needed them to confess. b6 -5 b7C -5

[redacted] recalled BURGE telling one story about when he had two detectives hold a subject down and hit him until a confession was obtained. [redacted] did not think BURGE conducted the beating, but had the beating done in his presence. [redacted] recalled BURGE saying that he did not want to hurt his hands, so he had two other detectives beat the subject. [redacted] could not recall any other specific details concerning this incident and she could not recall if BURGE gave the name of the subject that was beaten. [redacted] recalled [redacted] being present during this discussion along with a male named BILL DILLARD (deceased). When recalling the story, [redacted] could picture BURGE stirring his mixed drink with [redacted] sitting next to him. She recalled DILLARD being there because she could remember seeing him put his teeth in his pocket. When [redacted] laugh at most of BURGE'S stories including the stories of abuse on arrested subjects. [redacted] remembered, on one occasion that [redacted] BURGE did not talk about anything when b6 -5,-6 b7C -5,-6

[redacted] did not recall any discussions concerning a black box or a shock box. [redacted] could not recall the names of anyone else present on the boat when she was on the boat.

b6 -5
b7C -5

BURGE was racist towards blacks and would always speak negatively against black people. BURGE would always refer to black people as "niggers." When in the company of friends, he was open with his racists comments concerning blacks. [redacted] recalled a story where BURGE was making fun of a black individual who had died while moving furniture in the Cabrini Green neighborhood. BURGE explained that a black family was moving from a higher floor to a lower floor in the same building. When moving the refrigerator, a black male tied a rope to the refrigerator and then to himself. He attempted to lower the refrigerator over the rail to the lower floor. The refrigerator was heavier than expected and took the black male over the railing, killing him. BURGE commented that this illustrates the stupidity of black people.

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

[redacted] said there was always drinking on BURGE'S boat. BURGE liked to drink. BURGE mainly drank mixed drinks. [redacted] stated that [redacted] did not know if BURGE would give [redacted]

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

[redacted] described LINDA FARKAS as a short, white, female with blond hair [redacted]. FARKAS was into a lot of drugs and may have spent time on BURGE'S boat.

[redacted] She did not believe that [redacted] was associated with BURGE or [redacted] lived [redacted] for a short period of time.

[redacted]

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

[redacted] recognized the names [redacted] could not recall why she recognized these names or if these individuals were associated with BURGE or [redacted]

[redacted] did not recognize the names [redacted] could not recall any of [redacted] other friends.

[redacted] recalled BURGE having something to do with stolen cars. She could not recall any specific information, but stated that BURGE really liked his cars.

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

[redacted] did not talk about BURGE in front of [redacted] The stories [redacted] recalled where directly from BURGE and [redacted] about BURGE even when the alleged abuse became public through the media. [redacted] had not spoken to BURGE in about 25 to 30 years.

FD-302 (Rev. 10-6-95)



**FEDERAL BUREAU OF INVESTIGATION**

Date of transcription 07/18/2008

On 07/17/2008, [redacted] telephone number [redacted] was telephonically interviewed concerning [redacted] After being advised of the identity of the interviewing agent and the nature of the call, [redacted] provided the following information: b6 -2,-5 b7C -2,-5

[redacted] was convicted [redacted] for criminal endangerment and the use of a firearm in the commission of a crime. He was sentenced on [redacted] and reported immediately to the custody of the [redacted] He was released on [redacted] Subsequent to his release, he was granted permission to [redacted] where he is supervised by Parole Officer [redacted] telephone number [redacted] last known address is [redacted] telephone number is [redacted] b6 -2,-3 b7C -2,-3

200KJB02.302

Investigation on 07/17/2008 at [redacted] (telephonically)

File # ~~50-CG-128462-302~~ 12 Date dictated not dictated

by SA [redacted] b6 -1,-2 b7C -1,-2

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FEDERAL BUREAU OF INVESTIGATION

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

Date of transcription 07/18/2008

On 07/17/2008, [redacted] date of birth [redacted] social security account number [redacted] telephone number [redacted] who resides at [redacted] was telephonically interviewed concerning [redacted] After being advised of the identity of the interviewing agent and the nature of the call, [redacted] provided the following information:

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

[redacted]

The last she had heard of [redacted] he had been sentenced in the year [redacted] Once he got out, he was supposed to be on [redacted] However, [redacted] had never been notified of his release, so he may still be incarcerated. [redacted]

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

[redacted] lived there

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

200 KJB04.302

Investigation on 07/17/2008 at [redacted] (telephonically)

File # ~~50-CG-128462-302~~ 13 Date dictated not dictated

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

by SA [redacted]

19-cv-4048(FBI)-3620

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282A-CG-126294-302-81

FD-302 (Rev. 10-6-95)



**FEDERAL BUREAU OF INVESTIGATION**

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

Date of transcription 07/18/2008

On 07/18/2008, Parole Officer [redacted] telephone number [redacted], was telephonically interviewed concerning [redacted] After being advised of the identity of the interviewing agent and the nature of the call, [redacted] provided the following information:

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

[redacted] which means that [redacted] His parole term is through [redacted] Because of his status as [redacted]

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

Although [redacted] he commented that he has seen him several times walking around town. He is an older gentelman, and he has been very cooperative with [redacted] believes that [redacted] would trust his advice to come in for an interview if he is asked to do so.

[redacted] was advised of the reason that the FBI wants to speak to [redacted] but he was requested not to discuss this information with [redacted] until being advised to do so by the case agent.

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

200 KJB03.302

Investigation on 07/17/2008 at [redacted] (telephonically)

File # ~~50-CG-128462-302~~ 14 Date dictated not dictated

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

by SA [redacted]

19-cv-4048(FBI)-3622

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282A-CG-126294-302- 82

282A-CG-126294-302 -83
KKK:kkk

1

The following investigation was conducted at the United States Attorney's Office, 219 S. Dearborn Street, Chicago, Illinois, on September 4, 2008.

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

[redacted] met with Special Agent (SA) [redacted] and Department of Justice, Civil Rights Division attorney [redacted] prior to her testimony before the federal grand jury.

[redacted] met with SA [redacted] and Assistant United States Attorney [redacted] prior to his testimony before the federal grand jury.

KK

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 09/10/2008

[redacted] who resides at [redacted] telephone number [redacted] was interviewed at his residence. After being advised of the identities of the interviewing Agents and the purpose of the interview, [redacted] provided the following information. b6 -5 b7C -5

[redacted] is retired from the Chicago Police Department (CPD). He worked at CPD Area 2 from about [redacted] until his retirement in [redacted] Black officers were kept on rape and robbery investigations, not homicides, until after JON BURGE left Area 2. [redacted] did not witness any abuse while at Area 2, but stated that the black officers were not privy to those investigations. [redacted] b6 -5 b7C -5

[redacted] overheard guys talking about the abuse allegations but has no direct knowledge of any abuse. He "certainly" thinks that those allegations are true. b6 -5 b7C -5

At the conclusion of the interview, Agents served [redacted] with a Federal Grand Jury subpoena.

b3 -1
b6 -5
b7C -5

Investigation on 9/9/2008 at Chicago, Illinois

File # 282A-CG-126294-302 -84 Date dictated 9/10/2008

by SA [redacted] kkk b6 -1 b7C -1

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282A-CG-126294-302 -85
KKK:kkk KK

1

The following investigation was conducted by Special Agents (SA) [redacted] and [redacted] in Chicago, Illinois.

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

On September 15, 2008, SA [redacted] spoke with Chicago Police Department (CPD) Patrol Officer [redacted] stated that he has been a Patrol Officer with CPD since [redacted]

[redacted] also worked for CPD and was a Detective in the [redacted] Division at Area 2.

b6 -5
b7C -5

TJK 85

FD-302 (Rev. 10-6-95)



FEDERAL BUREAU OF INVESTIGATION

Date of transcription 09/17/2008

[redacted] who resides at [redacted] telephone number [redacted] was interviewed telephonically. After being advised of the identity of the interviewing Agents and the purpose of the interview, [redacted] provided the following information. b6 -5 b7C -5

[redacted] began working for the CHICAGO POLICE DEPARTMENT (CPD) [redacted] as a polygraph examiner in [redacted] As a polygraph examiner, [redacted] usually conducted the exams at his office [redacted] The detectives would call for an appointment, then bring the individual to [redacted] The individual would be put in the exam room while the examiner met with the detectives to go over the case and discuss what information the individual was expected to provide. The examiner conducted the examination alone, unless a foreign language or sign language interpreter was required. [redacted] always began the exam by reading the individual their rights from a printed form, followed by a pretest interview which included all the questions to be asked in the exam. Then he would administer the test, asking the questions two or three times. After the exam was complete, [redacted] would review the graphs, render a decision on the results and complete a written report. b6 -5 b7C -5

[redacted] met JON BURGE when BURGE was a detective at CPD Area 2. For a time, BURGE and [redacted] They did have prearranged social outings but would sometimes have a drink if they ran into each other. He never heard BURGE talk about abusing suspects during these meetings. BURGE never talked to him about Russian Roulette, using phone books, shocking, or otherwise abusing or torturing suspects. b6 -5 b7C -5

[redacted] described BURGE as a dedicated, hard worker and a good motivator. The department morale was good when BURGE was in charge. During the 1982 investigation into the murder of the police officers, BURGE worked long hours. [redacted] He did not recall if he conducted the exams for ANDREW [redacted] He b6 -2,-5 b7C -2,-5

2UDVKE01.302.wpd

Investigation on 9/15/2008 at Chicago, Illinois (telephonically)

File # 282A-CG-126294-302 - 86 Date dictated 9/17/2008 b6 -1 b7C -1

SA [redacted]

by SA [redacted] kkk

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remembered conducting an early morning exam on an individual giving information on the WILSON's. The name [redacted] sounds familiar but he is not sure if he conducted an exam on [redacted] b6 -5 b7C -5

[redacted] does not recall a polygraph examiner refusing to conduct a test on an individual because he was beaten. He does not recall ever refusing to conduct a polygraph because the subject was beaten.

[redacted] never noticed BURGE demonstrate a bias against African-American subjects. He did not know BURGE's close associates but the Area 2 detectives were a close-knit group. b6 -5 b7C -5

[redacted] learned that criminals lie. His personal feelings on the allegations are that some of it might have happened, but some of it did not happen.

[redacted] and GLEN GILBRETH were other polygraph examiners at CPD while [redacted] worked there. GILBRETH is deceased. [redacted] provided contact information for [redacted]

[redacted] telephone number [redacted]

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

[redacted] telephone number [redacted]

FD-302 (Rev. 10-6-95)



FEDERAL BUREAU OF INVESTIGATION

Date of transcription 09/17/2008

[redacted] telephone number [redacted] who is employed at the [redacted] was interviewed telephonically. After being advised of the identity of the interviewing Agents and the purpose of the interview, [redacted] provided the following information. b6 -5 b7C -5

[redacted] is a retired CHICAGO POLICE DEPARTMENT (CPD) officer. A few weeks ago, [redacted] During their conversation, [redacted] mentioned that [redacted] had been subpoenaed [redacted] told him that [redacted] b3 -1 b6 -5,-6 b7C -5,-6

According to [redacted] told him [redacted] did not have a good thing to say about BURGE. [redacted] complained about BURGE and thought him to be a "less than professional" police officer. When asked to explain that comment, [redacted] said [redacted] shrugged his shoulders after making the statement but did not further explain what he meant. [redacted] did not think he remembered [redacted] mentioning a rubber hose. If the conversation was more specific, [redacted] can not remember. b6 -5,-6 b7C -5,-6

[redacted] lives in [redacted]

[redacted] knew [redacted] because [redacted] did not know any of her friends. b6 -5,-6 b7C -5,-6

282A-CG-126294-302 serial 87

Investigation on 9/16/2008 at Chicago, Illinois (telephonically)

File # 282A-CG-126294-302 -87 Date dictated 9/17/2008 b6 -1 b7C -1

SA [redacted]

by SA [redacted] kkk

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282A-CG-126294-302 -88
JAO:jao

1

The following appeared before the Federal Grand Jury in the Northern District of Illinois, Eastern Division, along with their respective appearance date:

| NAME | Appearance Date |
| --- | --- |
| | |

b3 -1
b6 -5
b7C -5

(1)
JAW

282a-cg-126294-302-88



FG2J0023.INS

FD-302 (Rev. 10-6-95)



**FEDERAL BUREAU OF INVESTIGATION**

Date of transcription 09/17/2008

b6 -5
b7C -5

[redacted] date of birth [redacted] telephone number [redacted] was interviewed. After being advised of the identity of the interviewing Agent and the nature of the interview, [redacted] provided the following information:

[redacted] knew [redacted] (known to the writer at [redacted] could not specifically recall ever [redacted] and believed [redacted]

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

She did not know any of [redacted] did not recognize the name JON BURGE [redacted] never talked about any abuse or torture occurring at Area 2 in front of [redacted] believed [redacted]

M

(1) NHO

Investigation on 09/16/2008 at Chicago, Illinois (telephonic)

File # 282A-CG-126294-302 -89 Date dictated

by SA [redacted]

b6 -1
b7C -1

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FD-302 (Rev. 10-6-95)



**FEDERAL BUREAU OF INVESTIGATION**

Date of transcription 09/17/2008

[redacted] telephone number [redacted] was interviewed at the [redacted] b6 -3,-5 b7C -3,-5 Also present for the interview were Assistant United States Attorneys (AUSA) [redacted] and [redacted] After being advised of the identity of those present and the purpose of the interview, [redacted] provided the following information.

[redacted] b6 -5 b7C -5

In addition to being [redacted] he has an [redacted]

[redacted] b6 -5 b7C -5

did not recall where their initial meeting took place, but remembered [redacted] who at the time was [redacted] "clearly remembers" [redacted] telling him about bags being put over his head and wires which were used to shock him. That was the first time [redacted] heard such allegations to the extent that [redacted] described them. He had heard clients allege being struck or pushed, but had never heard anything about bags or wires. [redacted] did not remember if [redacted] named the officers who abused him, but recalled that JON BURGE and JOHN YUCAITIS signed the arrest report. The name "BURGE" always stuck with him, but he is not sure exactly why that is the case. b6 -2,-5,-6 b7C -2,-5,-6

After meeting with [redacted] went through each of the cases pending on him and discussed strategy. They both felt they had the best shot of winning the case that had the confession because there was no physical evidence and only a

263WMD1302 wjs

Investigation on 9/17/2008 at Chicago, Illinois

File # 282A-CG-126294-302 -95 b6 -1 b7C -1 Date dictated 9/17/2008

by SA [redacted]

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

"bare bones" statement. [redacted] was surprised when [redacted] was convicted on that case and not on the others.

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

[redacted] was interviewed by the Special Prosecutor regarding the torture allegations. It was a brief telephone interview. [redacted] told the Special Prosecutor that he recalled [redacted] allegations and that [redacted] told him about being abused. The footnote in the Special Prosecutor's Report memo regarding [redacted] recollection of the allegations is incorrect. However, the footnote is consistent with [redacted] recollections as he related to [redacted] first read the footnote last week, and is under the impression that the Special Prosecutor confused his recollections with those of [redacted]

b6 -2,-3,-5
b7C -2,-3,-5

Without reviewing his files, [redacted] can not be sure what he wrote in his notes regarding [redacted] He has contacted the PDO and asked them to pull his files relating to [redacted] will contact AUSA [redacted] when he receives the files.

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

In [redacted] opinion, the Assistant States Attorneys (ASA) who were assigned to Felony Review when he worked at the PDO became police officers first and attorneys second. He remembered [redacted] but never knew [redacted]

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

[redacted] mentioned two people who worked at the PDO in the early 1970's. [redacted]

FEDERAL BUREAU OF INVESTIGATION
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FD-302 (Rev. 10-6-95)



**FEDERAL BUREAU OF INVESTIGATION**

Date of transcription 09/22/2008

[redacted] (formerly known as [redacted], b6 -5
date of birth [redacted] Social Security Account Number [redacted] b7C -5
[redacted] residing at [redacted] was
interviewed. After being advised of the identity of the interviewing Agent and the nature of the interview, [redacted] provided the following information:

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

[redacted] was formerly married to [redacted] telephone number [redacted] but maintains [redacted]

[redacted] met JON BURGE on one occasion in the 1980s when BURGE [redacted] did not recall anything unusual while [redacted] She did not recall BURGE telling any stories related to his job as a Chicago Police Department detective. This was [redacted] only interaction with BURGE. She was aware of the allegations of torture and abuse against BURGE, but her knowledge of the allegations was obtained from media reports. [redacted] did not recall [redacted] ever speaking about the allegations against BURGE.

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

(1)

[redacted] did not know any of BURGE'S associates, but stated her encounter with BURGE was due to BURGE'S relationship with [redacted] believed BURGE knew [redacted] because BURGE may have frequented [redacted] (known to the writer as [redacted] located at [redacted] advised that [redacted]

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

Investigation on 09/22/2008 at Chicago, Illinois (telephonic)

File # 282A-CG-126294-302 -91 Date dictated [redacted]

b6 -1
b7C -1

by SA [redacted]

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**FEDERAL BUREAU OF INVESTIGATION**

Date of transcription 09/22/2008

On Wednesday, September 17, 2008, at approximately 3:13pm, [redacted] Date of Birth [redacted], residing at [redacted], telephone number [redacted] was interviewed telephonically. After being advised of the identities of the interviewing agents and the nature of the interview, [redacted] provided the following information: b6 -5 b7C -5

[redacted] is [redacted] and currently resides in a long-term healthcare facility. Throughout their relationship and before the onset of her illness, [redacted] shared information about her past with [redacted] to include the following information: b6 -5 b7C -5

1-2

[redacted] had never heard of JON BURGE. [redacted] b6 -5,-6 b7C -5,-6

[redacted] had specifically mentioned [redacted] that had been registered under her name. [redacted] never mentioned anything about [redacted] intentionally [redacted] or conspiring with police officers.

[redacted] and [redacted] moved to Florida several years prior [redacted] which is when [redacted] b6 -5,-6 b7C -5,-6

[redacted] never met [redacted] but knew that [redacted] and [redacted] were friends in the beginning, but [redacted] eventually came to hate her because of [redacted] never b6 -5,-6 b7C -5,-6

Investigation on 09/17/2008 at Chicago, Illinois

File # 282A-CG-126294 - 302 - 92 Date dictated

by SA [redacted] mma b6 -1 b7C -1 b7E -4

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency;

19-cv-4048(FBI)-3646

said anything about [redacted] having dated a police officer nor about her spending time on boats. [redacted] also never mentioned anything about a house exploding.

[redacted] also told [redacted] about [redacted] LNU, who was a [redacted] believed b6 -5,-6 b7C -5,-6 that [redacted] was probably deceased or in prison. [redacted] also told [redacted] about RALPH LNU, who died approximately fifteen (15) to eighteen (18) years ago. She also mentioned [redacted] also mentioned a [redacted] or [redacted] LNU and a [redacted] LNU. [redacted] did not know whether [redacted] was JON BURGE. While [redacted] was living on a [redacted] LNU was in love with her, but she was not interested in pursuing a relationship.

[redacted] and [redacted] were introduced to one another by a [redacted] and [redacted] b6 -5,-6 b7C -5,-6 had attended high school with [redacted] and was invited to the [redacted] To [redacted] knowledge, none of the [redacted] ever resided in Chicago, Illinois.

[redacted]

b6 -5
b7C -5

FD-302 (Rev. 10-6-95)



**FEDERAL BUREAU OF INVESTIGATION**

Date of transcription 09/24/2008

On Tuesday, September 23, 2008, at approximately 11:30am, [redacted] Date of Birth [redacted] residing at [redacted] cellular telephone number [redacted] was interviewed at STARBUCKS COFFEE, 1500 E. 53rd Street, Chicago, Illinois 60615. After being advised of the identities of the interviewing agents and the nature of the interview, [redacted] provided the following information:

b6 -5
b7C -5

[redacted] first met JON BURGE in the 1970s, when [redacted] knew or spent time with numerous police officers. Both [redacted] and BURGE [redacted]

1-3

b6 -5
b7C -5

BURGE kept his boat, a 43-foot Criss Craft Commander, at Burnham Harbor. [redacted]

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

[redacted] BURGE, and others spent time in various bars downtown, to include the [redacted] where BURGE knew the bartenders. They could stay indefinitely without having to stop drinking or leave. They also spent time in [redacted]

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

[redacted] did not know an individual by the name of [redacted] who had a relationship with BURGE. [redacted]

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

Investigation on 09/23/2008 at Chicago, Illinois

File # 282A-CG-126294-302 - 93 Date dictated

b6 -1
b7C -1
b7E -4

by SA [redacted] :mma

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency;

[redacted]

about BURGE's involvement in illegal activity, corruption, or abuse/torture of subjects.

[redacted] described BURGE as a dedicated cop who had a tendency to view things in his own way. He was extremely focused, but [redacted] would never describe him as corrupt. [redacted] never observed BURGE using or supplying illegal narcotics, to include cocaine. [redacted] BURGE. On occasion, BURGE discussed investigations with which he was involved, but never divulged specific information. [redacted] never heard of BURGE's possessing a "shock box" before it was alleged in the media. BURGE never mentioned having a "shock box," never discussed its use, and never requested that [redacted] BURGE rarely discussed work and never mentioned utilizing certain tactics to obtain confessions. b6 -5,-6 b7C -5,-6

In approximately 1982, two (2) Chicago police officers were killed. BURGE was passionate about and intensely determined to solve the investigation, but rarely discussed the matter with [redacted] heard the allegations of abuse and torture by BURGE from the media. While BURGE never mentioned abuse and/or torture, multiple cops who were friends of [redacted] discussed it with him, but [redacted] was unable to recall their names. [redacted] advised that those tactics were not uncommon in the Chicago Police Department in the 1970s. b6 -5 b7C -5

[redacted] b6 -5 b7C -5

[redacted] did not recognize the name [redacted] [redacted] did recall that [redacted] Last Name Unknown (LNU) had a [redacted] did not know of any other [redacted] b6 -5,-6 b7C -5,-6

[redacted] last spoke to BURGE and [redacted] At the time, [redacted] did not believe that BURGE or [redacted] was involved because they were not there. [redacted] believed that [redacted] b6 -5,-6 b7C -5,-6

b6 -5
b7C -5

[redacted]

[redacted] intentionally avoided knowledge of BURGE's and [redacted] business to avoid situations in which one would be asked to answer questions about the other. [redacted] used this interview as an example of why they avoided discussing their business so they would not have to answer these types of questions. [redacted] and BURGE never had a reason to discuss business matters.

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

[redacted]

b6 -5
b7C -5

FD-302 (Rev. 10-6-95)



**FEDERAL BUREAU OF INVESTIGATION**

Date of transcription 09/24/2008

[redacted] date of birth [redacted] who works at [redacted] telephone number [redacted] cellular telephone number [redacted] was interviewed at his place of employment. After being advised of the identity of the interviewing Agents and the purpose of the interview, [redacted] provided the following information. b6 -5 b7C -5

[redacted] was employed by the CHICAGO POLICE DEPARTMENT (CPD) as a civilian polygraph examiner. The polygraph unit was part of the Crime Laboratory, which included all CPD evidence units. [redacted] b6 -4,-5 b7C -4,-5

[redacted] scheduled shift was Monday through Friday, 8:00 a.m. to 4:00 p.m. The polygraph unit worked out of the CPD offices at 11th and State Street. Usually, detectives would call and book appointments for examinations. [redacted] estimated that 90% of the subjects tested were not under arrest. These subjects would sit in the waiting room while [redacted] interviewed the detectives to get the facts of the case. Next, [redacted] would bring the subject into the interview room. The subject was given his or her Miranda warnings, in writing, and signed a release form. If either of these documents were not signed, [redacted] would not conduct the exam. In addition, [redacted] completed a physical data sheet to indicate the physical condition of the subject. This form was not in use when [redacted] but was adopted as standard practice sometime in the mid to late 1970's. b6 -5 b7C -5

Before the exam began, [redacted] asked the subject if they needed to go to the bathroom. Then, he hooked them up to the polygraph machine. Before turning the machine on, [redacted] conducted a subject interview to get the subject's version of the story. He reviewed the examination questions with the subject. He made sure the subject was suitable for the examination. If the subject indicated, for example, that he or she had been "slapped" or had not slept in 24 hours, [redacted] would not conduct the exam. b6 -5 b7C -5

27DVWW01.302.wpd

Investigation on 9/23/2008 at [redacted] b6 -1,-5 b7C -1,-5

File # 282A-CG-126294-302 -94 Date dictated 9/24/2008

by SA [redacted] kk

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[redacted] b6 -5 b7C -5

[redacted] The detectives would not have brought such a subject to [redacted] however, because [redacted]

[redacted] conducted many polygraph examinations during the [redacted] but does not recall testing any specific individuals. The detectives were testing "anybody and everybody" at the time. [redacted] does not remember any of the examiners refusing to polygraph any subject in the [redacted] Some of the subjects refused to be polygraphed. b6 -5 b7C -5

[redacted] knew JON BURGE because he was an Area Commander. He occasionally saw BURGE walking through the halls at 11th and State. The two did not have any type of social relationship. BURGE did not talk to [redacted] b6 -5 b7C -5

[redacted] heard about the allegations against BURGE in the newspaper. He described BURGE as "old school" and stated that things which were acceptable back in those days are not acceptable now.

[redacted] provided Agents with a copy of the standard physical data sheet used to evaluate the physical condition of polygraph subjects. The data sheet will be kept in the attached 1A envelope. b6 -5 b7C -5

282A-CG-126294-302 -95
KKK:kkk

1

The following investigation was conducted by Special Agent [redacted] in Chicago, Illinois. b6 -1 b7C -1

A search of public source databases has determined that the following former Chicago Police Department Police Officers are deceased:

JAMES KENNEY
ROBERT KRUEGER
LAWRENCE COPELAND
JAMES CLOONAN
CLARENCE DOMANSKI
JOHN SULLIVAN
DALE RIORDAN
CHARLES TRIBBLE

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 08/15/2008

[redacted] date of birth [redacted] Social Security Account Number [redacted] residing at [redacted] was interviewed. [redacted] was interviewed pursuant to a proffer letter arranged through his attorney [redacted] Present during the interview were the following: b6 -5,-6 b7C -5,-6 b7D -4

FBI Special Agent [redacted]
Department of Justice Attorney [redacted]
Assistant United States Attorney [redacted]
Attorney [redacted]

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

After being advised of the identity of the interviewing Agent and the nature of the interview, [redacted] provided the following information:

b6 -5
b7C -5
b7D -4

[redacted]

[redacted]

b3 -1
b6 -2,-5,-7
b7C -2,-5,-7
b7D -4

Investigation on 08/06/2008 at Chicago, Illinois

File # 282A-CG-126294-302 - 96 Date dictated

by SA [redacted] b6 -1 b7C -1

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[redacted]

[redacted] testified to in the Grand Jury that [redacted] He believed [redacted]

b3 -1
b6 -2,-5
b7C -2,-5
b7D -4

[redacted]

[redacted]

b6 -5
b7C -5
b7D -4



[redacted]

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 10/01/2008

[redacted] date of birth [redacted], who resides at [redacted] telephone number [redacted] was interviewed telephonically. After being advised of the identity of the interviewing Agent and the purpose of the interview, [redacted] provided the following information. b6 -5 b7C -5

[redacted] started working as [redacted] for the CHICAGO POLICE DEAPRTMENT (CPD) in [redacted] b6 -5 b7C -5

[redacted] knew JON BURGE, but BURGE worked in Homicide, and Burglary and Homicide did not interact much at Area 2. From what [redacted] knew of BURGE, he considered BURGE a good cop. [redacted] recalled BURGE's group having a very high success rate in solving their cases. BURGE and [redacted] did not cross paths very often. Burglary and Homicide detectives rarely socialized together. b6 -5 b7C -5

[redacted] never heard any screams or strange noises coming from the interview rooms. He never saw any subjects which looked beaten. Nobody ever complained to [redacted] about their treatment at Area 2. [redacted] and Homicide was in the middle of the building, so he was not in a position to see much of what happened on a daily basis. He was busy [redacted] and did not pay much attention to what went on in Homicide. b6 -5 b7C -5

27HQMD2.302.wpd

Investigation on 10/1/2008 at Chicago, Illinois (telephonically)

File # 282A-CG-126294-302 - 97 b6 -1 b7C -1 Date dictated 10/1/2008

by SA [redacted]

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**FEDERAL BUREAU OF INVESTIGATION**

Date of transcription 10/03/2008

On September 30, 2008, [redacted] date of birth (DOB) [redacted] telephonically contacted the author agent from telephone number [redacted] in response to a voicemail message. After being advised of the identity of the agent, as well as the nature of the interview, [redacted] stated that he had no comment regarding JON BURGE. [redacted] address was confirmed and he was told of a subpoena, [redacted] a Grand Jury on [redacted] The subpoena was later mailed to [redacted] via Federal Express.

b3 -1
b6 -5
b7C -5

On October 2, 2008, [redacted] DOB [redacted] was telephonically contacted by the author agent at cellular telephone number [redacted] After being advised of the identity of the agent, as well as the nature of the interview, [redacted] provided the following information:

b6 -5
b7C -5

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

[redacted] is presently working in [redacted] and is away from her home in Chicago. [redacted] worked for the Chicago Police Department from [redacted] only contact with BURGE was [redacted] of the Chicago Police Department. [redacted] met BURGE, who was then the Commander of [redacted] BURGE [redacted]

[redacted] stated that because [redacted] she was not privileged to information. Because of this, [redacted] stated that she had no knowledge of abuse carried out by BURGE or his co-workers.

b6 -5
b7C -5

Investigation on 10/02/2008 at Chicago, Illinois (telephonic)

File # 282A-CG-126294-302 -98 Date dictated

by SA [redacted] er

b6 -1
b7C -1
b7E -4

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FD-302 (Rev. 10-6-95)



**FEDERAL BUREAU OF INVESTIGATION**

Date of transcription 10/08/2008

[redacted] telephone number [redacted] who is employed at [redacted] was interviewed telephonically. After being advised of the identity of the interviewing Agent and the purpose of the interview, [redacted] provided the following information. b6 -5 b7C -5

[redacted] has worked in the financial industry for [redacted] she worked at [redacted] location and provided notary services as part of her job duties. Notary services are unadvertised and only provided to [redacted] Customers who come into the bank and request notary service are directed to [redacted] or one of the other 3 notaries. The branch provides notary service to an estimated 5 to 7 customers per day. b6 -5 b7C -5

[redacted] would never notarize a document without the signing individual present. Her standard practice is to require the individual to present valid identification prior to signing the document. [redacted] reviews the identification and writes on the document "personally known" or "presented identification." [redacted] writes the type of identification and the ID number on the document. [redacted] does not provide notary services outside of her employment at the bank and keeps her notary stamp in her desk. If she notarized a document, it was done at the bank. [redacted] described herself as a "picky" notary who sometimes upsets customers when she requires them to provide the proper identifying documents. b6 -5 b7C -5

[redacted] does not know the name JON BURGE and does not recall notarizing a document for BURGE in November, 2003. b6 -5 b7C -5

282KK01.302

Investigation on 10/8/2008 at Chicago, Illinois (telephonically)

File # 282A-CG-126294-302 -99 b6 -1 b7C -1 Date dictated 10/8/2008

by SA [redacted]

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.

FD-302 (Rev. 10-6-95)



**FEDERAL BUREAU OF INVESTIGATION**

Date of transcription 10/09/2008

On [redacted] at approximately [redacted] [redacted] (previously identified) was served via his personal email address [redacted] a subpoena to testify before Grand Jury in the northern district of Illinois. The subpoena commanded [redacted] at the Dirksen Federal Building, 219 South Dearborn Street, Chicago, Illinois 60604, Courtroom 1625, on [redacted] A copy of the executed subpoena is attached hereto and made a part hereof. b3 -1 b6 -5 b7C -5

(1)

MMA

Investigation on 10/08/2008 at Chicago, Illinois b6 -1 b7C -1

File # 282A-CG-126294-302 -1DD Date dictated b7E -4

by SA [redacted] mma

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency;

[redacted]

AO110 (Rev. 12/89) Subpoena to Testify Before Grand Jury

# UNITED STATES DISTRICT COURT

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

NORTHERN DISTRICT OF ILLINOIS

TO:

**SUBPOENA TO TESTIFY BEFORE GRAND JURY**

SUBPOENA FOR:

YOU ARE HEREBY COMMANDED to appear and testify before the Grand Jury of the United States District Court at the place, date, and time specified below.

| PLACE | COURTROOM |
|---|---|
| **Dirksen Federal Building**<br>**219 South Dearborn Street**<br>**Chicago, Illinois 60604**<br>**SPECIAL** | **1625**<br>DATE AND TIME |

b3 -1

YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):*

*Please see additional information on reverse.*

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

| CLERK | DATE |
|---|---|
| MICHAEL W. DOBBINS<br>(By) Deputy Clerk | b3 -1<br>b6 -3<br>b7C -3 |
| This subpoena is issued on application of the United States of America | NAME, ADDRESS AND PHONE NUMBER OF ASSISTANT U.S. ATTORNEY<br>**Assistant U.S. Attorney**<br>**219 South Dearborn, 3rd Floor**<br>**Chicago, Illinois 60604** |

* If not applicable, enter "none".

AO110 (Rev. 12/89) Subpoena to Testify Before Grand Jury

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

RETURN OF SERVICE (1)

| | | |
|---|---|---|
| RECEIVED BY SERVER | DATE | PLACE |
| SERVED | DATE | |

SERVED ON (PRINT NAME)

SERVED BY (PRINT NAME) | TITLE: Special Agent

STATEMENT OF SERVICE FEES

| TRAVEL | SERVICES | TOTAL |
|---|---|---|
| | | |

DECLARATION OF SERVER (2)

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

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

Executed on DATE

SIGNATURE OF SERVER

2111 W. Roosevelt Road

ADDRESS OF SERVER

Chicago, Illinois 60608

ADDITIONAL INFORMATION

- Served via email address at recipient's request.

MICHAEL W. DOBBINS

(1) As to who may serve a subpoena and the manner of its service see Rule 17(d), Federal Rules of Criminal Procedure, or Rule 45(c), Federal Rules of Civil Procedure.

(2) "Fees and mileage need not be tendered to the witness upon service of a subpoena issued on behalf of the United States or an officer or agency thereof (Rule 45(c), Federal Rules of Civil Procedure; Rule 17(d), Federal Rules of Criminal Procedure) or on behalf of certain indigent parties and criminal defendants who are unable to pay such costs (28 USC 1825, Rule 17(b) Federal Rules of Criminal Procedure)".

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 08/15/2008

b6 -5
b7C -5

[redacted], date of birth [redacted] telephone number [redacted] residing at [redacted] was interviewed. After being advised of the identity of the interviewing Agent and the nature of the interview, [redacted] provided the following information:

[redacted] was a [redacted] (known to the writer as [redacted] located in [redacted] from time to time while they were dating. [redacted]

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

M

[redacted] recalled meeting BURGE one time, but he could not recall any details of the conversation with BURGE. [redacted] recalled, on one occasion, that [redacted] could not remember anything specific about this event other than [redacted]

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

N
440

[redacted] learned of the abuse allegations against BURGE through the media after he moved to St. Louis, Missouri. [redacted] never told him about the alleged abuse and only told [redacted] that BURGE was a police officer for the Chicago Police Department.

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

[redacted] did not know [redacted] did not recall ever going to [redacted] but he said the name [redacted] sounded familiar to him. [redacted] remembered [redacted] being employed by a [redacted]

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

Investigation on 07/24/2008 at Chicago, Illinois (telephonic)

File # 282A-CG-126294-302 -101 Date dictated [redacted]

b6 -1
b7C -1

by SA [redacted]

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282A-CG-126294-302 -102
JAO:jao

1

b6 -5
b7C -5

On August 21, 2008, [redacted] date of birth [redacted] Social Security Account Number [redacted] telephone number [redacted] was interviewed.

[redacted] knew the names JON BURGE and [redacted] (known to the writer as [redacted] b6 -5,-6 b7C -5,-6 never socialized with either BURGE or [redacted] and did not ever recall meeting them. [redacted] thought [redacted] was named [redacted] could not provide any further information.

282a-cg-126294-302-102

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 08/27/2008

b6 -5
b7C -5

[redacted], a.k.a [redacted] a.k.a [redacted] date of birth [redacted] telephone number [redacted] residing at [redacted] was interviewed. After being advised of the identity of the interviewing Agent and the nature of the interview, [redacted] provided the following information:

[redacted] former Chicago Police Department (CPD) Officer BERT NEWHALL (deceased). [redacted] telephone number [redacted]

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

M [redacted] said JON BURGE and [redacted] were friends. [redacted] helped BURGE out by allowing him [redacted]. During that time, BURGE and [redacted] built stock cars and worked on other vehicles together. While [redacted] BURGE eventually became employed as a police officer for the CPD.

BURGE never confided in [redacted] never heard BURGE tell anyone about abusing or torturing anyone while employed as a police officer. [redacted] never heard of the abuse allegations against BURGE until they were reported by the media. [redacted] was not familiar with the name [redacted] The last time she spoke to BURGE was when she was approximately 19 years old.

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

(1)

Investigation on 08/21/2008 at Chicago, Illinois (telephonic)

File # 282A-CG-126294-302 -103 Date dictated

by SA [redacted]

b6 -1
b7C -1

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 08/27/2008 b6 -5 b7C -5

[redacted] a.k.a [redacted] telephone number [redacted] was interviewed. After being advised of the identity of the interviewing Agent and the nature of the interview, [redacted] provided the following information:

b6 -5
b7C -5

[redacted]

[redacted] BURGE b6 -5 b7C -5 prior to BURGE joining the CPD. BURGE was mechanically inclined and frequently worked with [redacted] believed BURGE joined the CPD while [redacted]

b6 -5
b7C -5

[redacted] knew BURGE to be a nice guy that loved to drink. BURGE would act very boastful when drinking at the bars. Most police officers acted similar to BURGE when they drank. [redacted] did not know BURGE to use drugs. Although [redacted]

[redacted]

b6 -5
b7C -5

[redacted] was aware of the allegations against BURGE through the media, but stated [redacted] never saw a black box, shock box, or any other torture devise. [redacted]

b6 -5
b7C -5

Investigation on 08/21/2008 at Chicago, Illinois (telephonic)

File # 282A-CG-126294-302 -104 b6 -1 b7C -1 Date dictated

by SA [redacted]

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.

[redacted] BURGE'S activities as police officers.

BURGE had a boat in Burnham Harbor. BURGE ran a fishing charter with WALLY LORDEN. LORDEN was employed as a bailiff (employer unknown), but is now deceased.

The last time [redacted] spoke with BURGE was shortly after [redacted] was not familiar with the name [redacted]

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

FD-302 (Rev. 10-6-95)



FEDERAL BUREAU OF INVESTIGATION

Date of transcription 08/27/2008

b6 -5
b7C -5

[redacted] date of birth [redacted] Social Security Account Number [redacted] residing at [redacted] telephone number [redacted] was interviewed. After being advised of the identity of the interviewing Agent and the nature of the interview, [redacted] provided the following information:

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

[redacted]

(1)

[redacted] never overheard [redacted] b6 -5,-6
[redacted] did not recognize the name (JON BURGE) [redacted] believed that [redacted] b7C -5,-6
[redacted] never overheard [redacted] talking about BURGE beating or torturing anyone. [redacted] did not recognize the names [redacted] or [redacted]

Other co-workers of [redacted] telephone number [redacted] cellular telephone number [redacted] employed by [redacted] and [redacted] telephone number [redacted] is the [redacted]

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

Investigation on 08/21/2008 at Chicago, Illinois (telephonic)

File # 282A-CG-126294-302 -105 Date dictated

by SA [redacted]

b6 -1
b7C -1

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 09/30/2008

[redacted] date of birth [redacted] b6 -5 b7C -5 [redacted] Social Security Account Number [redacted] telephone number [redacted] was interviewed. After being advised of the identity of the interviewing Agent and the nature of the interview, [redacted] provided the following information:

[redacted] located at [redacted] also named [redacted] the building prior to [redacted] b6 -5 b7C -5

M [redacted] recognized the name JON BURGE as a [redacted] stated [redacted] but he is senile and rarely knows his own name. [redacted] would not remember anything about BURGE. b6 -5 b7C -5

[redacted] had a casual relationship with BURGE. He never socialized with BURGE, but recalled seeing him out at a restaurant on one occasion. [redacted] was aware of the torture and abuse allegations against BURGE through the media. BURGE never told [redacted] about abusing or torturing anyone while he was employed as a police officer at the Chicago Police Department. [redacted] knew BURGE had a boat, but he never went on BURGE'S boat and he did not know the name of the boat. b6 -5 b7C -5

The bar located near 11128 S. Western Avenue was now called SHEEHAN'S. It was formerly known as MCNALLY'S. [redacted] could not recall any of the employee's names who were employed at MCNALLY'S. b6 -5,-6 b7C -5,-6

[redacted] never met or socialized with BURGE. The last time [redacted] saw BURGE was over 15 years ago.

Investigation on 09/30/2008 at Chicago, Illinois (telephonic)

File # 282A-CG-126294-302 -106 Date dictated [redacted] b6 -1 b7C -1

by SA [redacted]

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FD-302 (Rev. 10-6-95)



**FEDERAL BUREAU OF INVESTIGATION**

Date of transcription 10/01/2008

[redacted] date of birth [redacted] Social Security Account Number [redacted] residing at [redacted] was interviewed. Present during the interview were the following:

b6 -1,-3,-5,-6
b7C -1,-3,-5,-6

FBI Special Agent [redacted]
Assistant United States Attorney [redacted]
Attorney [redacted] attorney for [redacted]

After being advised of the identities of everyone present and the nature of the interview, [redacted] provided the following information:

b6 -5
b7C -5

[redacted] reviewed his prior statements which were documented in transcripts from the Chicago Police Board Hearings regarding former Chicago Police Department (CPD) Area 2 Detective JON BURGE and others CPD detectives prior to being interviewed. During the hearings, [redacted] was [redacted] for BURGE, PATRICK O'HARA, and FNU YUCAITIS.

b6 -5 -3
b7C -5

[redacted] met BURGE when he was a detective at Area 2 in [redacted] BURGE was a detective in the robbery division while [redacted] was assigned as a detective in homicide division. [redacted] remembered BURGE being promoted to Temporary Sergeant, [redacted] Sometime later, [redacted]

While at Area 2, [redacted] He did not socialize much with his co-workers outside of the department because [redacted]

b6 -5
b7C -5

Investigation on 09/19/2008 at [redacted]

File # 282A-CG-126294-302 -167 Date dictated b6 -1,-5 b7C -1,-5

by SA [redacted]

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.

In 1982, [redacted] became aware that two CPD officers were murdered in Area 2. He went to Area 2 to see if he could help with the investigation. [redacted] believed that if he was in the area and available to assist with the investigation, he might get assigned to prosecute the case. [redacted] was never assigned to assist with the prosecution of the case. On the morning of the ANDREW WILSON arrest, [redacted] view. [redacted] did not recall how far away he was from the arrest of WILSON, but he believed he answered that question during the Chicago Police Board Hearings. [redacted] said he would have to review that part of the transcript to refresh his memory. [redacted] believed he saw WILSON being placed in a police car and he did not notice anything unusual about WILSON. [redacted] with WILSON or BURGE. [redacted] did not know how BURGE got back to Area 2. b6 -5 b7C -5

[redacted] Several people were in and out of Area 2 during that day, but [redacted] could not recall who was coming or going from Area 2. [redacted] described the general atmosphere of the second floor as being noisy. However, if there had been any screaming coming from an interview room, [redacted] believed he would have heard it. He did not hear any screaming while he was on the second floor of Area 2. b6 -5 b7C -5

[redacted] recalled seeing WILSON when he was taken from Area 2 to a line-up at another station. WILSON was escorted down the back stairs passing approximately 16 to 20 feet away from [redacted] [redacted] believed he saw the left side of WILSON'S face as he passed. He noticed an insignificant mark on WILSON'S face, but he did not notice any major injuries. [redacted] was shown a copy of the line-up photograph in which WILSON appeared. [redacted] said that WILSON appeared injured in the photograph. He did not recall WILSON looking like that when WILSON left Area 2. [redacted] believed his prior testimony was accurate to the best of his recollection and that he did not minimize WILSON'S injuries. WILSON'S injuries could have been worse than he recalled, but he may not have been in a position to see all of the injuries to WILSON. [redacted] did not get a good look at WILSON'S face because he saw WILSON in passing as he was being ushered out the back door. [redacted] did not recall b6 -5 b7C -5

exactly when he [redacted] left Area 2, but believed it was sometime after WILSON left for the line-up.

[redacted] was shown photographs depicting all the injures suffered by WILSON. [redacted] said he had never seen any of these photographs with the exception of one photograph which he believed was shown on television. [redacted] did not recall seeing any of the injuries depicted in the photographs when he saw WILSON. b6 -5 b7C -5

[redacted] never saw any abuse at anytime he was at Area 2, including when he was a detective at Area 2. No police officer or detective ever told him about anyone abusing subjects or witnesses. [redacted] never recalled seeing beatings, coercions, or forced confessions anytime at Area 2. [redacted] heard through the media about the electric devices allegedly being used by BURGE to coerce confessions. He had no direct knowledge of any abuse occurring at Area 2. b6 -5 b7C -5

BURGE was a hardworking detective who was "married" to the CPD. [redacted] never talked with BURGE about how he or others under his command obtained confessions. [redacted] did not know who BURGE was connected to politically, but believed BURGE had internal clout at CPD. The last time [redacted] spoke to BURGE was at the Chicago Police Board Hearings. He last heard from BURGE when BURGE signed an on-line guest book set up when [redacted] BURGE left a condolence message, but never spoke directly to [redacted] sees [redacted] and [redacted] on occasion at the jail at 26th and California Street in Chicago, Illinois. b6 -4,-5,-7 b7C -4,-5,-7

[redacted] acknowledged knowing former Chicago Police Detective [redacted] only when asked about her. [redacted] said [redacted] never heard [redacted] talk about BURGE or any abuse or torture occurring at Area 2. b6 -4,-5 b7C -4,-5

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 09/30/2008

b6 -5
b7C -5

[redacted], date of birth [redacted] [redacted] telephone number [redacted] was interviewed. After being advised of the identity of the interviewing Agent and the nature of the interview, [redacted] provided the following information:

[redacted] RICHARD HART SR. (HART SR) who was now deceased: HART SR formerly owned and operated HART'S SALOON. b6 -5,-6
HART SR is survived by [redacted], DOB [redacted] b7C -5,-6
[redacted] SSAN [redacted] residing at [redacted]
[redacted] telephone number [redacted]
[redacted]

b6 -5
b7C -5

M JON BURGE and HART SR were friends. [redacted] did not know how BURGE and HART SR met. [redacted] met BURGE on several occasions and knew he was a police officer for the Chicago Police Department. BURGE never talked about abuse and/or torture in front of [redacted] HART SR never told [redacted] anything about BURGE abusing anyone. [redacted] was aware of the allegations against BURGE through the media. [redacted] believed the allegations against BURGE were "bull shit" and should have been investigated 20 years ago.

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

[redacted] did not know any of BURGE'S associates or girlfriends. [redacted] believed BURGE owned a 40 foot boat in the 1980s that may have been docked at Burnham Harbor. [redacted] never went on BURGE'S boat and did not know what BURGE named it. [redacted] recognized the name [redacted] and said [redacted] was known as [redacted] used to [redacted] believed [redacted]

Investigation on 09/30/2008 at Chicago, Illinois (telephonic)

File # 282A-CG-126294-302 - 108 b6 -1 b7C -1 Date dictated

by SA [redacted]

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282A-CG-126294-302 -109
MMA:mma

1

On Monday, October 6, 2008, [redacted] telephone number [redacted] provided [redacted] received by [redacted] from [redacted] on November 21, 2003, to Federal Bureau of Investigation Special Agent [redacted] The [redacted] received was released to the United States Attorneys Office. A copy of [redacted] is attached hereto and made a part hereof.

b5 -1
b6 -1,-6
b7C -1,-6

282a-cg-126294-302-109

b7E -4

19-cv-4048(FBI)-3706

282A-CG-126294-302 -110
MMA:mma

On Wednesday, October 8, 2008, at approximately 9:52am, [redacted] CHICAGO PARK DISTRICT, 541 N. Fairbanks Court, Chicago, Illinois 60611, telephone number [redacted] telephonically advised that a diligent search of CHICAGO PARK DISTRICT's harbor system's electronic database for WILLIAM DILLARD yielded negative results. b6 -5 b7C -5

(1)
MMA

282a-cg-126294-302-110

b7E -4

[redacted]

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 10/10/2 b6 -3,-5,-6 b7C -3,-5,-6

[redacted] date of birth [redacted] social security account number [redacted] who resides at [redacted] telephone number [redacted] was interviewed at the UNITED STATES ATTORNEY'S OFFICE. Also present for the interview were DEPARTMENT OF JUSTICE CIVIL RIGHTS DIVISION Attorney [redacted] and [redacted] attorney [redacted]. After being advised of the identity of the interviewing Agent and the purpose of the interview, [redacted] provided the following information.

[redacted] worked at the CHICAGO POLICE DEPARTMENT from [redacted] He worked out of Area 2, Violent Crimes, from approximately [redacted] He worked mostly [redacted] JON BURGE was in charge of Violent Crimes for part of the time [redacted] worked there. b6 -5 b7C -5

[redacted] has no knowledge of any abuse or torture taking place at Area 2 while he worked there. He did not recall the nam[redacted] or any allegations of abuse made by [redacted] does not recall any conversations with any other officers regarding any abuse or torture at Area 2. b6 -2,-5 b7C -2,-5

[redacted] did not socialize with BURGE outside of work. He attended a fundraiser for BURGE, JOHN YUCAITIS and PATRICK O'HARA in the early 1990's, but did not speak to BURGE about the allegations or the situation. That fundraiser is the last time he can remember speaking to BURGE. b6 -5 b7C -5

282/VW11.01.302.0020

Investigation on 10/9/2008 at Chicago, Illinois

File # 282A-CG-126294-302 -111 b6 -1 b7C -1 Date dictated 10/10/2008

by SA [redacted]

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 10/27/2008

[redacted] date of birth [redacted] who resides at [redacted] telephone number [redacted] was telephonically contacted by SA [redacted] at approximately 8:45 A.M. [redacted] b6 -1,-5 b7C -1,-5

Prior to speaking with SA [redacted] had been contacted by BURGE and [redacted] At approximately 9:00 A.M., Agents arrived at the residence. [redacted] asked Agents to enter the premises. After being advised of the identity of the interviewing Agents and the purpose of the interview, [redacted] provided the following information. b6 -5 b7C -5

[redacted] has known JON BURGE since 1982. [redacted] retired from the CHICAGO POLICE DEPARTMENT (CPD) in [redacted] from approximately [redacted] BURGE worked in his unit for about one year, around 1987. b6 -5 b7C -5

[redacted] believes BURGE is being "bamboozled." He has never seen a situation with so much political involvement.

[redacted]

At approximately 9:15 A.M., [redacted] answered a telephone call [redacted] told the caller BURGE was unavailable and he had no information for him. After terminating the call, [redacted] informed Agents the caller was a reporter for FOX 13, the local FOX affiliate. b6 -5 b7C -5

301-WFKK01-302.wpd

Investigation on 10/21/2008 at [redacted] b6 -1,-5 b7C -1,-5

File # 282A-CG-126294-302 - 112 Date dictated 10/27/2008

by SA [redacted] kkk

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 10/28/2008

On October 21, 2008, subsequent to the arrest of JON BURGE at his residence of 751 Flamingo Drive, Apollo Beach, Florida, Special Agents [redacted] and [redacted] of the Chicago Division of the Federal Bureau of Investigation and [redacted] and [redacted] of the Tampa Division, canvassed the neighborhood to conduct interviews. The following is the results of the canvassing: b6 -1 b7C -1

There was no response at [redacted] b6 -6 b7C -6

Residents at [redacted] stated that they did not know BURGE well enough to comment on who he knew or places he frequented.

[redacted] residing at [redacted] stated that she had never spoken with BURGE, but that reporters had been around his home a couple of years ago. b6 -5 b7C -5

[redacted] residing at [redacted] telephone number [redacted] stated that he was unwilling to speak to agents about BURGE because he was a friend of BURGE's. b6 -5 b7C -5

Investigation on 10/21/2008 at Apollo Beach, Florida

File # 282A-CG-126294-302 - 113 Date dictated

by SA [redacted] SA [redacted] b6 -1 b7C -1 b7E -4

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 10/29/2008

[redacted] date of birth [redacted] who resides at [redacted] telephone number [redacted] was interviewed telephonically. After being advised of the identity of the interviewing Agent and the purpose of the interview, [redacted] provided the following information. b6 -5 b7C -5

[redacted] worked for CHICAGO POLICE DEPARTMENT (CPD) as a [redacted] he was working as a detective in the [redacted] Instead, their investigations looked into whether there was evidence to take [redacted] cases to court or if the issue could be handled through the community. [redacted] b6 -5 b7C -5

[redacted] He does not recall the names of any of the boys in his troop over the years. He remembers there were some boys who were not official members of the troop but would "hang on" to the group and go on some of the camping trips.

A couple years ago, a reporter from the Chicago Sun-Times newspaper called [redacted] The reporter wanted to discuss [redacted] who claimed to be [redacted] believes the reporter had a very specific agenda and misrepresented [redacted] statements. In particular, [redacted] does not have any memory of [redacted] and does not recall the two being [redacted] He does not remember those boys visiting him at Area 3 at any time. He does not recall any troop members visiting him at work. b6 -5,-6 b7C -5,-6

[redacted] does not recall seeing JON BURGE at Area 3. He does not recall seeing any abuse or torture occur at Area 3. b6 -5 b7C -5

303KK402, 302. wpd

Investigation on 10/29/2008 at Chicago, Illinois (telephonically)

File # 282A-CG-126294-302 -114 b6 -1 b7C -1 Date dictated 10/29/2008

by SA [redacted]

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 09/17/2008

[redacted] date of birth [redacted] Social Security Account Number [redacted] was interviewed. Present during the interview were the following individuals: b6 -1,-3,-5,-6 b7C -1,-3,-5,-6

Special Agent [redacted]
Assistant United States Attorney [redacted]
Assistant United States Attorney [redacted]
[redacted] Attorney [redacted]

After being advised of the identities of those present and the nature of the interview, [redacted] provided the following information: b6 -5 b7C -5

[redacted] graduated from [redacted] and worked as [redacted] She became a Cook County Assistant State's Attorney (ASA) in [redacted] worked in a variety of different areas during her career as an ASA to include [redacted] She is currently employed as the [redacted] 1-3 240

As an ASA, [redacted] would usually get called out to an investigation by her pager. She would get called to review cases, interview witnesses, and to take subject's statements. In [redacted] she began to work in the [redacted] While with [redacted] she would get called to a police station to take a subject's statement. Prior to taking a statement, she would always consult with her supervisor or trial assistant. The statement was usually taken with a detective present. When [redacted] walked into an interview room, she would ask the detective or officer present to remove the handcuffs from the subject. She would introduce herself and give the subject their Miranda warnings. She would sometimes offer the subject a cigarette since she also smoked at that time. [redacted] did not know if providing a subject with a Miranda warning was policy at the ASA's office, but it was something she always had done. [redacted] would then interview the subject to determine what the subject was going to tell her. [redacted] usually would not take notes b6 -5 b7C -5

Investigation on 09/09/2008 at Chicago, Illinois

File # 282A-CG-126294-302 -115 Date dictated [redacted] b6 -1 b7C -1

by SA [redacted]

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during this type of interview. If the statement that the subject provided implicated him or her, she would ask that the statement be recorded. Sometimes it would take hours for the court reporter to arrive at the station to record the statement. Prior to a statement being recorded, she always obtained the approval of her supervisor to record the statement. While waiting for the court reporter to arrive, she would either review the case or work on other things she brought with her. [redacted] would occasionally check on the subject until the court reporter arrived. If during an interview the subject asked for an attorney, [redacted] would immediately end the interview to honor the subject's request. If the subject denied involvement in the crime being alleged, she may or may not question a subject further. As long as the subject did not invoke his or her 5th amendment right or ask for an attorney, she assumed the detectives would further interrogate the subject in attempt to gain a confession. [redacted] said each person was treated differently depending on the situation. b6 -5 b7C -5 b6 -2,-5 b7C -2,-5

[redacted] recalled the name [redacted] as a subject of a murder investigation she participated in while working in the [redacted] reviewed the felony review memo she had written regarding the [redacted] investigation to refresh her memory concerning her actions related to the investigation. [redacted] stated the memo she reviewed was her work product and would be accurate to the best of her knowledge. If an event was documented in her memo, it would have happened even if she did not have an independent recollection of the event. The [redacted] investigation was [redacted] murder investigation since becoming an ASA.

[redacted]

b6 -2,-4,-5
b7C -2,-4,-5

[redacted] did not know why [redacted] decided to confess to the crime. She referred to her memo which stated [redacted] wanted to tb6 -2,-5
the truth. [redacted] did not know who spoke with [redacted] between his b7C -2,-5
first statement and his second statement. She assumed [redacted] was confronted with ballistics evidence and other evidence from the b6 -2,-5,-6
crime scene to sway him to tell the truth. b7C -2,-5,-6

[redacted] spoke with Felony Review Assistant [redacted] and Supervisor [redacted] to get approval to record [redacted] statement. According to [redacted] memo, the statement was recorded by court reporter [redacted] independent recollection was that the statement was recorded by court reporter [redacted] [redacted] worked with both [redacted] and [redacted] and believed her memo was more accurate than her recollection and that [redacted] actually recorded the statement as documented in her memo. [redacted] had a vague recollection of [redacted] being present during portions of the statement. According to [redacted] memo, she met with BURGE regarding [redacted] did not recall the conversation she had with BURGE concerning [redacted]

[redacted] noted that according to her memo she listened to a third statement from [redacted] on an unrelated matter. After the third statement, [redacted] did not recall any other interaction with [redacted] did not see any signs of abuse on b6 -2,-5
[redacted] at any time. [redacted] never told [redacted] he had been abused. b7C -2,-5
[redacted] never heard screams while sitting outside [redacted] interview room. Charges against [redacted] were initially rejected by her supervisors in order to obtain more evidence against [redacted] Charges against [redacted] were later approved after [redacted] gave a confession to the crime.

[redacted] recalled working with BURGE on another occasion related to an arson investigation. BURGE was with the CPD Bomb and Arson division at this time. She recalled taking a subject's b6 -2,-5
statement, but she could not recall any other details. b7C -2,-5

While [redacted] was an ASA, no one ever told her they were beaten or abused. She never even heard of/rumors of abuse at Area 2 until dealing with subject named [redacted] regarding an

attempted escape charge. At this time, [redacted] attorney had filed motions regarding the alleged abuse against his client on a different occasion. [redacted] never inquired further about [redacted] abuse claims because she was only dealing with him regarding the escape charge. All other claims of abuse at Area 2, she heard from the media.

[redacted] had interviewed subjects who were injured. [redacted] always questioned the subject regarding his or her injuries and documented their response. She never recalled anyone telling her they were tortured or abused in custody. [redacted] would not have taken a statement from someone who was coerced or beaten if she was aware that it had happened.

b6 -5
b7C -5

[redacted] could not believe she was being questioned regarding this matter and that she is even involved. When the abuse allegations at Area 2 first surfaced, [redacted] believed several subjects were colluding in an attempt to get their confessions suppressed. If she thought it was really going on, she would have reported it to her supervisors. [redacted] does not want to believe the allegations were true and hoped it never happened to any of her defendants.

b6 -5
b7C -5

[redacted] knew BURGE at Area 2 and Area 3. BURGE cared about his job and worked hard. He never did anything inappropriate with her present. [redacted] never heard of any rumors about BURGE until she read about them in the media.

b6 -5
b7C -5

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 10/13/2008

b6 -5
b7C -5

[redacted] A.K.A. [redacted] date of birth [redacted] Social Security Account Number [redacted] telephone number [redacted] [redacted] was interviewed. After being advised of the identities of the interviewing Agents and the nature of the interview, [redacted] provided the following information:

[redacted] has known former Chicago Police Department (CPD) Commander JON BURGE for over [redacted] BURGE and met him when [redacted] located near [redacted] currently works for [redacted] She has been employed in this position for the [redacted] obtained her current position with the city after going through the application process.

b6 -5
b7C -5

[redacted] vaguely recalled being on BURGE'S boat on one occasion. The boat was located at Burnham Harbor, but [redacted] could not recall the name of the boat. [redacted] could only recall that BILL DILLARD (now deceased) was present. [redacted] described DILLARD as a "crass" man who was always loud in the bars. [redacted] did not know DILLARD'S girlfriend or anything else about his personal life.

b6 -5
b7C -5

[redacted] did not personally know [redacted] She recalled BURGE mentioning someone named [redacted] but he did not mention her last name. She could not recall why BURGE mentioned [redacted] name.

b6 -5,-6
b7C -5,-6

After BURGE moved to Florida, [redacted] did not speak to him for approximately [redacted] Since then, [redacted] has maintained telephone contact with BURGE every couple of weeks. [redacted] has told BURGE when he was mentioned in the newspapers and asked him about the allegations against him. BURGE always told her that he could not talk about the allegations because cases were on-going against him.

b6 -5
b7C -5

[redacted] did not socialize with many police officers. She never heard of anyone talk about BURGE torturing, shocking, or abusing anyone. BURGE never spoke about abuse and never talked

b6 -5
b7C -5

Investigation on 10/10/2008 at Chicago, Illinois

File # 282A-CG-126294-302 -1110 Date dictated [redacted]

b6 -1
b7C -1

by SA [redacted] jao

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about any investigations. She heard of the abuse allegations from the media. [redacted] did not believe BURGE to be a racist and said BURGE frequently promoted blacks in the CPD.

In [redacted] BURGE frequented this location with many other CPD officers. She recalled the ANDREW WILSON investigation and said she recalled BURGE working six or seven days in a row. BURGE never talked to her about this investigation. b6 -5 b7C -5

[redacted] did not think BURGE had an alcohol problem. BURGE always ordered Vodka on ice and may have had an occasional beer. [redacted] said BURGE was funny when he was drunk. BURGE has never been married. b6 -5 b7C -5

FD-302 (Rev. 10-6-95)



**FEDERAL BUREAU OF INVESTIGATION**

Date of transcription 11/05/2008

b6 -5
b7C -5

[redacted] date of birth [redacted] Social Security Account Number [redacted] telephone number [redacted] residing at [redacted] employed at [redacted] was interviewed. After being advised of the identity of the interviewing Agent and the nature of the interview, [redacted] provided the following information:

b3 -1
b6 -4,-5
b7C -4,-5

[redacted] denied ever having any conversations with anyone concerning alleged statements [redacted] retired Chicago Police Department (CPD) Detective [redacted] made to him regarding former CPD Commander JON BURGE. [redacted] recalled [redacted] that [redacted] was subpoenaed to the Grand Jury, but nothing further was discussed. [redacted] did not know [redacted] feelings for or against BURGE. [redacted] never spoke to [redacted] about BURGE. [redacted] never questioned [redacted] regarding the allegations against BURGE. [redacted] never told [redacted] about any alleged abuse occurring at Area 2.

[redacted] heard about the allegations against BURGE through the media. [redacted] stated he would be willing to testify under oath in the Grand Jury to his statements provided in this report.

b6 -5
b7C -5

Investigation on 11/05/2008 at Chicago, Illinois (Telephonic)

File # 282A-CG-126294-302 -117 Date dictated [redacted]

b6 -1
b7C -1

by SA [redacted]

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 10/28/2008

M

On October 21, 2008, JON G. BURGE, date of birth December 20, 1947, Social Security Account Number 346-26-2679, telephone number 813-645-7501, residing at 751 Flamingo Drive, Apollo Beach, Florida 33572, was arrested at his residence without incident on an arrest warrant issued out of the Northern District of Illinois, Eastern Division. Present during the arrest were FBI Special Agents (SA) [redacted] b6 -1 b7C -1 [redacted] and [redacted] SA [redacted] SA [redacted] and SA [redacted] were from the FBI Chicago Division. SA [redacted] SA [redacted] and SA [redacted] were from the FBI Tampa Division. All times listed in the report are approximate:

At 6:30 a.m., the arrest team was briefed by SA [redacted] b6 -1 b7C -1 After the briefing, SA [redacted] and SA [redacted] were instructed to initiate surveillance of BURGE'S residence at 751 Flamingo Drive, Apollo Beach, Florida. At 6:55 a.m., surveillance was initiated. At 7:12 a.m., SA [redacted] SA [redacted] SA [redacted] and SA [redacted] arrived at BURGE's residence. Surveillance results were negative.

1-2 AO

The arrest team approached BURGE'S residence. SA [redacted] and b6 -1 SA [redacted] knocked and announced the presence of the FBI and advised b7C -1 of the arrest warrant. BURGE answered the door, complied with Agents' instructions, and was placed in handcuffs at 7:15 a.m. The residence was cleared for Agent safety at 7:17 a.m. At 7:18 a.m., BURGE was allowed to sit in a chair at his request. A copy of the arrest warrant was produced for BURGE to review. BURGE advised he could not see without his reading glasses, so the charges were read to him. At 7:20 a.m., BURGE was verbally advised of his rights. BURGE stated he was invoking his 5th amendment right, wanted to get an attorney, and did not want to discuss matter with the Agents.

At 7:25 a.m., BURGE was escorted to the bathroom which was located in his bedroom. BURGE was asked if he had any weapons in the bedroom and he said he had a loaded pistol in the night stand drawer. BURGE advised he had other weapons in the house, but no other weapons were in his bedroom. The pistol in the bedroom was located and secured. The bathroom and bedroom were cleared for weapons and BURGE was uncuffed. He used the bathroom, brushed his hair, and rinsed his mouth with mouthwash. BURGE advised Agents of the clothes he wanted to wear which were retrieved in his presence. The clothes were checked for contraband and BURGE was allowed to get dressed.

Investigation on 10/21/2008 at Apollo Beach, Florida

File # 282A-CG-126294-302 -118 Date dictated

by SA [redacted] jao 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;

At 7:30 a.m., BURGE was escorted back to the chair in the front room of his residence. BURGE was asked if he needed to take any prescription medication. He said he did need to take some medication since he had not taken it this morning. His prescription medications were retrieved and at 7:32 a.m. BURGE took Atenelol and Celebrex. Prior to BURGE sitting down in the chair, he said he was feeling a little dizzy and asked if anyone was an EMT. SA [redacted] advised he was an EMT. BURGE sat down and began to feel better. SA [redacted] took BURGE'S radial pulse which was 110 beats per minute and regular. BURGE had regular respirations at about 16 breaths per minute and his skin conditions were normal, pink, and dry. BURGE was alert and oriented to person, place, and event. BURGE said he was not in any pain, but advised he had a heart condition which caused a rapid irregular heart beat and dizziness. BURGE said his normal heart rate was around 70-80 beats per minute. BURGE was advised of his heart rate and was further advised that SA [redacted] was not a doctor and could not definitively comment on his current condition. BURGE said he felt better and refused further medical attention. BURGE was asked several times at the residence and during transport if he was feeling ok and he replied that he felt fine.

b6 -1
b7C -1

At 7:38 a.m., BURGE was provided with his reading glasses. At 7:42 a.m., BURGE was allowed to read the advice of rights waiver (FD-395) that was read to him earlier which he refused to sign. At 7:43 a.m., BURGE put on his knee brace for walking assistance since he was not allowed to bring his cane.

BURGE was asked if he wanted Agents to get him anything to drink or eat before being transported to the United States Marshals Service (USMS). BURGE denied any food, but requested some juice from his refrigerator. BURGE was provided with a glass of juice at 7:45 a.m. At 7:47 a.m., BURGE was allowed to smoke a cigarette and make a telephone call to [redacted] telephone number [redacted] [redacted] BURGE advised [redacted] he was being arrested and that he wanted [redacted]

b6 -6
b7C -6

BURGE requested an Agent to look through his wallet to find his lawyer's business card. BURGE said the wallet was located in the console of his car which was parked in the garage. SA [redacted] retrieved the wallet and proceeded to look for the business card. BURGE stated the card had [redacted] number on one side and [redacted] number on the other. [redacted] was a lawyer for the Fraternal Order of Police in Chicago and [redacted] was a local Tampa, Florida attorney. While attempting to find the business card, SA [redacted] noticed many forms of identification for BURGE. The identifications positively identified

b6 -1,-6
b7C -1,-6

the individual in custody as JON G. BURGE residing at 751 Flamingo Drive, Apollo Beach, Florida. The identifications also identified BURGE as a retired Chicago Police Officer. SA [redacted] located the lawyer's card and SA [redacted] placed the card in BURGE'S shirt pocket. SA [redacted] photographed BURGE'S identification and left the wallet and identification at his residence. SA [redacted] also photographed BURGE to show his condition at the time of arrest. b6 -1 b7C -1

At 7:50 a.m., BURGE was handcuffed in front to a belly chain. At 7:55 a.m., [redacted] was called and asked [redacted] At 8:00 a.m., BURGE was placed in a van and restrained to the seat with the seatbelt for safety. A van was utilized to allow more room for BURGE because Agents were aware of BURGE'S recent knee surgery. b6 -6 b7C -6

At 8:05 a.m., SA [redacted] and SA [redacted] began transport with a starting mileage of 15,165. After transport began, BURGE advised that "old-timers" were a lot less restricted by rules than you (referring to the FBI). BURGE later questioned Agents as to the federal bond process. Agents advised BURGE that it could be handled in many different ways, but he probably would be offered a bond which he could pay so he could be released. At 8:42 a.m., Agents and BURGE arrived to the USMS with an ending mileage of 15,190. At 8:45 a.m., BURGE was escorted to the USMS holding area. At 9:10 a.m., BURGE was taken into custody by the USMS. b6 -1 b7C -1

While at BURGE'S residence, an Agent commented favorably on how nice the house was and that it was located on a canal. BURGE said he had a 22 foot boat, but had not used it much in the last couple of years. BURGE also mentioned he had a motorcycle he purchased online, but was unable to ride it due to his recent knee issues.

No items were removed from BURGE'S residence with the exception of his prescription medications which were turned over to the USMS in case BURGE needed them during the day. Copies of photographs, were placed in a 1-A envelope and sent to the case file.

282A-CG-126294-302 -119
KKK:kkk



b6 -1
b7C -1

The following investigation was conducted by Special Agents [redacted] and [redacted] in Chicago, Illinois.

On November 13, 2008, SA's [redacted] and [redacted] accompanied by Assistant United States Attorneys (AUSA) [redacted] and [redacted] interviewed [redacted] at the United States Attorney's Office, 219 South Dearborn Street, Chicago, Illinois. [redacted] provided information consistent with his prior statements.

b6 -1,-2,-3
b7C -1,-2,-3

KK

318KKK03.ins.wpd

282a-cg-126294-302-119

19-cv-4048(FBI)-3739

FEDERAL BUREAU OF INVESTIGATION

b6 -5,-6
b7C -5,-6

Date of transcription 11/17/2008

[redacted] who resides at [redacted] telephone number [redacted] contacted the Federal Bureau of Investigation (FBI) at the request of [redacted] After being advised of the identity of the interviewing Agent and the purpose of the interview, [redacted] provided the following information.

b6 -2,-5,-7
b7C -2,-5,-7

In [redacted] was arrested at home on first degree murder charges by CHICAGO POLICE DEPARTMENT (CPD) Officers FNU [redacted] FNU [redacted] and FNU [redacted] was transported to CPD Area 1 headquarters for questioning. [redacted] was held for about [redacted] was allowed to see him. When [redacted] his face was swollen on the left side. His eyes were red and [redacted] did not show any such injuries when [redacted] saw him prior to being arrested.

b6 -2,-5,-6
b7C -2,-5,-6

[redacted] he had been handcuffed to the radiator in the interview room. The above officers had pulled his hair, punched and slapped him, and spit on him. He was not allowed to call his attorney. The officers threatened to arrest his [redacted] if he did not sign a statement. They threatened to have [redacted] reported the physical abuse to the EMT's at intake, but they did not do anything about it.

b6 -2,-5,-6
b7C -2,-5,-6

[redacted] did not file a complaint with CPD's Office of Professional Standards (OPS). [redacted] attorney told her any complaint would hurt his defense and recommended they wait until after the trial. [redacted]

[redacted] provided the name of an attorney who has more information on [redacted] case. [redacted] is an attorney at [redacted] is not [redacted] attorney but can provide information on the allegations. [redacted] also gave names of

b6 -2,-5,-6
b7C -2,-5,-6

329WW01.302.wpd

Investigation on 11/17/2008 at Chicago, Illinois (telephonically)

File # 282A-CG-126294-302 -120 b6 -1 b7C -1 Date dictated 11/17/2008

by SA [redacted]

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inmates who had similar experiences with Officers [redacted] b6 -5,-7
[redacted] and [redacted] listed below. b7C -5,-7

[redacted] inmate number [redacted]
[redacted] not incarcerated
[redacted] at [redacted] b6 -2
[redacted] inmate number [redacted] b7C -2
[redacted] inmate number [redacted]
[redacted] inmate number [redacted]
[redacted] inmate number [redacted]
[redacted] inmate number [redacted]
[redacted] inmate number [redacted]

FD-302 (Rev. 10-6-95)



**FEDERAL BUREAU OF INVESTIGATION**

Date of transcription 11/17/2008

[redacted] who resides at [redacted] telephone number [redacted] contacted the FEDERAL BUREAU OF INVESTIGATION with information regarding her [redacted] After being advised of the identity of the interviewing Agent and the purpose of the interview, [redacted] provided the following information. b6 -2,-5 b7C -2,-5

[redacted] was arrested, in [redacted] by CHICAGO POLICE DEPARTMENT (CPD) Detectives [redacted] and [redacted] and [redacted] been [redacted] led the detectives to [redacted] The detectives put [redacted] in a car and drove him to the CPD station at 35th Street. b6 -2,-5,-6,-7 b7C -2,-5,-6,-7

[redacted] did not see [redacted] When she next spoke with him, [redacted] told her that the detectives had beaten him and told him that if he did not sign a confession would be beaten again. Detectives prepared a statement and told [redacted] to sign, which he did. b6 -2,-5 b7C -2,-5

[redacted] reported the abuse and injuries to the doctor at [redacted] remembered the doctor testifying at trial that [redacted] has bruising and other injuries but that he was unable to determine if those injuries occurred while [redacted] was in police custody. [redacted] was convicted, along with his co-defendants [redacted] is currently serving his sentence at [redacted] b6 -2,-5,-6 b7C -2,-5,-6

282K-CG-126294-302.302.wpd

Investigation on 11/17/2008 at Chicago, Illinois (telephonically)

File # 282A-CG-126294-302 -121 Date dictated 11/17/2008

by SA [redacted] b6 -1 b7C -1

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 11/19/2008

[redacted] who resides at [redacted] telephone number [redacted] was interviewed telephonically. After being advised of the identity of the interviewing Agent and the purpose of the interview, [redacted] provided the following information. b6 -5 b7C -5

[redacted] was arrested in [redacted] by CHICAGO POLICE DEPARTMENT (CPD) Detectives [redacted] and [redacted] The Detectives brought [redacted] to the station at 51st and Wentworth, where he claims he was punched and beaten by [redacted] and [redacted] until he signed a confession statement. [redacted] did not see [redacted] injuries and does not know if he ever received medical treatment. [redacted] is currently incarcerated at [redacted] b6 -2,-5,-7 b7C -2,-5,-7

1 NK

324WK01302.wpd

Investigation on 11/19/2008 at Chicago, Illinois (telephonically)

File # 282A-CG-126294-302 -122 Date dictated 11/19/2008

by SA [redacted] b6 -1 b7C -1

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 11/25/2008

[redacted] who resides at [redacted] telephone number [redacted] was interviewed telephonically. After being advised of the identity of the interviewing Agent and the purpose of the interview, [redacted] provided the following information. b6 -5 b7C -5

On [redacted] was picked up by CHICAGO POLICE DEPARTMENT (CPD) officers and brought to CPD Area 4 for questioning on an arson/murder which took place in C b6 -2,-4,-5,-7 1986. According to [redacted] was abused during his b7C -2,-4,-5,-7 questioning by CPD Detective [redacted] who hit, punched, and slapped [redacted] and then forced him to sign a confession. Three other CPD officers, [redacted] and [redacted] participated in the arrest. These officers threatened [redacted] but did not hit him. [redacted] saw [redacted] after his questioning at Area 4 but remembers [redacted] keeping his head down during their conversation. She could not see any injuries to his face. She does not believe [redacted] received any medical treatment for the injuries.

b6 -2,-5,-6,-7
b7C -2,-5,-6,-7

[redacted] told [redacted] he was forced to sign a written confession which [redacted] had given to him. The Assistant State's Attorney (ASA), First Name Unknown (FNU) [redacted] he gave his statement.

[redacted] is currently serving a sentence [redacted] His two co-defendants, [redacted] and [redacted] received the same sentence and are also currently incarcerated.

b6 -2,-6
b7C -2,-6

330KKK01.302.wpd

Investigation on 11/24/2008 at Chicago, Illinois (telephonically)

File # 282A-CG-126294-302 -123 b6 -1 b7C -1 Date dictated 11/25/2008

by SA [redacted]

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FD-302 (Rev. 10-6-95)



FEDERAL BUREAU OF INVESTIGATION

Date of transcription 11/21/2008

[redacted] (previously interviewed) contacted the undersigned Agent to provide updated contact information. [redacted] can now be reached via cellular telephone number [redacted] His address remains the same. b6 -2 b7C -2

[redacted] was advised that JON BURGE was arrested at the end of [redacted] was advised that he would have to testify if the case goes to trial. [redacted] stated his willingness to testify. He will keep in regular contact with Agents prior to trial. b6 -2 b7C -2

339KKK01-302.wpd

Investigation on 11/21/2008 at Chicago, Illinois (telephonically)

File # 282A-CG-126294-302 -124 Date dictated 11/21/2008

by SA [redacted] b6 -1 b7C -1

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 12/01/2008 b6 -5 b7C -5

[redacted] telephone number [redacted] was interviewed telephonically. After being advised of the identity of the interviewing Agent and the purpose of the interview, [redacted] provided the following information.

[redacted] was abused by CHICAGO POLICE DEPARTMENT (CPD) Area 3 detectives in [redacted] b3 -2,-4 b6 -2,-5,-7 b7C -2,-5,-7

[redacted] JON BURGE, and [redacted] b3 -2 b6 -2,-5,-6 b7C -2,-5,-6

[redacted] attorney is [redacted] telephone number [redacted] requests that all communication regarding [redacted] be facilitated through [redacted] was previously represented by [redacted] b3 -2 b6 -2,-5,-6 b7C -2,-5,-6

(1)

33WVKK01 302.wpd

Investigation on 12/1/2008 at Chicago, Illinois (telephonically)

File # 282A-CG-126294-302 -125 Date dictated 12/1/2008

by SA [redacted] b6 -1 b7C -1

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FD-302 (Rev. 10-6-95)



FEDERAL BUREAU OF INVESTIGATION

Date of transcription 11/24/2008

[redacted] who resides at [redacted] telephone number [redacted] was interviewed telephonically. After being advised of the identity of the interviewing Agents and the purpose of the interview, [redacted] provided the following information. b6 -5 b7C -5

[redacted] was a CHICAGO POLICE DEPARTMENT (CPD) detective from [redacted] He was assigned to Area 1 for all of that time, but was detailed out to other assignments for a number of years. [redacted] was working out of Area 1 for most of the 1990's. When asked if he had witnessed any abuse or torture at Area 1 during his time there, [redacted] stated it has been a long time since he worked there and asked Agents to provide particular incidents in question. b6 -5 b7C -5

Agents told [redacted] to think in general terms about what he may have witnessed at Area 1. [redacted] then indicated he preferred to continue the discussion in person. He is willing to come up to Chicago and meet with Agents. b6 -5 b7C -5

329KKK02.302.wpd

Investigation on 11/20/2008 at Chicago, Illinois (telephonically)

File # 282A-CG-126294-302 -126 Date dictated 11/24/2008

by SA [redacted] kkk

b6 -1
b7C -1

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FEDERAL BUREAU OF INVESTIGATION

b6 -5
b7C -5

Date of transcription 12/05/2008

[redacted] who resides at [redacted] telephone number [redacted] was interviewed telephonically. After being advised of the identity of the interviewing Agent and the purpose of the interview, [redacted] provided the following information.

b6 -2,-5,-7
b7C -2,-5,-7

In [redacted] was picked up by CHICAGO POLICE DEPARTMENT (CPD) detectives and brought to CPD Area 2. [redacted] was subsequently transported to CPD Area 3, where he was questioned about a murder by CPD Detectives [redacted] and [redacted] According to [redacted] she did not see [redacted] again until [redacted] so did not personally see bruising or other visible injuries. [redacted] told [redacted] does not know if [redacted] received any medical treatment for injuries.

b6 -2,-6
b7C -2,-6

An unknown Assistant State's Attorney (ASA) was present during some of the abuse, but according to [redacted] that individual "looked the other way" and did nothing.

[redacted] is represented by [redacted] telephone number [redacted] is currently incarcerated at [redacted]

PLC

34DXHQ01.302.0508

Investigation on 12/4/2008 at Chicago, Illinois (telephonically)

File # 282A-CG-126294-302 - 127 Date dictated 12/5/2008

b6 -1
b7C -1

by SA [redacted] :kkk

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 12/15/2008

The following investigation was conducted by Special Agent [redacted] in Chicago, Illinois. b6 -1 b7C -1

On December 15, 2008, SA [redacted] accompanied by Assistant United States Attorney's (AUSA) [redacted] and [redacted] interviewed [redacted] at the United States Attorney's Office, 219 South Dearborn Street, Chicago, Illinois. Also present were [redacted] attorneys [redacted] and [redacted] During the interview, [redacted] provided statements consistent with his previous testimony.

b6 -1,-3,-5,-6
b7C -1,-3,-5,-6

351WMK02.302.wpd

Investigation on 12/15/2008 at Chicago, Illinois

File # 282A-CG-126294-302 -128 Date dictated 12/15/2008

by SA [redacted]

b6 -1
b7C -1

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 12/16/2008

[redacted] telephone number [redacted] was interviewed telephonically. After being advised of the identity of the interviewing Agent and the purpose of the interview, [redacted] provided the following information.

b6 -5
b7C -5
b6 -2,-4,-5,-6,-7
b7C -2,-4,-5,-6,-7

In [redacted] was arrested for murder by CHICAGO POLICE DEPARTMENT (CPD) Detectives [redacted] and First Name Unknown [redacted] was brought to the CPD station located on Wentworth Avenue for questioning. [redacted] was allowed to visit him for a short time during his time at the station. She saw bruising on his face. [redacted] did not receive any medical treatment for his injuries. [redacted] has pictures of [redacted] which show facial injuries. The pictures were taken at his lineup.

[redacted] is currently incarcerated at [redacted] Center. He is represented by [redacted] telephone number [redacted]

b6 -2,-6
b7C -2,-6

351KKKD1.302.wpd

Investigation on 12/15/2008 at Chicago, Illinois (telephonically)

File # 282A-CG-126294-302 -129 Date dictated 12/16/2008

b6 -1
b7C -1

by SA [redacted]

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**FEDERAL BUREAU OF INVESTIGATION**

Date of transcription 12/16/2008

[redacted] who resides at [redacted] telephone number [redacted] email address [redacted] was interviewed telephonically. After being advised of the identity of the interviewing Agent and the purpose of the interview, [redacted] provided the following information. b6 -5 b7C -5

In [redacted] b6 -2,-5,-6,-7 b7C -2,-5,-6,-7

later. [redacted] were arrested by CHICAGO POLICE DEPARTMENT (CPD) Detectives [redacted] and [redacted] and brought to the CPD station on 51st and Wentworth. [redacted] and [redacted] next arrested [redacted] and brought him to the station, putting him in a room next to [redacted] b6 -2,-5,-7 b7C -2,-5,-7

[redacted] and [redacted] moved from [redacted] interrogating them. [redacted] could hear [redacted] could her [redacted] yelling similar things. Both [redacted] that they had been kicked by the detectives. [redacted] were forced to sign statements confessing to the crime and were held until trial. [redacted] after their arrest. She indicated [redacted] face was still visibly swollen, while [redacted] complained of soreness resulting from the beating. It is unknown whether either [redacted] received medical treatment for any injuries.

JERRY was acquitted in a jury trial. He was killed a couple of years later by the same individuals involved in the 2001 street fight. [redacted] was convicted and sentenced to [redacted] incarceration, which he is serving at [redacted] b6 -2 b7C -2

351K-CG-126294-302.302.wpd

Investigation on 12/16/2008 at Chicago, Illinois (telephonically)

File # 282A-CG-126294-302 -13D Date dictated 12/16/2008

by SA [redacted] b6 -1 b7C -1

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FD-302 (Rev. 10-6-95)



FEDERAL BUREAU OF INVESTIGATION

Date of transcription 11/14/2008

[redacted] who resides at [redacted] telephone number [redacted] was interviewed at the office of the FEDERAL BUREAU OF INVESTIGATION (FBI), 2111 W. Roosevelt Road, Chicago, Illinois. After being advised of the identity of the interviewing Agents and the purpose of the interview, [redacted] provided the following information. b6 -5 b7C -5

In approximately [redacted] received a telephone call that [redacted] had been picked up by JON BURGE and brought to the Burnham station for questioning. [redacted] went to the station at 92nd and Cottage Grove. The desk sergeant confirmed that [redacted] not notice any bruising or cuts on [redacted] at the time. [redacted] told [redacted] that BURGE was "on his way" and he was surprised she was let into the room. b6 -2,-5,-6 b7C -2,-5,-6

BURGE came into the room, saw [redacted] and yelled at her to leave. [redacted] went to the apartment [redacted] shared with [redacted] and called attorney [redacted] b6 -2,-5 b7C -2,-5

[redacted]

When [redacted] arrived at the apartment, [redacted] went to the hospital emergency room. After [redacted] was examined, they went OPS and filed complaints against BURGE. The complaints were never followed up on by OPS. b6 -2,-5,-6 b7C -2,-5,-6

[redacted] remembered [redacted] telling her of another incident with BURGE, where BURGE and his detectives surrounded [redacted] when he was alone. BURGE told [redacted] that he had gotten b6 -2,-5 b7C -2,-5

339 VICE 01.502.1(A)(B)

Investigation on 11/14/2008 at Chicago, Illinois

File # 282A-CG-126294-302 -131 Date dictated 11/14/2008 b6 -1 b7C -1

SA [redacted]

by SA [redacted] kkk

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BURGE good. He then told [redacted] if he did not leave town, [redacted] Subsequently, [redacted] was arrested for murder. BURGE was not one of the arresting officers, but was the commanding officer. [redacted] was not abused or mistreated during his arrest.

About six months after [redacted] was incarcerated. [redacted] believes [redacted] was not involved in that murder, but he was convicted and received a sentence [redacted]

b6 -2,-5
b7C -2,-5

[redacted] believes there are other victims of BURGE and other Area 2 detectives out in the community who are afraid to come forward.

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 11/12/2008

On [redacted] retired Chicago Police Department (CPD) officer [redacted] date of birth (DOB) [redacted] was contacted at telephone number [redacted] After being advised of the identities of the interviewing Agents and the nature of the interview, [redacted] provided the following information: b3 -1 b6 -5 b7C -5

[redacted] was never involved in any abusive activities related to former CPD Commander JON BURGE. [redacted] stated that he never witnessed anything and that there was nothing he could do to assist the Federal Bureau of Investigation. [redacted] was informed that he would be subpoenaed to appear before a related Grand Jury, and a subpoena was sent to [redacted] via FEDERAL EXPRESS to his residence of [redacted] b3 -1 b6 -5 b7C -5

On November 12, 2008, retired Chicago Police Department (CPD) officer [redacted] DOB [redacted] was contacted at telephone number [redacted] A message was left on his voicemail, requesting a return telephone call to the author Agent at the author Agent's cellular telephone number. b6 -5 b7C -5

Investigation on 11/12/2008 at Chicago, Illinois (telephonically)

File # 282A-CG-126294-302 - 132 Date dictated [redacted] b6 -1 b7C -1

by SA [redacted] er

SA [redacted]

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AO110 (Rev. 12/89) Subpoena to Testify Before Grand Jury

b3 -1
b6 -3,-5
b7C -3,-5

# UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF ILLINOIS

TO:

**SUBPOENA TO TESTIFY BEFORE GRAND JURY**

SUBPOENA FOR:

YOU ARE HEREBY COMMANDED to appear and testify before the Grand Jury of the United States District Court at the place, date, and time specified below.

| PLACE | COURTROOM |
|---|---|
| **Dirksen Federal Building**<br>**219 South Dearborn Street**<br>**Chicago, Illinois 60604** | **1625** |
| | DATE AND TIME |

b3 -1

YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):*

*Please see additional information on reverse.*

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

| CLERK | DATE |
|---|---|
| MICHAEL W. DOBBINS | b3 -1<br>b6 -3<br>b7C -3 |
| (By) Deputy Clerk | |

This subpoena is issued on application of the United States of America.

NAME, ADDRESS AND PHONE NUMBER OF ASSISTANT U.S. ATTORNEY

**Assistant U.S. Attorney**
**219 South Dearborn, 3rd Floor**
**Chicago, Illinois 60604**

b3 -1
b6 -5
b7C -5

* If not applicable, enter "none".

Served on @ his residence on

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 01/9/2009

[redacted] date of birth [redacted] cellular telephone number [redacted] residing at [redacted] was interviewed. [redacted] wanted to discuss this matter with his attorney prior to speaking about it with Agents. [redacted] was served with a Federal Grand Jury subpoena from the Northern District of Illinois Eastern Division requesting [redacted]

b3 -1
b6 -5
b7C -5

Attached to this communication is a copy of the subpoena provided to [redacted]

Investigation on [redacted] at [redacted]

b3 -1
b6 -1,-5
b7C -1,-5

File # 282A-CG-126294-302 -133 Date dictated

by SA [redacted] SA [redacted] jao

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.

The following investigation was conducted by Special Agents [redacted] and [redacted] in Chicago, Illinois.

On January 22, 2009, SA's [redacted] and [redacted] accompanied by Assistant United States Attorney (AUSA) [redacted] and Department of Justice (DOJ) Attorney [redacted] interviewed [redacted] via videoconference.

b6 -1,-2,-3
b7C -1,-2,-3

[redacted] provided information consistent with his prior statements.

KKC

**FEDERAL BUREAU OF INVESTIGATION**

Date of transcription 02/02/2009

[redacted] telephone number [redacted] b6 -3,-5 b7C -3,-5 was interviewed at the United States Attorney's Office, 219 S. Dearborn, Chicago, Illinois. Also present for the interview were Assistant United States Attorney's (AUSA) [redacted] and [redacted] After being advised of the identity of all present and the purpose of the interview, [redacted] provided the following information.

[redacted] b6 -5 b7C -5

[redacted] did not recall having any awareness of what was going on with CHICAGO POLICE DEPARTMENT (CPD) Officer JON BURGE at the State's Attorney's Office in the 1970's. He did not recall hearing any rumors about BURGE during that time. The allegation that Assistant State's Attorney's ignored abuse of subjects by CPD detectives is "shocking" and "unconscionable" to him. b6 -5 b7C -5

[redacted] Both individuals accused CPD Area 2 detectives of abuse and torture and alleged they had been forced into giving false confessions. [redacted] recalled the trial and remembered being worried about [redacted] case in particular. He did not remember having suspicions of abuse by detectives, but was suspicious of the whole case. He cannot recall why he had those suspicions. [redacted] He then stated he [redacted] b6 -2,-5 b7C -2,-5

[redacted] reviewed the transcripts from [redacted] suppression hearing. He recalled the participating attorneys' names after reviewing the documents, but did not recall any other names with the exception of CPD Detective JOHN YUCAITIS. [redacted] had a previous interaction with YUCAITIS during [redacted] While representing a client, [redacted] went to the crime scene to take photographs. While there,

Investigation on 1/29/2009 at Chicago, Illinois

File # 282A-CG-126294-302 b6 -1 b7C -1 Date dictated 2/2/2009

by SA [redacted]

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he realized that YUCAITIS was being untruthful about what the lighting conditions were at the time the crime occurred. That incident gave [redacted] the impression that YUCAITIS' veracity was not good. [redacted] commented "JOHN YUCAITIS lied on every single case he testified in."

b6 -2,-5
b7C -2,-5

After reviewing [redacted] testimony from the suppression hearing, [redacted] remembered [redacted] allegations about being hit with telephone books. He stated that if the testimony given was too exaggerated, and did not match the photographs, judges tended to discount that testimony.

[redacted] did not [redacted] trial. He stated [redacted]

b6 -2,-5
b7C -2,-5

[redacted] did not recall the [redacted] case. He reviewed the trial transcripts but the documents did not assist his recollection of the bench trial. While reviewing the documents, he stated "the motion to suppress was not heard because the state decided not to use the confession. That tells you something right there."

[redacted] recalled attending [redacted]

b6 -5
b7C -5

[redacted] was never asked any questions by the Special Prosecutors during that investigation. He thought about volunteering his services to assist in the investigation, but learned that others were helping the Special Prosecutor in the investigation.

b6 -5
b7C -5

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 02/12/2009

On Thursday, February 12, 2009, at approximately 12:54pm, [redacted] date of birth [redacted] Social Security Account Number [redacted] residing at [redacted] telephone number [redacted] was interviewed at his residence. After being advised of the identities of the interviewing agents and the nature of the interview, [redacted] provided the following information: b6 -5 b7C -5

[redacted] began his employment with the CHICAGO POLICE DEPARTMENT (CPD) on [redacted] Following the reorganization of the CPD, [redacted] b6 -5 b7C -5

After finishing Detective school in approximately [redacted] In approximately [redacted] In approximately [redacted] b6 -5 b7C -5

In [redacted] after having been assigned to Area 3 for approximately [redacted] contacted [redacted] to advise of [redacted] and worked at [redacted] was told that he would be [redacted] b6 -5,-6 b7C -5,-6

[redacted] who had little experience working [redacted] b6 -5 b7C -5

Investigation on 02/12/2009 at Chicago, Illinois

File # 282A-CG-126294-302 Date dictated [redacted]

by SA [redacted] mma

b6 -1 b7C -1 b7E -4

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency;

[redacted] clarified that he was assigned to Area 2 from approximately [redacted] b6 -5 b7C -5

[redacted] first met JON BURGE either just before leaving Area 2 or while working [redacted] does not believe BURGE liked him because he did not meet BURGE's expectations. [redacted] believed that BURGE believed himself to be better than most people. [redacted] became aware of the allegations of torture and abuse in approximately 1982 when the two (2) officers were murdered. [redacted] knew/heard only what was published in the newspaper. [redacted] never witnessed abuse or torture. [redacted] was not in BURGE's group and, while he assisted with several murder investigations, [redacted] was mainly assigned more menial cases. BURGE struck [redacted] as a person [redacted] would not like, but [redacted] had no specific reason for his impression of BURGE. No one ever told [redacted] he witnessed any abuse or torture. b6 -5 b7C -5

[redacted] and two (2) other individuals were transferred to [redacted] at the same time. One (1) of the individuals is deceased and the other, [redacted] has since retired and moved out of the area. [redacted] never mentioned having witnessed abuse or torture. b6 -4,-5 b7C -4,-5

[redacted] felt that obtaining confessions through abuse and/or torture was unnecessary and that one ought to be able to make a case without resorting to those tactics.

[redacted] described [redacted] as a "big" man who worked Robbery in Area 2. [redacted] stated that [redacted] was a good person who worked for [redacted] who was also known to be very credible. [redacted] stated he would never doubt [redacted] if he claimed to have witnessed abuse and/or torture. b6 -4,-5 b7C -4,-5

282A-CG-126294-302
KKK:kkk

1

The following investigation took place on February 19, 2009, at the United States Attorney's Office, 219 S. Dearborn Street, Chicago, Illinios.

[redacted] met with Special Agent [redacted] and Assistant United States Attorney [redacted] prior to [redacted] testimony before the federal grand jury.

b3 -1
b6 -3,-5
b7C -3,-5

282A-CG-126294-302
KKK:kkk

1

b6 -5
b7C -5

The following investigation was conducted by SA [redacted] in Chicago, Illinois, on February 23, 2009.

[redacted], formerly [redacted] date of birth [redacted] telephone number [redacted] was interviewed telephonically. [redacted] was married to CHICAGO POLICE DEPARTMENT (CPD) [redacted]

b6 -5
b7C -5

KARL [redacted] She had no information about KARL writing anonymous letters about Area 2.

b6 -5
b7C -5

[redacted] described KARL as having a very bad temper. He was [redacted]

[redacted] will contact SA [redacted] if she remembers any helpful information.

b6 -1,-5
b7C -1,-5

-1bc

282A-CG-126294-302
JAO:jao

1

The following investigation was conducted by Special Agent [redacted] on February 23, 2009: b6 -1,-5,-6 b7C -1,-5,-6

SA [redacted] attempted to contact [redacted] Date of Birth (DOB) [redacted] Social Security Account Number [redacted] residing at [redacted] at telephone number [redacted] DOB [redacted] answered the call. [redacted] was advised of SA [redacted] identity and provided the following information:

[redacted] advised [redacted] and that [redacted] was unable to speak on the telephone. [redacted] said [redacted] and could not even recall [redacted] name. [redacted] stated [redacted] never spoke to her about work or any of the abuse allegations which occurred at Area 2. (1) b6 -5,-6 b7C -5,-6

DAW

-139

282A-CG-126294-302
KKK:kkk

1

The telephonic interview of [redacted] (formerly [redacted] is summarized in serial 138. In the original insert, [redacted] is mis-identified as [redacted] This insert is to correct [redacted] name and correctly identify her as [redacted] date of birth [redacted] telephone number [redacted]

b6 -5
b7C -5

-140

FD-302 (Rev. 10-6-95)



**FEDERAL BUREAU OF INVESTIGATION**

b6 -1,-3,-5,-6
b7C -1,-3,-5,-6
b7D -4

Date of transcription 02/19/2009

On February 19, 2009, [redacted] presented himself to the United States Attorney's Office for the purpose of conducting a proffer. Present for the proffer were the following individuals: [redacted] attorney for [redacted] Assistant United States Attorney (AUSA) [redacted] AUSA [redacted] and Federal Bureau of Investigation (FBI) Special Agent (SA) [redacted]

Immediately prior to the commencement of the proffer, AUSA [redacted] provided [redacted] a proffer letter and allowed [redacted] time to review that document. AUSA [redacted] further discussed the nature of a proffer and the implications thereof to [redacted] indicated he understood and was prepared to proceed with the proffer. The following is a summary of the information provided by [redacted] during the proffer.

b6 -3,-5
b7C -3,-5
b7D -4

b6 -2,-4,-5,-7
b7C -2,-4,-5,-7
b7D -4

[redacted]

Investigation on 2/19/2009 at Chicago, Illinois

File # 282A-CG-126294-302 b6 -1 b7C -1 Date dictated 2/19/2009

by SA [redacted]

-141

(1) MC

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057WC01.302.wpd

282A-CG-126294-302

b6 -2,-4,-5
b7C -2,-4,-5
b7D -4



[redacted]

[redacted]

[redacted]

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 03/05/2009

[redacted] social security account number [redacted] b6 -5
who resides at [redacted] telephone number b7C -5
[redacted] cellular telephone number [redacted] was interviewed telephonically. After being advised of the identity of the interviewing Agent and the purpose of the interview, [redacted] provided the following information.

[redacted] started working for the CHICAGO POLICE DEPARTMENT (CPD) [redacted] He worked as a janitor for [redacted] with two days off each week. There were four janitors at Area 2. Their duties included cleaning the rooms and offices, b6 -5,-6
wiping down desks and cabinets, and various other cleaning tasks b7C -5,-6
Their shift started at 6:00 am in order to get as much completed before the detectives came on duty. [redacted] could not recall the name of that janitor. He could remember the names of FNU WASHINGTON and [redacted] (phonetic). WASHINGTON is deceased. [redacted] has not thought about his time at CPD since his retirement in [redacted] so his memory of people and events is not very clear.

[redacted] did not recall seeing any abuse taking place at Area 2. He heard people holler because they did not want to be b6 -5
there, but those noises did not make him think people were being b7C -5
mistreated. [redacted] did not associate too much with the detectives, but he felt that he was always treated with respect and he treated the detectives with respect. Over the years, he probably overheard detectives making statements about how they got people to confess to crimes, but he cannot remember any specific comments or which detectives would have made them.

[redacted] never saw a black box. He believes such a device would have been kept in a cabinet or other storage place in an b6 -5
office, and the janitors did not open drawers or move any papers b7C -5
while cleaning the offices.

[redacted] did not notice if any detectives came to work drunk. It would have been hard for him to tell. The detectives "had fun" at work and played pranks on each other such as letting

Investigation on 3/5/2009 at Chicago, Illinois (telephonically) (12)

File # 282A-CG-126294-302 Date dictated 3/5/2009 b6 -1 -142
b7C -1

by SA [redacted]

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all the air out of car tires. The detectives would ask the janitors to do minor maintenance at times, like refilling the car tires, instead of having to call and wait for a maintenance person to come and fix the problem. [redacted] called it doing the detectives' "dirty work." He thought that might be a reason why the detectives were nice to the janitors.

[redacted] only knew JON BURGE in passing. BURGE seemed kind to [redacted] but he did not see BURGE too often as BURGE worked the night shift. [redacted] was surprised when he first heard the allegations on the news. b6 -5 b7C -5

282A-CG-126294-302
KKK:kkk

1

The following investigation was conducted on March 10, 2009, by SA [redacted] in Chicago, Illinois.

b5 -1,-3
b6 -1,-3
b7C -1,-3

SA [redacted] accompanied [redacted] Supervisory Legal Administrative Specialist for the United States Attorney's Office, to the Office of the Special Prosecutor, 69 W. Washington, Chicago, Illinois. [redacted]

SA [redacted] left one copy of a completed FD-597, Receipt for Property Received, with [redacted] and one copy with [redacted] An additional copy of the FD-597 will be stored in a 1A envelope.

KK

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 03/12/2009

[redacted] telephone number [redacted] who resides at [redacted] contacted writer to provide information regarding the arrest of [redacted] After being advised of the identity of the interviewing Agent, [redacted] provided the following information.

b3 -2,-4
b6 -2,-5
b7C -2,-5

[redacted] by officers of the CHICAGO POLICE DEPARTMENT (CPD). [redacted]

b3 -2,-4
b6 -2,-5
b7C -2,-5

[redacted] and did not notice any bruising or physical injuries. After [redacted] he was taken to an interrogation room, where [redacted]

According to [redacted] the CPD detectives involved in [redacted] beating are [redacted] FNU [redacted] and FNU [redacted] believes that [redacted] received medical treatment for his injuries and that the injuries were photographed. [redacted] attorney, [redacted] may have copies of the medical records and photographs. [redacted] is currently incarcerated at [redacted]

b3 -2
b6 -2,-4,-5,-7
b7C -2,-4,-5,-7

0711WKK02.302.wpd

Investigation on 3/12/2009 at Chicago, Illinois (telephonically)

File # 282A-CG-126294-302 b6 -1 b7C -1 Date dictated 3/12/2009

by SA [redacted]

-144

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FEDERAL BUREAU OF INVESTIGATION

b6 -1,-5,-6
b7C -1,-5,-6

Date of transcription 02/17/2009

On February 12, 2009, [redacted] date of birth [redacted], was interviewed at his place of employment, [redacted] by Special Agents (SAs) [redacted] and [redacted] of the Federal Bureau of Investigation (FBI). Also present during the interview was [redacted] telephone number [redacted] After being advised of the identity of the agents, as well as the nature of the interview, [redacted] provided the following information:

[redacted] began service with the Chicago Police Department (CPD) on [redacted] where he served as [redacted]

b6 -5
b7C -5

[redacted] met JON BURGE in the early to mid 1970's at Area 2 Robbery where they did not get along because [redacted] thought BURGE to be rough and loud-mouthed. He had served under BURGE [redacted] but [redacted] because BURGE was promoted to Lieutenant. BURGE stated that he did not want [redacted] out of Area 2, and [redacted] later said that BURGE was trying to get rid of [redacted] the [redacted] at the time, told [redacted] that he heard BURGE yelling about dumping [redacted] and [redacted] Reportedly, BURGE wanted [redacted] to go to Area 1 and [redacted] to Area 4.

b6 -4,-5,-6
b7C -4,-5,-6

There were always rumors about BURGE abuse, but [redacted] never saw any abuse taking place at Area 2. The stories that

b6 -5
b7C -5

Investigation on 02/12/2009 at Chicago, Illinois

File # 282A-CG-126294-302 Date dictated

b6 -1
b7C -1
b7E -4

by SA [redacted]

-145

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[redacted] had heard about BURGE were the reason why [redacted] avoided BURGE. [redacted] had heard stories of BURGE arresting a subject and having him in the station, then taking the prisoner out in a squad car for two hours only to have the prisoner come back and confess. General stories of officers "slapping the shit out of someone" circulated, but [redacted] never heard things that he would define as torture. [redacted] heard rumors of officers using telephone books to beat prisoners before the stories hit the media. However, he never heard of "bagging," Russian Roulette, a shock box, or officers chaining prisoners to radiators. On one occasion, [redacted] heard loud voices and screaming while a prisoner was held in a Lieutenant's office. Someone knocked on the door, BURGE answered, and that was all.

b6 -4,-5,-7
b7C -4,-5,-7

BURGE had a coterie of officers that he would work and drink with. Among them were [redacted] and [redacted] and [redacted] were two others, but [redacted] was not around them much. BURGE and his group would frequent bars such as KEN'S BAR AND LIQUORS at 105th and Western and EVERGREEN COUNTRY CLUB in the vicinity of 90th Street. BURGE would do outlandish things in the office, such as spraying mace in an officer's locker as a joke. BURGE would also open the telephone panel in the office to show people how he could tap telephones.

b6 -4,-5
b7C -4,-5

[redacted] was not aware of any racial issues between white and black Detectives but noted that BURGE did not deal with them. [redacted] described [redacted] as a hard-working, good guy. He was a good man, and [redacted] had no reason to doubt the credibility of [redacted] Sergeant [redacted] was a black officer who kept shy of BURGE. [redacted] noted that [redacted] served as the [redacted] while BURGE worked there. [redacted] was killed in June 1970 in the line of duty in the vicinity of 71st Street.

b6 -5
b7C -5

[redacted] stated that he had attended the Police Academy with BURGE, though he never worked with BURGE. They were also in [redacted] began service with CPD in [redacted] and resigned in [redacted] He was assigned at Area 1 [redacted] He retired soon afterwards.

**FEDERAL BUREAU OF INVESTIGATION**

Date of transcription 02/05/2000

On February 4, 2009, [redacted] date of birth [redacted] home telephone number [redacted] was interviewed at his residence of [redacted] by Special Agents (SAs) [redacted] and [redacted] of the Federal Bureau of Investigation (FBI). After being advised of the identity of the agents, as well as the nature of the interview, [redacted] provided the following information: b6 -1,-5 b7C -1,-5

[redacted] began service with the Chicago Police Department (CPD) in [redacted] becoming a [redacted] CPD made organizational changes in 1981 and [redacted] At that time, [redacted] and he did not like the Sergeant over him. Because of this, poor work conditions, and the [redacted] b6 -5 b7C -5

During his service with CPD, [redacted] never worked under JON BURGE in the sense of being assigned cases by him. [redacted] had the belief that while MILTON DEES was the Commander at Area 2 he did nothing about BURGE and allowed him to run the Area. [redacted] believed that BURGE was racist and knew that BURGE was rumored to "kick ass and take names" when [redacted] first came to Area 2. [redacted] had heard stories from former partner [redacted] of beatings and subjects chained to radiators in the basement. None of these things had [redacted] witnessed firsthand and knows of no one who had seen these personally. b6 -4,-5 b7C -4,-5

[redacted] was also a black Detective, and [redacted] noted that black Detectives were typically paired together, often receiving assignments involving project housing and black crimes. [redacted] and [redacted] believes were discriminated against. b6 -4,-5 b7C -4,-5

Regarding abuse, [redacted] had heard of Sergeants who would hear sounds in an interview room and yet allow the interview to continue. [redacted] told [redacted] that she had heard similar things during b6 -4,-5 b7C -4,-5

Investigation on 02/04/2009 at Chicago, Illinois

File # 282A-CG-126294-302 Date dictated [redacted] b6 -1 b7C -1 b7E -4

by SA [redacted] er

by SA [redacted]

-146

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BURGE interviews. Also regarding abuse, [redacted] had told [redacted] that he had been close enough to hear some things. [redacted] told [redacted] that he personally knew of abuse taking place, but [redacted] could not at the time of the interview recollect how [redacted] knew this. After having testified for the defense in a murder trial, [redacted] reportedly feared for his life. [redacted] himself had never heard screams from Area 2 interview rooms. [redacted] has never seen officers play Russian Roulette with a subject, shove a subject against a radiator, nor use telephone books to abuse a subject. [redacted] was aware of black typewriter covers but had no knowledge of them being used to suffocate subjects.

b6 -4,-5
b7C -4,-5

While [redacted] was assigned to Headquarters at 11th and State, BURGE was a Lieutenant at Area 3. BURGE would come into Headquarters where [redacted] was a [redacted] would ask BURGE, "You still kicking asses?" to which BURGE would reply, "What do you expect?"

[redacted] had never heard of abuse at Area 1 or at the Monroe and Racine Station where he had worked. He had only heard of abuse at Area 2. Prior to hearing or reading news reports, [redacted] had heard from officers at Area 2 of the use of a cattle prod and a "black box" upon subjects. BURGE's reputation was well known at Area 2, but [redacted] heard that BURGE was more mouth than anything and that he let his crew carry out the beatings.

b6 -5
b7C -5

[redacted] did not recall any Internal Affairs or abuse reprimands while with CPD, nor did he recall making any department-related statements against BURGE. [redacted] only statements were to the Chicago Tribune approximately five years ago.

b6 -5
b7C -5

**FEDERAL BUREAU OF INVESTIGATION**

Date of transcription 02/20/2009

On February 19, 2009, [redacted] date of birth [redacted] Social Security Number [redacted] home telephone number [redacted] was interviewed at her residence of [redacted] by Special Agents (SAs) [redacted] and [redacted] of the Federal Bureau of Investigation (FBI). After being advised of the identity of the agents, as well as the nature of the interview, [redacted] provided the following information: b6 -1,-5 b7C -1,-5

[redacted] began service with the Chicago Police Department (CPD) in [redacted] worked in [redacted] b6 -5 b7C -5

At sometime around the winter of [redacted] came to work in old Area 2 and heard screaming from an interview room. [redacted] witnessed a prisoner chained to a radiator. [redacted] was later assigned to take the prisoner's statement, and he complained of being burned. The prisoner was taken across the street to a fire department where they attended to his burns. b6 -5 b7C -5

Because she took prisoner statements until [redacted] recalled that during this period she would be brought in to take a statement from a prisoner and occasionally the prisoner did not want to speak and [redacted] would be sent out. [redacted] was later brought in again to take the statement when the prisoner was prepared to speak. b6 -5 b7C -5

There were many occasions when [redacted] overheard screaming and crying in interview rooms, but when she began working at Area 2 she was told by co-worker [redacted] She was also told by Detective [redacted] not to get involved with any questions. [redacted] stated that the typists were rewarded for keeping their mouths shut, which meant they were sent home. The typists would often work for four to five hours a day but were paid for a full eight b6 -4,-5 b7C -4,-5

Investigation on 02/19/2009 at [redacted]

File # 282A-CG-126294-302 b6 -1,-5 b7C -1,-5 b7E -4 Date dictated -147

by SA [redacted] SA [redacted]

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b6 -5
b7C -5

hours. Although [redacted] could not be certain where the noises came from, she often heard "hollering, screaming and fussing," but it was common for subjects to make noise.

When screams became loud, one of the officers would take her out for breakfast or to a nearby bar. [redacted] stated that the officers had their way to keep the typists from knowing what was going on, adding that they were sent home when there was a "big case." At times of screaming, the typists were told to pack up their things and leave because the officers were "working on something." This occurred more by the afternoon and night crew, which [redacted] described as being "mean." On occasion, subjects were arrested during the daytime and would still be held throughout the evening. [redacted] was not aware of what happened to the prisoners and had little contact with them once she ceased taking prisoner statements. [redacted] recalled that supplies were kept in the basement of old Area 2 and she had never heard screams coming from the basement.

b6 -5
b7C -5

Regarding abuse that occurred at Area 2 during her time there, [redacted] said, "I know there were people beaten. I know that. It was the way." [redacted] had never seen guns pointed at prisoners, never saw beatings and had not heard of officers using cattle prods. She also had not heard of "bagging," but noted that typewriter covers disappeared in the 1970's and the typists could not find them. When the process of bagging was described to [redacted] as placing typewriter bags over a prisoner's head to suffocate them, [redacted] said, "Is that what happened to the bags?" By the time CPD moved to the new Area 2 building, officers were talking about a black box in jest. Officers showed a black box to [redacted] and told her that there was a mongoose inside. [redacted] noted that the black box was shown to her by officers on the day shift and that it looked nothing like the representation portrayed on television.

b6 -5
b7C -5

JON BURGE never spoke to [redacted] about a black box, torture or abuse, but [redacted] noted that BURGE was known for "tactics." [redacted] who later partnered with BURGE, worked on the homicide [redacted] BURGE and [redacted] arrested her attacker and BURGE told her not to worry about it because he would take care of him. [redacted] did not recall seeing any kind of bruises on the subject.

b6 -4,-5
b7C -4,-5

[redacted] described BURGE as a hard-worker who would come to the office mid-day and work through his night shift. She also recalled BURGE working hard on the [redacted] homicide case and then that the [redacted] were at Area 2 for a couple of days. [redacted] came in to work during this time and was told to go home, along with the other typists. b6 -5,-6 b7C -5,-6

Though [redacted] stated that BURGE and the other guys were mean, she liked BURGE because he was always good to her and her family. BURGE drank on the job, often at the BUNGALOW INN, which was a half block away from Area 2. [redacted] recalled meeting [redacted] and described [redacted] as BURGE. BURGE talked nasty when he was drunk and liked to talk about sex. At [redacted] BURGE once talked graphically about [redacted] b6 -4,-5 b7C -4,-5

Although [redacted] believed that there was quite a bit of controversy between black and white officers, and that some black officers did not like how black subjects were treated, [redacted] did not believe that BURGE showed racism towards [redacted] believed that black police officers "swallowed" a lot of what they did not like. [redacted] told [redacted] that [redacted]

b6 -4,-5 b7C -4,-5

During [redacted] career she followed [redacted] through promotions and not BURGE. She worked as [redacted] which she described as being far worse than Area 2. Regarding abuse at [redacted] said that officers would jokingly talk about prisoners falling over chairs and having "accidents."

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 02/12/2009

On February 09, 2009, [redacted] date of birth [redacted] was interviewed at his residence of [redacted] by Special Agents (SAs) [redacted] and [redacted] of the Federal Bureau of Investigation (FBI). After being advised of the identity of the agents, as well as the nature of the interview, [redacted] provided the following information: b6 -1,-5 b7C -1,-5

[redacted] began service with the Chicago Police Department (CPD) in [redacted] b6 -5 b7C -5

BURGE had a group of people he worked with regularly which [redacted] referred to as [redacted] was partnered with [redacted] and neither were part of BURGE's group. [redacted] worked the [redacted] while BURGE worked midnights. [redacted] and [redacted] did not get along with BURGE, whom [redacted] described as "loudmouthed and boisterous." BURGE was a heavy drinker who talked about women derogatorily. b6 -4,-5 b7C -4,-5

[redacted] never witnessed any abuse firsthand but had heard rumors about BURGE when he was a Robbery Detective and had heard about BURGE's handcrank generator in the 1970's before this had been advertised in the media. [redacted] had also heard of officers using telephone books for blows to the head. BURGE never bragged about torturing prisoners and [redacted] never had a friend say they heard of this. [redacted] was a Detective whom [redacted] described as [redacted] and who would be in a position to know about abuse carried out by BURGE or others. [redacted] told [redacted] that [redacted] was as bad as BURGE but he kept quiet. b6 -4,-5 b7C -4,-5

[redacted] had never heard of officers in Area 2 playing Russian Roulette with prisoners, having prisoners burned on a radiator and had only later read in the newspaper of typewriter bags being used to suffocate prisoners. [redacted] never heard screams from prisoners, either. [redacted] was partnered with [redacted] but neither had ever mentioned abuse. b6 -4,-5 b7C -4,-5

Investigation on 02/09/2009 at [redacted]

File # 282A-CG-126294-302 Date dictated [redacted] b6 -1,-5 b7C -1,-5 b7E -4

by SA [redacted]

SA [redacted]

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282A-CG-126294-302
JAO:jao



The following investigation took place on February 27, 2009, at the United States Attorney's Office, 219 S. Dearborn Street, Chicago, Illinois.

[redacted] date of birth [redacted] Social Security Account Number [redacted] residing at [redacted] home telephone number [redacted] cellular telephone number [redacted] met with FBI Special Agent [redacted] Assistant United States Attorney (AUSA) [redacted] and AUSA [redacted] confirmed his prior statements regarding his incident with Chicago Police Department Officers was true and accurate to the best of his recollection.

b6 -1,-2,-3
b7C -1,-2,-3

b6 -1
b7C -1

FD-302 (Rev. 10-6-95)



**FEDERAL BUREAU OF INVESTIGATION**

Date of transcription 03/13/2009

On Tuesday, March 3, 2009, at approximately 6:07pm, [redacted] date of birth [redacted] Social Security Account Number [redacted] residing at [redacted] telephone number [redacted] was interviewed at her residence by DEPARTMENT OF JUSTICE, CIVIL RIGHTS DIVISION Trial Attorney [redacted] and FEDERAL BUREAU OF INVESTIGATION Special Agent [redacted] After being advised of the identities of the interviewing officials and the nature of the interview, [redacted] provided the following information:

b6 -1,-3,-5
b7C -1,-3,-5

[redacted] learned of the allegations against JON BURGE (previously identified) because she happened to turn on the television the day that BURGE appeared in court. After having learned of the allegations on television, [redacted] researched the allegations on the Internet. [redacted] knew that BURGE left Chicago, Illinois, and moved to Florida in the early 1990s after having lost his job, and admitted that she was searching for BURGE's current address on the Internet out of curiosity.

b6 -5
b7C -5

[redacted] BILL DILLARD (previously identified), died in 1995 in Chicago, Illinois. [redacted] knew DILLARD as [redacted] during the same time period. [redacted] now knows that DILLARD is his correct last name because she found his mother's last name in DILLARD's address book following his death. [redacted] did not know why DILLARD utilized more than one last name but heard him mention it in conversation. [redacted] assumed DILLARD had his name legally changed for a reason unknown to her. [redacted] resumed contact with BURGE when DILLARD became sick and maintained regular contact throughout DILLARD's illness.

b6 -5
b7C -5

[redacted] DILLARD also worked as a weekend bailiff for the COOK COUNTY SHERIFF'S DEPARTMENT for approximately five (5) years while he maintained his employment with the insurance company.

Investigation on 03/03/2009 at [redacted]

File # 282A-CG-126294-302

Date dictated

b6 -1,-5
b7C -1,-5

by SA [redacted] mma

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b6 -5
b7C -5

[redacted] at the time of DILLARD's employment as a bailiff. [redacted]

[redacted] met BURGE through DILLARD [redacted] believed that she met BURGE [redacted] and recalled that they seemed to be close friends at the time. [redacted] did not recall where she first met BURGE, but remembered that both DILLARD and BURGE lived on Western Avenue approximately three blocks from each other.

b6 -5
b7C -5

Both DILLARD and BURGE owned boats, which they docked at Burnham Harbor near McCormick Place. DILLARD and BURGE spent more time at the harbor than [redacted] who primarily frequented the harbor on weekends. [redacted] frequently spent time on BURGE's boat. Everyone spent time on both boats, which they rarely took out on the water. BURGE also ran a fishing charter boat on which he primarily hosted fellow police officers. [redacted] recalled that other police officers visited BURGE's boat, but could not recall many names. [redacted] specifically remembered [redacted] because [redacted] never knew any of [redacted] recalled that people often stopped at DILLARD's boat, which was closer to the entrance to the harbor, thinking that BURGE might be there.

b6 -5,-7
b7C -5,-7

While BURGE never married, [redacted] remembered that [redacted] recalled that [redacted] would appear out of the blue and leave in the same manner. [redacted] but did not know her well and thought that [redacted] BURGE appeared to be more attracted to [redacted] also saw [redacted] who was approximately the [redacted] never met any of [redacted] and believed that BURGE and [redacted] or friends was on BURGE's boat at any time while [redacted] was on the boat.

b6 -5,-6
b7C -5,-6

[redacted] identified both [redacted] as friends of DILLARD's. [redacted] could not recall the names of other individuals who were friends of DILLARD and/or BURGE. DILLARD often went to BURGE's boat without [redacted]

[redacted] liked BURGE, adding that he never did anything to make her dislike him. While on BURGE's boat, drinking was the norm, but [redacted] never saw illegal narcotics and was never aware of anyone being in possession of illegal narcotics while on BURGE's boat. BURGE did not discuss work when they were on the boat. [redacted] did not recall [redacted] discussing work when they were on the boat. The only occasion on which [redacted] recalled anyone discussing CHICAGO POLICE DEPARTMENT (CPD) business was when the two (2) officers were shot. [redacted] recalled that someone said the CPD caught the individual(s) responsible, but [redacted] was not sure whether BURGE was present during this conversation. [redacted] did not believe that [redacted] was present during this conversation. [redacted] believed DILLARD may have told her. [redacted] was also aware of BURGE's having lost his job with the CPD. [redacted] believed that BURGE liked what he did for a living because of the way he carried himself. [redacted] recalled that BURGE always wore a suit or was nicely dressed. BURGE continuously received promotions and [redacted] recalled that on at least one (1) occasion BURGE had a promotion party. [redacted] added that BURGE did not show off and that he was more reserved when [redacted] knew that [redacted] was not present because BURGE mentioned it. [redacted] never went out together alone. [redacted] believed she learned of the allegations surrounding BURGE on the news.

b6 -5,-6,-7
b7C -5,-6,-7

[redacted] did not remember being aware of any allegations concerning BURGE [redacted] they continued to talk approximately two (2) to three (3) times per week. [redacted] never asked DILLARD about the allegations against BURGE because [redacted] did not remember having ever heard of a fund-raiser for BURGE.

b6 -5
b7C -5

[redacted] When DILLARD became ill, [redacted] asked him for BURGE's telephone number, at which time she reinitiated contact with BURGE. DILLARD, BURGE, and EDDIE DOBBS were close friends. [redacted] knew that DILLARD was already ill in 1992 because [redacted] recalled checking on DILLARD during

b6 -5,-6
b7C -5,-6

b6 -5
b7C -5

that time. During DILLARD's illness, [redacted] spoke with BURGE on approximately ten (10) occasions. [redacted] and BURGE only discussed DILLARD during those conversations. [redacted] admitted that [redacted]

BURGE attended DILLARD's service after DILLARD passed away. [redacted] recalled that BURGE was acting "weird" that day. [redacted] recalled that it was raining that day and remembered BURGE asking her if she needed money to pay the priest. [redacted] responded that it had been taken care of and BURGE asked if she was sure. Several of DILLARD's/BURGE's friends, including [redacted] LNU and [redacted] BURGE did not go, saying that he had to visit [redacted] LNU, in [redacted] a friend of DILLARD's who [redacted] was unable to attend. No one commented on BURGE's absence. [redacted] has not had contact with BURGE since DILLARD's funeral and does not think BURGE knows where she lives. [redacted] did not attend DILLARD's service. [redacted] recalled that DILLARD told her that [redacted]

b6 -5,-6
b7C -5,-6

[redacted] believed DOBBS may have instigated DILLARD's interest in the COOK COUNTY SHERIFF'S DEPARTMENT. BURGE never told DILLARD to work for either the COOK COUNTY SHERIFF'S DEPARTMENT or the CPD. DILLARD and BURGE still did not discuss business after DILLARD began working within law enforcement. [redacted] knew other law enforcement officers but did not recall their names. [redacted] did not recall that any of the officers ever discussed work. [redacted] never dated anyone from the CPD. When [redacted] was initially contacted by an agent of the FEDERAL BUREAU OF INVESTIGATION, she already was aware of BURGE's indictment. [redacted] recalls having been shocked when she learned the allegations involved torture and that several officers were involved. [redacted] remembered wondering why charges were being pursued after all this time. [redacted] was never aware of BURGE's having been involved in torture/abuse and never observed any behavior by BURGE that would indicate he would be capable of such behavior. [redacted] did not notify BURGE that she had been contacted by the FBI. [redacted] told her boss that she had been contacted because she was told she may be required to travel to Chicago, Illinois, if her testimony was needed.

b6 -5
b7C -5

[redacted] remembered that a [redacted] LNU was [redacted] had [redacted] also knew another [redacted] LNU while she was attending school, but had never met another [redacted]

[redacted] described DILLARD as a loudmouth. [redacted] described BURGE as soft-spoken in relation to DILLARD, adding that BURGE had more manners. [redacted] never heard anyone mention a black box before she heard about it on the news. [redacted] never knew [redacted] remembered there was another female, First Name Unknown (FNU) [redacted] whose father was a CPD officer who worked for or with BURGE. [redacted] called DILLARD frequently at work to discuss BURGE. [redacted] believed [redacted] was interested in dating BURGE, but was never on the boat with her. DILLARD told [redacted] that [redacted] was on the boat, on occasion.

b6 -5,-6
b7C -5,-6

DILLARD and BURGE took DILLARD's boat out one night and jumped the penny pier. They called [redacted] to tell her, and [redacted] knew they were drunk at the time. [redacted] also knew they had girls on the boat when she was not present because DILLARD was a loudmouth and always told her. BURGE and DILLARD drank and partied frequently. [redacted] would often move to the back of the boat, away from the crowd, if she did not feel like being around people who were grossly drunk. [redacted] recalled that BURGE would tell jokes for hours on end with a straight face. [redacted] recalled that the jokes were dirty and that some were probably racially-motivated. [redacted] could not recall how BURGE dressed while on the boat, but believed that he probably wore shorts and/or dressed in a casual manner. Areas 2 and 4, both on the south side of Chicago, Illinois, were within approximately one-half hour of BURGE's boat. [redacted] really liked DOBBS, who never did anything wrong and had a boat at Montrose.

b6 -5
b7C -5

[redacted] was not aware of there ever having been illegal narcotics on either boat. [redacted] maintained somewhat of a "don't ask, don't tell" philosophy. [redacted] did recall that DILLARD mentioned there were prostitutes on the boat at times. [redacted] did not recall the name of either boat. BURGE's boat (approximately 32 or 36 feet in length) was smaller than DILLARD's boat (approximately 38 feet). [redacted]

b6 -5,-6
b7C -5,-6

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 2/19/2009

[redacted] date of birth [redacted] Social Security Account Number [redacted] residing at [redacted] was interviewed. After being advised of the identities of the interviewing Agents and the nature of the interview, [redacted] provided the following information: b6 -5 b7C -5

[redacted] began his employment with the Chicago Police Department (CPD) as [redacted] b6 -5 b7C -5

1-2

[redacted] met former CPD Commander JON BURGE in the early 1970s when he was at Area 2. He described BURGE as a very likeable guy who was a very good detective. [redacted] did not believe the abuse allegations against BURGE and thought several subject's were corroborating in order to obtain monetary settlements. b6 -5 b7C -5

[redacted] worked on the same shift as BURGE and never participated in, heard of, or saw any abuse or excessive force by any CPD officer. [redacted] said he would have not tolerated anyone being tortured or abused in his presence. [redacted] never saw any law enforcement officer utilize phone books, cattle prods, typewriter covers, a gun to the head of a subject, or force a subject against a radiator in order to obtain a confession or the subject's cooperation. [redacted] never heard screams of pain or any sounds of subject's being beat while he was a detective at Area 2. b6 -5 b7C -5

On occasion, [redacted] went out to have drinks with BURGE and the other detectives. [redacted] also once went on BURGE'S boat. [redacted] never heard BURGE talk about abusing or torturing any subjects while at work or meeting with him socially. [redacted] b6 -5 b7C -5

b6 -1,-5
b7C -1,-5

Investigation on 02/19/2009 at [redacted]

File # 282A-CG-126294-302 Date dictated -151

by SA [redacted]
SA

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never heard of any conversation from any detective talking about abusing or torturing subjects. b6 -5,-6 b7C -5,-6

[redacted] did not recognize the name Bill Dillard. He did not know the name of any of BURGE'S girlfriends. [redacted] had only a vague memory of a subject named [redacted] and denied ever beating him.

[redacted] stated he never had a sustained abuse complaint against him. The Robbery unit of Area 2 had [redacted] could not recall the name of [redacted]

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 2/13/2009

[redacted] date of birth [redacted] b6 -5
Social Security Account Number [redacted] telephone number [redacted] b7C -5
[redacted] residing at [redacted] was interviewed. After being advised of the identities of the interviewing Agents and the nature of the interview, [redacted] provided the following information:

[redacted] began his employment with the Chicago Police b6 -5
Department (CPD) in [redacted] he became a [redacted] b7C -5

[redacted] recalled working under BURGE for about one year in the [redacted] did not recall ever working directly with BURGE on an investigation. [redacted] b6 -5
never witnessed or participated in any abuse of subjects while b7C -5
under BURGE'S command or otherwise. [redacted] had no knowledge of the allegations of abuse against BURGE until hearing about it in the media. [redacted] described BURGE as a good boss and a nice man.

[redacted] did not recall confiding in an Assistant State's Attorney (ASA) about BURGE'S behavior and/or propensity for b6 -5
violence. [redacted] had no firsthand knowledge of any alleged b7C -5
torture or abuse while BURGE was the Commander of Bomb and Arson. [redacted] could not comment about BURGE'S behavior at Area 2 because he was never assigned to Area 2

Investigation on 02/06/2009 at Chicago, Illinois (telephonic)

File # 282A-CG-126294-302 Date dictated -152

by SA [redacted] jao b6 -1 b7C -1

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 2/13/2009

[redacted] date of birth [redacted] Social Security Account Number [redacted] telephone number [redacted] residing at [redacted] was interviewed. After being advised of the identities of the interviewing Agents and the nature of the interview, [redacted] provided the following information:

b6 -5
b7C -5

[redacted] began his employment with the Chicago Police Department (CPD) in [redacted] he became a [redacted]

b6 -5
b7C -5

[redacted] recalled working under BURGE for only about [redacted] when BURGE was promoted to the Commander of [redacted] did not recall ever working directly with BURGE on an investigation. [redacted] never investigated a homicide investigations while assigned to [redacted] never witnessed or participated in any abuse of subjects while under BURGE'S command or otherwise. [redacted] had no knowledge of the allegations of abuse against BURGE until hearing about them in the media. He specifically recalled the murders committed by the [redacted] because it was all over the news. He had no further insight into the alleged abuse of the [redacted] other than to say he was not under BURGE at that time. [redacted] did not recall confiding in an Assistant State's Attorney (ASA) about BURGE'S behavior and never told an ASA that BURGE would blow a subject's head off if he flinched.

b6 -2,-5
b7C -2,-5

[redacted] frequently worked with a CPD Detective named [redacted] was a Detective for the CPD and is now retired.

b6 -4,-5
b7C -4,-5

Investigation on 02/06/2009 at Chicago, Illinois (telephonic)

File # 282A-CG-126294-302 Date dictated [redacted]

b6 -1
b7C -1

153

by SA [redacted] jao

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FD-302 (Rev. 10-6-95)



**FEDERAL BUREAU OF INVESTIGATION**

Date of transcription 03/23/2009

[redacted] who resides at [redacted] telephone number [redacted] was interviewed telephonically. After being advised of the identity of the interviewing Agent and the purpose of the interview, [redacted] provided the following information. b6 -5 b7C -5

[redacted] worked at [redacted] when [redacted] came in to the hospital for treatment. [redacted] was the emergency room physician on duty. [redacted] has no independent recollection of [redacted] or his visit to the ER, but provided the following explanation of his written notes. b6 -2,-5 b7C -2,-5

[redacted] explained the receiving desk would type in the patient's name and personal information at the top of the page. The typed record indicates that [redacted] complained of pains in his neck and both legs. Written notes show [redacted] also complaining of pains in both upper extremities. [redacted] notes provide a diagnosis of contusions to the back and possibly contusions of the kidneys. b6 -2,-5 b7C -2,-5

In the section labeled "History", [redacted] notes show that the patient reported being in a struggle, and reported pain in his back, chest, and neck. The notes further state the patient had no loss of consciousness. [redacted] does not recall if [redacted] mentioned being in a struggle with police. b6 -2,-5 b7C -2,-5

[redacted] notes on his medical exam show that [redacted] had a [redacted] that measured approximately 7 inches by 6 inches. He also had a [redacted] abdomen was soft with tenderness in the right back area. His bowel sounds were normal. His extremities were mobile. There was [redacted] which [redacted] explained is a sign of [redacted] Since [redacted] contacted [redacted] to request a transfer. The request was accepted and [redacted] was prepared for transfer to [redacted] for further examination and treatment. b6 -2,-5,-6 b7C -2,-5,-6

[redacted] prescribed pain medication, Tylenol, to [redacted] and gave him a tetanus shot. He ordered a CBC (blood count) and x-rays of [redacted] The x-rays would have been sent with [redacted] b6 -2,-5 b7C -2,-5

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Investigation on 3/23/2009 at Chicago, IL (telephonically)

File # 282A-CG-126294-302 Date dictated 3/23/2009 b6 -1 b7C -1

by SA [redacted]

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 02/19/2009

b6 -5
b7C -5

[redacted] date of birth [redacted] Social Security Account Number [redacted] telephone number [redacted] was interviewed. After being advised of the identity of the interviewing Agent and the nature of the interview, [redacted] provided the following information:

[redacted] stated he had [redacted] date of birth [redacted] Social Security Account Number [redacted] telephone number [redacted] was a former Chicago Police Department (CPD) detective who investigated homicides. [redacted] has wrecked havoc on [redacted] family after moving to [redacted] took advantage of [redacted] was advised that his [redacted] should consult an attorney to deal with any domestic related disputes.

b6 -5,-6
b7C -5,-6

(1)

[redacted] was reminded that his original complaint stated he had information pertaining to former CPD Commander JON BURGE. [redacted] said BURGE was taking the fall for a "business as usual" mentality of the CPD at that time. [redacted] further stated that BURGE never did anything that any other officer did not do. [redacted] did not have first hand knowledge of BURGE'S actions, but heard stories. [redacted] could not recall if he heard the stories from [redacted] or the media. [redacted] believed that [redacted] knew BURGE personally. [redacted] did not know if [redacted] ever worked with BURGE. [redacted] main partner was First Name Unknown [redacted]

b6 -5,-6
b7C -5,-6

[redacted] was told that the FBI could not help him with his domestic disputes with [redacted] asked if the FBI could make a call to tell [redacted] was further advised that the FBI would not contact [redacted] to settle their domestic disputes. [redacted] was told not to take any actions on behalf of the FBI against [redacted] or anyone else.

b6 -5,-6
b7C -5,-6

Investigation on 02/11/2009 at Chicago, Illinois (Telephonic)

File # 282A-CG-126294-302 Date dictated [redacted]

b6 -1
b7C -1

-155

by SA [redacted]

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FD-302 (Rev. 10-6-95)



**FEDERAL BUREAU OF INVESTIGATION**

Date of transcription 03/25/2009

[redacted] date of birth [redacted] social security account number [redacted] who resides at [redacted] telephone number [redacted] was interviewed at the United States Attorney's Office, 219 S Dearborn Street, Chicago, Illinois. Also present for the interview was Assistant United States Attorney (AUSA) [redacted] was advised of the identity of the interviewing Agent and AUSA [redacted] and the purpose of the interview. b6 -3,-5 b7C -3,-5

[redacted] is a medical doctor who retired from [redacted] She graduated from [redacted] During this fellowship, she worked with [redacted] worked as an [redacted] she has worked as [redacted] b6 -5 b7C -5

During the interview, [redacted] provided statements consistent with her previous statements which she had given to the Office of the Special Prosecutor. b6 -5 b7C -5

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Investigation on 3/25/2009 at Chicago, Illinois

File # 282A-CG-126294-302 Date dictated 3/25/2009 -156

by SA [redacted] b6 -1 b7C -1

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 2/13/2009

[redacted] date of birth [redacted] Social Security Account Number [redacted] residing at [redacted] [redacted] was interviewed on February 9, 2009. After being advised of the identities of the interviewing Agents and the nature of the interview, [redacted] provided the following information: b6 -5 b7C -5

[redacted] began his employment with the Chicago Police Department (CPD) in [redacted] b6 -5 b7C -5

In the 1970s, [redacted] recalled working at the old Area 2 on Cottage Grove in Chicago, Illinois. [redacted] worked on the 1st floor while former CPD Detective JON BURGE worked on the 2nd floor. [redacted] did not work for BURGE and rarely went to the second floor. [redacted] recalled the jail cells behind the old ambulance bay, but stated they were never used to hold subjects. When [redacted] was reassigned to Area 2 in [redacted] it was moved to its current location near 111th and State in Chicago, Illinois. b6 -5 b7C -5

[redacted] recalled an incident where he accidently bumped into BURGE. BURGE became upset and yelled at [redacted] not knowing BURGE was a higher ranking officer, yelled back at BURGE. Nothing further became of this incident, but BURGE always had to present himself as a "tough guy." b6 -5 b7C -5

[redacted] had no first hand knowledge regarding the torture and abuse allegations at Area 2, but stated there were always rumors about the abuse. [redacted] stated the allegations of using cattle prods, phone books to beat subjects, and other general abuse tactics surfaced in the early 1970s. He heard fellow black b6 -5 b7C -5

JAW

Investigation on 02/09/2009 at Chicago, Illinois

File # 282A-CG-126294-302 Date dictated [redacted] b6 -1 b7C -1

by SA [redacted] jao

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officers mention that BURGE and his associates often used phone books to beat subjects. [redacted] could not recall who specifically told him about that type of abuse, but stated it was general knowledge in Area 2. [redacted] also heard rumors about a cattle prod being used to torture subjects, but never seen such a device. b6 -5 b7C -5 [redacted] believed he heard rumors about general abuse, telephone books, and the use of a cattle prod prior to it being reported in the media. He could not recall if he heard about detectives playing Russian roulette, using the black shock box, or suffocating a subject with a bag, prior to it being reported in the media. [redacted] believed that the abuse was overlooked by the "brass" because they were more interested in statistics and results than in proper procedure. To reinforce his point, [redacted] stated it was general knowledge that the Robbery and Homicide Detectives never obtained search warrants and would routinely search locations without them.

[redacted] did not recall seeing anyone ever handcuffed to a radiator. He did not recall hearing a story from another black detective about a subject being handcuffed by BURGE to a radiator. b6 -5 b7C -5

In the 1970s, [redacted] recalled some detectives using the copy machine as a lie detector. The copy machine was a relatively new technology and many subjects were not familiar with it. Prior to the subject being asked questions, a detective would write the word "LIE" on a piece of paper and put it in the proper location to be copied. Then, the detective would sit the subject near the machine and begin questioning. When the detective believed the subject was telling a lie, the detective would hit the copy button and it would print out a page with the word "LIE" on it. Many subjects believed it was actually a new type of lie detector and some subjects even confessed after being caught in a lie by the copy machine.

At Area 2, it was protocol to advise the front desk when a detective had a witness or subject in the building. Many detectives never followed this procedure. [redacted] stated it was not uncommon for some detectives to hold a subject for several days in an interview room during an interrogation. An Assistant State's Attorney (ASA) was not always present for an interview. The ASA was only called when the subject was ready to confess to a violent crime. Many times, a subject was interviewed for several hours prior to an ASA arriving to the police station. During the 1970s b6 -5 b7C -5

and 1980s, the ASA never questioned interview or interrogation tactics even if the subject appeared to be beaten up.

[redacted] filed an abuse complaint against BURGE in the 1970s [redacted] claimed he was beaten until he gave a full confession. [redacted] believed [redacted] gave the confession and even "rolled on his friends." [redacted] did not know of [redacted] claims of abuse until hearing it from [redacted] never discussed the incident with [redacted] did not care about [redacted] claims of abuse because [redacted] and [redacted] do not associate with each other. [redacted] He can be found by typing the name [redacted] into the Google search engine. b6 -5,-6 b7C -5,-6

[redacted] was a CPD detective who worked with [redacted] and with BURGE. [redacted] believed [redacted] when he worked with BURGE. [redacted] b6 -5,-6 b7C -5,-6

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 2/19/2009

b6 -5
b7C -5

[redacted] date of birth [redacted] Social Security Account Number [redacted] telephone number [redacted] was interviewed. After being advised of the identities of the interviewing Agents and the nature of the interview, [redacted] provided the following information:

b6 -4,-5,-6
b7C -4,-5,-6

[redacted] is currently employed by [redacted] is former Chicago Police Department (CPD) Sergeant [redacted] (phonetic). [redacted] was formerly a CPD officer who retired as a detective in [redacted] began his employment with the Chicago Police Department in [redacted] time.

(1) JHO

[redacted] described former CPD Commander JON BURGE as a "workaholic" who was very dedicated and a "hell of a detective." [redacted] did not work directly with BURGE and only heard about the abuse and torture allegations through the media. [redacted] did not ever see BURGE or any other officer abuse or torture a subject. [redacted] believed the allegations against BURGE were fabricated by subjects and further exaggerated by the media.

b6 -5
b7C -5

[redacted] did not regularly socialize with BURGE, but had recently met him at a trade show. In [redacted] recalled seeing BURGE at a trade show in Las Vegas. [redacted] did not eat or drink with BURGE, but he did speak casually with him. During the conversation, neither he nor BURGE discussed the abuse or torture allegations.

b6 -5
b7C -5

[redacted] socializes with many acquaintances of BURGE to include [redacted] and [redacted] frequently sees [redacted] at the trade shows. [redacted] has never discussed any of the abuse allegations with [redacted] or [redacted]

b6 -4,-5,-7
b7C -4,-5,-7

Investigation on 02/18/2009 at Chicago, Illinois

JHO

File # 282A-CG-126294-302 Date dictated -153

by SA [redacted]
SA

b6 -1
b7C -1

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[redacted] never witnessed a subject being abused. He never saw any officer use phone books, bags, or chain a subject to a radiator in order to obtain a confession. [redacted] has heard officers scream at subjects, but he never saw a subject physically abused or screaming in pain from being physically abused.

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 04/14/2009

Former Chicago Police Department (CPD) Detective [redacted] was telephonically interviewed. [redacted] already familiar with the identity of interviewing agent, was informed that the nature of the interview was related to the investigation into former CPD Commander JON BURGE. [redacted] provided the following information: b6 -5 b7C -5

[redacted] advised that he and his former partner, [redacted] were assigned to Area 2 when BURGE was a Lieutenant in the area. [redacted] advised that [redacted] which BURGE and his close associates worked. [redacted] advised that he was on the [redacted] b6 -4,-5 b7C -4,-5

[redacted] was asked to provide information related to his involvement in the arrest of [redacted] and [redacted] in the [redacted] advised that this was a case in which he was a detective. [redacted] advised that [redacted] were brought into Area 2 during [redacted] watch for questioning. At that time [redacted] advised that holding suspects for 72 hours in a murder investigation was allowed. [redacted] recalled that it was typical in this type of situation for a retiring watch to inform the oncoming watch that suspects were being held and to allow the suspects the use of the restroom and to accommodate further personal needs as appropriate. In this situation, [redacted] recalls informing the midnight watch as to the presence of [redacted] b6 -2,-5 b7C -2,-5

[redacted] does not recall ever seeing any CPD personnel torture or place any undue harm on [redacted] Furthermore, [redacted] did not inform [redacted] of any mistreatment by any CPD personnel. [redacted] recalled that one of the suspects had [redacted] advised that he has previously testified in court that to get to the hospital, [redacted] also testified that [redacted] [redacted] advised that he testified truthfully to this matter. b6 -2,-5 b7C -2,-5

Investigation on 04/13/2009 at Chicago, Illinois (telephonically)

File # 282A-CG-126294-302 Date dictated 04/14/2009

by SA [redacted] :tjk

b6 -1 b7C -1

159

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency;

b6 -2,-5
b7C -2,-5

[redacted] advised that [redacted]

[redacted] further advised that because of the allegations against BURGE, this case was eventually retried, and the convictions were upheld. [redacted] recalled that [redacted] alleged that [redacted] in order to elicit a confession from [redacted] advised that he testified in court that he had a gun with an [redacted] and was asked to produce such gun in court which he did. [redacted] advised that he testified truthfully to this matter.

b6 -2,-5
b7C -2,-5

[redacted] stated that he never witnessed any type of torture or physical coercion while in Area 2 in the [redacted] case nor any other matter.

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 04/13/2009

[redacted] contacted SA [redacted] telephonically. Also participating in the telephone call was [redacted] telephone number [redacted] contacted SA [redacted] to discuss his allegations of abuse by CHICAGO POLICE DEPARTMENT (CPD) Area 1 detectives in [redacted] b6 -5,-6 b7C -5,-6

[redacted] He alleges that [redacted] and beaten by Detectives FNU [redacted] and FNU [redacted] along with three or four other detectives. [redacted] has photographs of [redacted] received injuries as well, including [redacted] He obtained medical treatment for his injuries and can provide copies of the medical records. His public defender, [redacted] also has copies of [redacted] medical records. Currently, [redacted] is not represented by an attorney. He can be reached through [redacted] if further information is required. b6 -5,-6,-7 b7C -5,-6,-7

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Investigation on 4/10/2009 at Chicago, Illinois (telephonically)

File # 282A-CG-126294-302 Date dictated 4/13/2009

by SA [redacted]

b6 -1
b7C -1

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FD-302 (Rev. 10-6-95)



**FEDERAL BUREAU OF INVESTIGATION**

Date of transcription 4/14/2009

[redacted] date of birth [redacted] Social Security Account Number [redacted] residing at [redacted] home telephone number [redacted] was interviewed on April 7, 2009. After being advised of the identity of the interviewing Agent and the nature of the interview, [redacted] provided the following information: b6 -5 b7C -5

[redacted] was hired as an officer for the Chicago Police Department (CPD) [redacted] b6 -5 b7C -5

[redacted] was aware of the current investigation against former CPD Commander JON BURGE and his associates from the media reports. [redacted] stated if the allegations are true, he hopes "they get what they deserve." [redacted] stated he never saw anyone abuse or torture a subject or witness. He would occasionally hear a detective yell at a subject, but nothing more. If [redacted] would have witnessed any abuse or torture, he would have reported it immediately. [redacted] said he performed his job with integrity and never would have nor needed to use abuse or torture to clear a case. b6 -5 b7C -5

[redacted] acknowledged that he was in Area 2 when several of the abuse allegations occurred, but insisted he never witnessed any abuse. [redacted] stated the abuse could have occurred outside of his presence, but he had no such knowledge. [redacted] believed he met BURGE in the 1970s, but he did not recall working directly with him. [redacted] and did not work with BURGE or his associates. [redacted] could not recall if he heard the rumors about the abuse and torture from the CPD or from the media. b6 -5 b7C -5

Investigation on 04/07/2009 at Chicago, Illinois (telephonic)

File # 282A-CG-126294-302 Date dictated [redacted] b6 -1 b7C -1 -161

by [redacted]

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FD-302 (Rev. 10-6-95)



FEDERAL BUREAU OF INVESTIGATION

Date of transcription 2/19/2009

[redacted] date of birth [redacted] residing at [redacted] home telephone number [redacted] cellular telephone number [redacted] office telephone number [redacted], was interviewed on February 18, 2009. Present during the interview were the following individuals:

FBI Special Agent [redacted]
Assistant United States Attorney (AUSA) [redacted]
AUSA [redacted]
AUSA [redacted]
Attorney [redacted]

b6 -1,-3,-5,-6
b7C -1,-3,-5,-6
b7D -4

After being advised of the identities of those present and the nature of the interview, [redacted] provided the following information:

b6 -3,-5,-6
b7C -3,-5,-6
b7D -4

[redacted] was provided with a proffer letter from AUSA [redacted] reviewed and signed the letter in the presence of his attorney, [redacted] at approximately 2:35 p.m.

[redacted]

b6 -5
b7C -5
b7D -4

Investigation on 02/18/2009 at Chicago, Illinois

File # 282A-CG-126294-302 Date dictated [redacted]

by [redacted]

b6 -1
b7C -1

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FD-302a (Rev. 10-6-95)

282A-CG-126294-302

b6 -1,-5,-6
b7C -1,-5,-6
b7D -4

Continuation of FD-302 of [redacted], On 02/18/2009, Page 2

[redacted]

282A-CG-126294-302

b6 -4,-5,-7
b7C -4,-5,-7
b7D -4



[redacted]

**FEDERAL BUREAU OF INVESTIGATION**

Date of transcription 4/20/2009

[redacted] date of birth [redacted] Social Security Account Number [redacted] residing at [redacted] home telephone number [redacted] was interviewed on April 16, 2009. After being advised of the identity of the interviewing Agent and the nature of the interview, [redacted] provided the following information: b6 -5 b7C -5

[redacted] was hired by the Chicago Police Department (CPD) in [redacted] b6 -5 b7C -5

[redacted] was aware of the current investigation against former CPD Commander JON BURGE and his associates. [redacted] recalled speaking to Special Prosecutor [redacted] regarding the abuse allegations against BURGE. When [redacted] was at Area 2 with BURGE, he worked [redacted] He said BURGE worked the late shift. [redacted] had very little interactions with BURGE. [redacted] heard the rumors about BURGE and his associates, but he never witnessed any of the alleged abuse. b6 -5,-6 b7C -5,-6

[redacted] stated he never witnessed any abuse at Area 2 or at anytime during his career. [redacted] never saw any officer use phone books, plastic bags, shock devices, or any other alleged torture methods in attempt to gain a confession from a subject or a witness. [redacted] never walked in on an interrogation to see a subject chained to a radiator or to investigate screams of someone in pain. No other officer ever told [redacted] about abuse and/or torture they witnessed. b6 -5 b7C -5

Investigation on 04/16/2009 at Chicago, Illinois (telephonic)

File # 282A-CG-126294-302 Date dictated [redacted] b6 -1 b7C -1

by [redacted]

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[redacted] recalled working with CPD Detectives [redacted] while at Area 3. [redacted] worked the [redacted]

The telephones were located on the first floor while violent crimes and property crimes were located on the 2nd and 3rd floors. [redacted] was not in a position to hear things going on during interrogations at Area 3. [redacted] recalled nothing out of the ordinary occurring at Area 3. He could not recall a time where a subject had claimed to be beaten by any of the detectives on his shift or any other shift. [redacted] said the shift supervisor over [redacted] was Sergeant [redacted] never heard the rumors about [redacted] until hearing about them in the media after his retirement.

b6 -4,-5
b7C -4,-5

[redacted] said that approximately two months ago, he received a call from an individual asking him questions about former CPD detectives [redacted] could not recall the identity of the individual who called him.

**FEDERAL BUREAU OF INVESTIGATION**

Date of transcription 04/16/2009

b3 -1
b6 -1,-3,-5,-6
b7C -1,-3,-5,-6
b7D -4

On April 16, 2009, SA [redacted] Assistant United States Attorney (AUSA) [redacted] and AUSA [redacted] met with [redacted] date of birth [redacted] telephone number [redacted] residing at [redacted] at the United States Attorney's Office located at 219 South Dearborn Street, Chicago, Illinois. Also present during the meeting was [redacted] attorney [redacted]

AUSA [redacted] AUSA [redacted] advised [redacted] in front of the Grand Jury. [redacted] (1) JHO [redacted] testified in the Grand Jury.

b3 -1
b6 -3,-5,-6
b7C -3,-5,-6
b7D -4

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Investigation on 04/16/2009 at Chicago, Illinois

File # 282A-CG-126294-302 Date dictated -164

by SA [redacted]

b6 -1
b7C -1

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FD-302 (Rev. 10-6-95)



**FEDERAL BUREAU OF INVESTIGATION**

Date of transcription 04/28/2009

[redacted] contacted the FEDERAL BUREAU OF INVESTIGATION (FBI) telephonically via a three-way telephone conversation. Also on the call was [redacted] After being advised of the identity of the interviewing Agent and the purpose of the interview, [redacted] provided the following information. b6 -5,-6 b7C -5,-6

[redacted] by CHICAGO POLICE DEPARTMENT (CPD) Area 2 detectives. [redacted] b3 -2,-4 b6 -5,-6 b7C -5,-6

[redacted] does not know if [redacted] received medical treatment for their injuries. [redacted] believes that [redacted] is currently represented by [redacted] not represented at the present, but during his trial was represented by Public Defender [redacted] b3 -2 b6 -5,-6 b7C -5,-6

If further information is needed, [redacted] can be reached at [redacted] or cellular telephone [redacted] Her current address is [redacted] b6 -6 b7C -6

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Investigation on 4/13/2009 at Chicago, Illinois (telephonically)

File # 282A-CG-126294-302 b6 -1 b7C -1 Date dictated 4/28/2009

by SA [redacted]

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FD-302 (Rev. 10-6-95)



**FEDERAL BUREAU OF INVESTIGATION**

Date of transcription 03/02/2009

[redacted] date of birth [redacted] social security account number [redacted] who resides at [redacted] telephone number [redacted] was interviewed at her residence. After being advised of the identity of the interviewing Agents and the purpose of the interview, [redacted] provided the following information. b6 -5 b7C -5

[redacted] started working for the CHICAGO POLICE DEPARTMENT (CPD) around [redacted] hired by CPD. She worked at [redacted] b6 -5,-6 b7C -5,-6

[redacted] She never knew JON BURGE. She recalled seeing him occasionally in the parking lot but she never had much interaction with him. [redacted] never saw the officers beat anyone and never heard any screams from the interrogation rooms. She thought it would have happened after she went home for the day, as BURGE worked the third shift and she worked days. She never saw a black box. She read about the allegations in the newspapers after she retired. b6 -5 b7C -5

[redacted] did not notice any racial tension at Area 2. Few African-Americans worked there at the time. There were about [redacted] unit during [redacted] time there. She recalled that all the detectives seemed to get along fine. She did not remember any tension in the unit. [redacted] recalled Detectives [redacted] (phonetic) and [redacted] She never overheard the detectives talk about abuse. b6 -4,-5 b7C -4,-5

BURGE's [redacted] According to [redacted] and is not doing well. Other b6 -5,-6 b7C -5,-6

117KKK01.302 wpd

Investigation on 2/26/2009 at Chicago, Illinois

File # 282A-CG-126294-302 Date dictated 3/2/2009

by SA [redacted] SA [redacted] :kkk b6 -1 b7C -1

-166

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19-cv-4048(FBI)-3883

b6 -5,-6
b7C -5,-6

[redacted] DELORES SMITH, who died about 3 years ago, and [redacted] Other staff members at Area 2 were janitors ALVIN WASHINGTON, deceased, and [redacted] now retired, who possibly moved to the [redacted]

There was a lobby area at Area 2 on the first floor, the left side of the building. [redacted] remembered 2 detectives that worked the desk. She did not remember the detectives' names. b6 -5 b7C -5

[redacted] recalled BURGE being a very loud man. She could hear him talking from his office across the building. She did not recall ever seeing BURGE drunk at work.

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 05/06/2009

[redacted] date of birth [redacted] Social Security Account Number [redacted] telephone number [redacted] residing at [redacted] was interviewed. After being advised of the identity of the interviewing Agent and the nature of the interview, [redacted] provided the following information:

[redacted] began his employment with the Chicago Police Department (CPD) in [redacted] was hesitant to provide specific dates as it had been over [redacted] and his memory was not good.

[redacted] knew former CPD Commander JON BURGE from Area 2. [redacted] was not an acquaintance of BURGE and did not have frequent contact with him. [redacted] was not sure when he became aware of the allegations against BURGE. He could not recall if he knew of the allegations before or after he retired.

[redacted] never saw any subjects abused or tortured by CPD employees. [redacted] never saw any subjects get shocked, bagged, or beaten by any CPD employee. No CPD employee ever reported the abuse or torture of a subject to him.

Investigation on 04/23/2009 at Chicago, Illinois (telephonic)

File # 282A-CG-126294-302 Date dictated [redacted]

by SA [redacted]

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282A-CG-126294-302
KKK:kkk

1

b6 -1
b7C -1

The following investigation was conducted by Special Agents (SA's) [redacted] and [redacted] in St. Paul, Minnesota.

On May 7, 2009, SA's [redacted] and [redacted] attempted to locate and interview [redacted] date of birth [redacted] social security account number [redacted] Agents entered the apartment complex at [redacted] and knocked on the door of [redacted] last known residence. There was no answer at the door. Agents proceeded to [redacted] b6 -1,-6
prior residence at [redacted] and spoke to b7C -1,-6
property manager [redacted] confirmed that [redacted] lived in [redacted] and provided Agents with the forwarding address [redacted] gave when she left the apartment. Agents then proceeded to that address, [redacted] That location is the [redacted] Agents spoke with Executive Director [redacted] who could not locate [redacted] in their patient database and did not remember her as a patient in their facility.

131KKK01.ins.wpd

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 05/06/2009

[redacted], date of birth (DOB) [redacted], Social Security Account Number [redacted], telephone number [redacted], residing at [redacted], was interviewed on April 20, 2009, at the Federal Bureau of Investigation (FBI) Chicago field office located at 2111 W. Roosevelt Road, Chicago, Illinois. After being advised of the identities of the interviewing Agents and the nature of the interview, [redacted] provided the following information: b6 -5 b7C -5

[redacted] is not regularly employed at this time. He [redacted] b6 -5 b7C -5

[redacted] was arrested for a [redacted] sometime last year. He took a lie detector test regarding the incident and was released. [redacted] believed he may have been arrested for a [redacted] Other than those two arrests, [redacted] could not recall any other times he was arrested since being incarcerated. b6 -5 b7C -5 b6 -2,-5,-6 b7C -2,-5,-6

[redacted] recalled being arrested for [redacted] located near [redacted] occurring on or about [redacted] did not know [redacted] (1-4) JAO

Investigation on 04/20/2009 at Chicago, Illinois

File # 282A-CG-126294-302 Date dictated [redacted] b6 -1 b7C -1 -169

by SA [redacted] jao

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[redacted]

Two plain clothed officers placed [redacted] in an unmarked vehicle for transport. Prior to going to the police station, [redacted] b6 -2,-5 b7C -2,-5

After leaving the viaduct, the officers took [redacted] to the police station. He was placed in an interview room and handcuffed to a ring in the wall. Four different CPD officers came in to interrogate him. These were different officers from the officers who arrested him. [redacted] did not know the names of the interrogating officers. During the interrogation, one of the officers [redacted] b6 -5 b7C -5 At several times during the interrogation, [redacted] was referred to as a [redacted] This did not bother [redacted] because "it was the

way they talked back then." [redacted] believed [redacted] to intimidate him and to get him to say what they wanted him to say. b6 -5,-6 b7C -5,-6

[redacted] signed a statement in front of the interrogating officers. He was not sure if an Assistant States Attorney was present during the statement. [redacted] said the statement was fed to him by the interrogating officers because in actuality, he did not know [redacted] made the statement because he felt the officers might kill him if he refused. [redacted] did not believe former CPD Commander JON BURGE was present during his arrest or interrogation. [redacted] did not believe he could identify any of the arresting or interrogating officers from a lineup. b6 -2,-5,-6 b7C -2,-5,-6

The next time [redacted] saw [redacted] was at the lineup. [redacted] was not allowed to change his soiled clothing prior to the lineup. [redacted] was not able change his clothes until being transferred to the county jail where he was provided with the jail issued jump suits. [redacted] said [redacted] was also wearing soiled clothing and looked to be severely beaten. [redacted] could hardly stand and even laid down in the lineup room. [redacted] saw bruising on [redacted] injuries. [redacted] said it was obvious that [redacted] was beaten. [redacted] briefly spoke to [redacted] in the lineup room. [redacted] told [redacted] about a black box also being used on him after his arrest and that he was beat up "real good." [redacted] did not believe [redacted] was ever beaten and did not know if [redacted] was ever beaten.

[redacted] stated he was not injured as a result of the abuse so he never sought medical attention. [redacted] recalled eventually telling [redacted] about the black box and being shocked. He also recalled telling a couple of people in jail about the abuse. [redacted] stated he never told his public defender about the abuse because he more worried about the charges and time in jail he was facing. b6 -5,-6 b7C -5,-6

[redacted] public defender told him that since he made an incriminating statement that if he went to trial he would receive a 30 year sentence. [redacted] felt he had no choice than to accept the plea agreement. He served [redacted] and [redacted] b6 -5 b7C -5

In hindsight, [redacted] believed they were all beaten because an off-duty police officer was kidnaped and beaten by some of the others involved in the robbery. He believed the investigating officers retaliated against the group for beating the off-duty officer.

[redacted] believed he told the Special Prosecutor's Office about the [redacted] and about being shocked with the black box. [redacted] stated that he had never heard of the black box prior to it being used on him. He said he never heard of the black box in the media before or after it was used on him. [redacted] had not spoken with anyone involved in the robbery since being convicted. b6 -5 b7C -5

[redacted] identified [redacted] as formerly residing at [redacted] with a DOB of [redacted] said [redacted]

b6 -5,-6
b7C -5,-6

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 06/05/2009

On June 5, 2009, [redacted] date of birth [redacted] Social Security Account number [redacted] telephone number [redacted] was telephonically interviewed by Special Agent [redacted] of the Federal Bureau of Investigation. After being advised of the identity of the Agent, as well as the nature of the interview, [redacted] provided the following information: b6 -1,-5 b7C -1,-5

[redacted] recalled the [redacted] occurring at a [redacted] stated that he worked [redacted] b6 -5,-6 b7C -5,-6

[redacted] did not recall going to the Chicago Police Department Area 2 the next day in order to view a lineup. [redacted] stated that the event was long ago and that he had no recollection of seeing an official police lineup. b6 -5 b7C -5

Investigation on 06/05/2009 at Chicago, Illinois (telephonically)

File # 282A-CG-126294-302 Date dictated [redacted] b6 -1 b7C -1 b7E -4 -170

by SA [redacted] er GR

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FEDERAL BUREAU OF INVESTIGATION

b6 -1,-5
b7C -1,-5

Date of transcription 06/04/2009

On June 03, 2009, [redacted] date of birth [redacted] Social Security Account number [redacted] cellular telephone number [redacted] was interviewed at his residence of [redacted] by Special Agents (SAs) [redacted] and [redacted] of the Federal Bureau of Investigation (FBI). After being advised of the identities of the Agents, as well as the nature of the interview, [redacted] provided the following information:

b6 -2,-5,-6
b7C -2,-5,-6

[redacted] recalled his arrest by the Chicago Police Department (CPD) in [redacted] and others. [redacted] stated that when he was arrested at his former residence of [redacted] CPD officers already had [redacted] in custody. [redacted] to come along with him during the arrest because [redacted] could see [redacted] condition. CPD officers had [redacted] and told [redacted] to go back inside her home. Officers gave [redacted] a change of clothes and stated that these were the clothes he had on during the hold-up.

b6 -2,-5,-6
b7C -2,-5,-6

[redacted] could see that [redacted] had been beaten and "f'ed up" with bruises on his body, [redacted] Officers told [redacted] that he was going to get the same thing, which is why he wanted [redacted] to accompany him. [redacted] followed [redacted] and the officers to Area 2 at 111th Street.

b6 -2,-5
b7C -2,-5

At Area 2, after six or seven lineup attempts, officers dragged [redacted] into the lineup area because [redacted] could not walk. [redacted] told [redacted] told [redacted] that [redacted] Officers continued delaying the lineup because [redacted] could not stand up. Finally, officers put [redacted] against the wall with [redacted] and others holding him up. [redacted] next saw [redacted] approximately month later at their court date. At that time, [redacted]

b6 -5
b7C -5

[redacted] did not know the names of any CPD officers who arrested or interviewed him. He was smacked in the face a few times during his confession and was forced to give a statement.

Investigation on 06/03/2009 at Chicago, Illinois

File # 282A-CG-126294-302 Date dictated b6 -1 b7C -1 b7E -4

by SA [redacted]
SA [redacted]

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b6 -5
b7C -5

There were three or four people taking [redacted] statement, but he was unsure whether an Assistant State's Attorney was present.

[redacted] did not tell [redacted] that he was abused during his arrest. [redacted] was with [redacted] the entire day before their arrest and [redacted] was in good health with no bruising or injuries. [redacted] has had no experience with the officers who arrested him since [redacted]

b6 -2,-5,-6
b7C -2,-5,-6

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 06/22/2009

On June 19, 2009, [redacted] was interviewed at his office. [redacted] chose to host the interview in a conference room that was spacious, well-lit, and air conditioned. Also present during the interview was DOJ Civil Rights Attorney [redacted] After [redacted] date of birth [redacted] work telephone number [redacted] was advised of the identity of the interviewing Agent and the nature of the interview, [redacted] provided the following information:

b6 -3,-5
b7C -3,-5

[redacted] served in the [redacted]

b6 -5
b7C -5

[redacted] spent approximately [redacted] working in [redacted] The typical schedule for an ASA in Felony Review was to work for three days from 6 a.m. to 6 p.m., then return to work three days from 6 p.m. to 6 a.m. after time off. Felony Review was based at 26th Street and California Avenue, and an ASA in Felony Review would be called in by detectives to talk to a defendant and take a statement. At the time, a court reporter was also called only if the case involved a homicide or serious crime. Once charged, the case was no longer handled by the ASA in Felony Review.

b6 -5
b7C -5

[redacted] estimated that he had worked with JON BURGE and the detectives under him four to six times. When asked how he would describe BURGE, [redacted] stated, "Did I know he was a bad guy at the time? Not really." [redacted] added that as an ASA he wanted to "go along with the cops." BURGE had the reputation of being a tough guy, but no allegations of abuse had come to light. Regarding the FBI investigation into torture and abuse by BURGE and other Chicago Police Department (CPD) officers, [redacted] said, "I can't say I was real surprised. You would hear things...joking that stuff like this went on. You got a feeling that the cops were rough guys and they get frustrated. It wouldn't be surprising."

b6 -5
b7C -5

Investigation on 06/19/2009 at [redacted]

File # 282A-CG-126294-302 Date dictated [redacted]

b6 -1,-5
b7C -1,-5
b7E -4

by SA [redacted]:er

[redacted]

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Although [redacted] said he was not aware of police abuse of subjects, he explained that CPD officers would sometimes call Felony Review and ask who was on duty that day. If one of the ASAs was a "straight arrow" or someone who might object to questionable police tactics, the officer would ask the dispatcher to send a different ASA. b6 -5 b7C -5

[redacted] said that there was "not really" a time when he saw a subject who appeared to be roughed up. He clarified by adding that he "probably saw cases with guys roughed up," but [redacted] assumed that they may have been in an altercation or coming off drugs. While not recalling a specific instance, [redacted] said that he would have had a conversation with the subject if he believed there had been excessive force by police officers. [redacted] could not recollect anyone ever making claims to him that they had been roughed up. b6 -5 b7C -5

When asked if there was pressure in the [redacted] to turn a blind eye to police abuse, [redacted] said that "you learn by example. You get the idea of what's going on and it won't help your career to complain on a detective." [redacted] agreed that there was a sense in the [redacted] that subjects were getting what they deserved if the cops beat them a little. [redacted] added that this was "kind of the reason" he left Chicago, as well as seeing black men being caught in the system. [redacted] clarified that it was difficult for him to watch black men being arrested by white officers, prosecuted and judged by white men, while sitting in front of black juries. b6 -5 b7C -5

b6 -5,-6
b7C -5,-6

When asked who would have to turn a blind eye or cover up beatings by BURGE or detectives under him, [redacted] chose to explain the atmosphere in the Chicago court system at the time. He spoke of Operation Greylord and the corruption of judges, adding, [redacted] stated that some senior people in the [redacted] probably knew of the abuse by CPD officers, adding that [redacted] clarified that he believed the process to be not necessarily covering up abuse as tolerating it. [redacted] if anyone, must have known, [redacted] speculated.

b6 -5
b7C -5

Further speculating on the [redacted] turning a blind eye to CPD abuses, [redacted] stated that police officers and prosecutors would hang out together in a bar across from the courthouse. [redacted] believed that senior members of the [redacted] must have heard

CPD officers telling them stories of roughing up subjects as they shared drinks together.

At the time that he was asked about [redacted] b6 -5 b7C -5 b7E -3

[redacted] vaguely recalled the arrest of [redacted] and others on or about [redacted] He stated that neither [redacted] nor those with whom he had been arrested had told [redacted] that they had been beaten. Neither did [redacted] recall any of the subjects having marks on them. He stated, "If I had seen someone really roughed up or that they were not talking freely, I think I would have remembered it." [redacted] further explained that if he sensed that a confession had been coerced, he would attempt to build rapport with the subject and provide them with the opportunity to speak freely. [redacted] said that he would likely need to ask the CPD officers to leave the interview room for this to occur. It was admitted by [redacted] that he had never actually done this and he could not recall an occasion when a subject appeared to have had a statement coerced. Neither could [redacted] recall ever being called back into an interview by officers after a subject initially refused to confess. b6 -2,-5 b7C -2,-5 b6 -2,-5,-6 b7C -2,-5,-6

A copy of the [redacted] confession by [redacted] was shown to [redacted] who identified the handwriting as his own and identified his signature on the [redacted] confession. [redacted] believed the statement by [redacted] was given in a detective's office, but he did not recall the officers involved. He did not recall how subjects were brought to him to make statements and did not recall the details of [redacted] or any other subjects making statements. [redacted] did not recall seeing or smelling urine or feces on [redacted] neither did he recall seeing any bruising or blood. [redacted] did recall that an off-duty officer was involved, but he did not recall the name [redacted] nor did he interview [redacted] b6 -2,-5,-7 b7C -2,-5,-7

After recording the statements by [redacted] and other subjects, [redacted] would have returned the duty car and pager to 26th Street and California Avenue. He would have also turned in the statements, but does not believe he had to testify further in this case. [redacted] had never read the Supplementary Report authored by CPD detective [redacted] which indicated that officers had observed bruises on [redacted] prior to his arrest. Neither was he

b6 -2,-5
b7C -2,-5

aware of the Office of Professional Standards report or civil lawsuit filed by [redacted]

[redacted] said that he recalled being interviewed years later by [redacted] The interview was conducted over the phone, took approximately 15 minutes, and at the time [redacted] said he had no recollection of seeing a case of someone in such bad shape. In his statement to [redacted] said that he would have made note of the situation if he had witnessed it. When asked where or to whom he would have noted the abuse, [redacted] said that he did not know to what unit he would have reported such abuse. He speculated that it would have been some kind of internal review board, but he never had an occasion to make an abuse report.

b6 -2,-5
b7C -2,-5

At the time that [redacted] was asked about [redacted]

b7E -3

[redacted]

b6 -5,-6
b7C -5,-6

[redacted] was asked if he could name some "straight arrows" in the [redacted] who might be able to provide information regarding CP abuse. In response, [redacted] said that [redacted] works in the United States Attorney's Office around [redacted] and he may have left the [redacted] around the same time as [redacted] works in the State's Attorney's Office around [redacted] was a [redacted] who knew the office well and may be able to provide more insight. [redacted] and she serves as a judge. [redacted] formerly worked for [redacted]

Notes of the interview were placed in a 1-A envelope and sent to the case file.

282A-CG-126294-302
JAO:jao



b6 -1,-6
b7C -1,-6

The following investigation was conducted by Special Agent [redacted] on July 8, 2009

SA [redacted] attempted to locate [redacted] date of birth [redacted] Social Security Account Number [redacted] SA [redacted] made contact with the following charities/homeless shelters/transitional housing shelters with negative results:

- Juel Fairbanks
  806 Albert Street
  St. Paul, MN
  651-644-6204
  Note: [redacted] LNU stated [redacted] was not at their facility.

b6 -6
b7C -6

- Emma Norton Residence
  670 Robert Street
  St. Paul, MN
  651-224-1329

- Listening House of St. Paul
  215 9th Street
  St. Paul, MN
  651-227-5911
  Note: [redacted] LNU was not familiar with [redacted]

- Catholic Charities of St. Paul
  183 Old 6th Street
  St. Paul, MN
  651-293-1919

- Minnesota Coalition of the Homeless
  2233 University Avenue W, #434
  St. Paul, MN
  651-645-7332
  Note: [redacted] stated [redacted] was not at their facility.

- Union Gospel Mission
  77 9th Street, Suite E
  St. Paul, MN
  651-228-1800
  Note: [redacted] LNU stated [redacted] was not at their facility.

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b6 -1
b7C -1

- Mary's Place
  401 N. 7th Street
  Minneapolis, MN
  612-338-4855

- Naomi's Family Center
  77 9th Street, Suite E
  St. Paul, MN
  651-222-7962

- Face to Face Health & Counseling
  308 Prince Street, Suite B-51
  St. Paul, MN
  651-224-9644

- Ethel Gordon Community Care Center & Shelter
  148 Bates Ave
  St. Paul, MN
  651-222-3838
  Note: [redacted] said [redacted] was not at their facility.

- Caroline Family Services
  1526 6th Street, Suite E
  St. Paul, MN
  651-772-1344
  Note: [redacted] said [redacted] was not at their facility. b6 -6 b7C -6

- Sharing and Caring Hands
  525 N. 7th Street
  Minneapolis, MN
  612-338-4640
  Note: [redacted] LNU stated they are only a soup kitchen, but [redacted] was not in their system.

- Salvation Army
  1010 Currie Avenue
  Minneapolis, MN
  612-338-0113
  Note: [redacted] stated [redacted] had not been there in over one year. He stated that she did not leave any further contact information.

- People Serving People
  614 S. 3rd Street
  Minneapolis, MN
  612-332-4500
  Note: The receptionist did not have any record of [redacted] ever staying at their facility.

b6 -6
b7C -6

- St. Anne's Place
  2634 Russell Avenue North
  Minneapolis, MN
  612-521-2128
  Note: [redacted] LNU said [redacted] never stayed at their facility.

- Ascension Place
  1803 Bryant Avenue
  Minneapolis, MN
  612-588-0861
  Note: [redacted] stated that [redacted] left approximately three months ago without any notice. [redacted] did not leave any contact information.

- Evergreen Residence
  177 Glenwood Avenue N
  Minneapolis, MN
  612-225-1260
  Note: [redacted] LNU stated [redacted] did not stay at their facility.

- Exodus Residence
  819 2nd Avenue H
  Minneapolis, MN
  612-332-0815
  Note: The receptionist stated [redacted] did not stay at their facility.

- Glenwood Residence
  173 Glenwood Avenue
  Minneapolis, MN
  612-225-1274
  Note: [redacted] LNU stated Glenwood was an all male facility, so [redacted] would not have resided at their location.

- Simpson Housing Services
  2100 Pillsbury Avenue
  Minneapolis, MN
  612-874-8683

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 05/05/2009

[redacted] date of birth [redacted] Social Security Number [redacted] home telephone number [redacted], was interviewed at the United States Attorney's Office located at 219 S. Dearborn Street, Chicago, Illinois on April 28, 2009. Present during the interview were:

b6 -1,-3,-5
b7C -1,-3,-5

FBI Special Agent (SA) [redacted]
FBI SA [redacted]
Assistant United States Attorney (AUSA) [redacted]
AUSA [redacted]

[redacted] was advised of the identities of those present and the purpose of the interview. [redacted] recalled that she was previously interviewed by FBI Agents on February 19, 2009, at her residence in [redacted] provided the following additional information:

b6 -5
b7C -5

When [redacted] previously stated that Chicago Police Department Detective (CPD) [redacted] told her not to get involved with any questions, [redacted] was not making a general statement to her. [redacted] made this statement in reference to a specific incident involving [redacted] was questioning the [redacted]

b6 -4,-5
b7C -4,-5

[redacted] stated that most of the typewriters at old Area 2 did not have any covers. When Area 2 moved to its current location, everyone got new Royal typewriters with covers. [redacted] recalled that many of those typewriter covers went missing after a short period of time. [redacted] said she would always put the cover on her typewriter and secure it in her desk at the end of every day. One day [redacted] noticed that the cover on her typewriter was missing. She surmised someone took the typewriter cover from her locked desk while she was not there. Eventually, it seemed that all the typewriter covers were missing. [redacted] described the typewriter covers as being made of a brown colored plastic.

b6 -5
b7C -5

[redacted] clarified the difference between screaming and yelling. [redacted] believed screaming meant someone was hollering in pain. She said yelling meant someone was just being loud. [redacted] said she would occasionally hear screaming, but never knew what

Investigation on 04/28/2009 at Chicago, Illinois

File # 282A-CG-126294-302 Date dictated [redacted] b6 -1 b7C -1

-174

by SA [redacted]

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b6 -5
b7C -5

caused the screams. On more occasions, [redacted] would hear CPD detectives or subjects yelling at each other and just being loud. [redacted] clarified that she would hear more yelling than screaming coming from interrogations rooms.

[redacted] recalled advising Agents that [redacted]

b6 -4,-5
b7C -4,-5

When [redacted] referred to BURGE talking graphically about [redacted] at a CPD retirement party, [redacted] believed the retirement party was for Lieutenant Krane (phonetic) or Lieutenant Kolacki (phonetic).

b6 -5,-6
b7C -5,-6

[redacted] did not know if BURGE was racist, but she recalled BURGE being very negative towards the black detectives. However, BURGE was very nice to the female black civilian employees.

b6 -5
b7C -5

In the 1970s, there was a murder in the building complex where [redacted] lived. During the investigation at the complex, [redacted] recalled seeing a black detective from Area 2 being upset about the way a possible subject was being treated. [redacted] could not recall the name of the black detective, but described him as being very tall.

b6 -5
b7C -5

[redacted] was not present during the ANDREW WILSON investigation. [redacted] said she was told to go home along with four other female civilian employees.

At Area 2, typists were not allowed to see homicide files. Those files were kept locked in a supervisor's office. The typists would type portions of the homicide report and submit them to the supervisor to be filed. In all other investigations, typists were allowed to file their own reports and view the entire investigative file.

[redacted] recalled [redacted] (phonetic) always being around during high profile investigations. [redacted] was told [redacted]

b6 -5,-6
b7C -5,-6

At Area 4, [redacted] never witnessed any abuse. [redacted] saw the area, commonly referred to as "the dungeon", which was located in the basement of Area 4. The dungeon had chains on the wall and was infested with rodents. [redacted] said there were many rumors at area 4 about the way subjects were treated when taken down to the dungeon.

**FEDERAL BUREAU OF INVESTIGATION**

Date of transcription 06/10/2009

b6 -5
b7C -5

[redacted] date of birth [redacted] Social Security Number [redacted] residing at [redacted] home telephone number [redacted] was interviewed on June 03, 2009. After being advised of the identities of the interviewing Agents and the nature of the interview, [redacted] provided the following information:

b6 -2,-5,-6
b7C -2,-5,-6

In [redacted] Chicago Police Department (CPD) detectives came to arrest [redacted] and the detectives when she noticed [redacted] in the back of a police car. [redacted] did not speak to [redacted] and could not recall what he was wearing. [redacted] did not know if detectives made [redacted] change clothes in the street near her residence. [redacted] attention was focused on why the detectives wanted to arrest [redacted] so she did not pay much attention to [redacted]

(1)

[redacted] followed [redacted] and the detectives to the police station. She did not recall seeing [redacted] at the police station. [redacted] did not recall if [redacted] ever told her anything about [redacted] said that no one was beat in her presence, but the detectives were very rude to her. One of the detectives even threatened to shoot her dog.

b6 -2,-5,-6
b7C -2,-5,-6

[redacted] did not have any current contact information for [redacted]

Investigation on 06/03/2009 at Chicago, Illinois

File # 282A-CG-126294-302 Date dictated -175

by SA [redacted]

b6 -1
b7C -1

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282A-CG-126294-302
JAO:jao

1

b6 -1
b7C -1

The following investigation was conducted by Special Agents (SA's) [redacted] and [redacted] in Chicago, Illinois on June 30, 2009.

[redacted] (formerly known as [redacted], telephone number [redacted] was located at [redacted] recalled the incident when [redacted] She recalled identifying several individuals in a line-up at he police station, but she could not recall their names. [redacted] advised that one individual looked "beat-up", but she did not know his name. [redacted] was confident she could identify these individuals again if provided a photograph of the line-up. [redacted] was advised that FBI Agents and Assistant United State's Attorneys would want to meet with her in the future to further discuss this incident. b6 -5 b7C -5

(1) JAO

[redacted] was located at [redacted] at the residence of [redacted] did not recall being in a line-up on [redacted] said he was never beaten during an arrest and admitted to being arrested several times by the Chicago Police Department. b6 -5,-6 b7C -5,-6

Agents attempted to locate [redacted] at [redacted] advised that [redacted] but he never really saw him. [redacted] telephone number [redacted] telephonically advised Agents that [redacted] was a heavy drug user who was homeless. She last spoke with [redacted] approximately six months ago at a liquor store near 83rd and Halstead in Chicago, Illinois. [redacted] further stated [redacted] would not be a good witness because of his heavy drug use and the fact that he did not want help with his addiction. b6 -5,-6 b7C -5,-6

-176



[redacted] 204 jao 04-INS b6 -1 b7C -1

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 10/2/2008

b6 -1,-3,-5
b7C -1,-3,-5

[redacted] date of birth [redacted] telephone number [redacted] currently self-employed by [redacted] was interviewed on September 25, 2008. Present during the interview were the following individuals:

FBI Special Agent [redacted]
Assistant United States Attorney (AUSA) [redacted]
AUSA [redacted]
AUSA [redacted]

b6 -2,-5,-6
b7C -2,-5,-6

After being advised of the identities of those present and the nature of the interview, [redacted] provided the following information:

[redacted] former Chicago Police Department (CPD) Commander JON BURGE [redacted] During this period, [redacted] allegations.

b6 -2,-5,-6
b7C -2,-5,-6

[redacted] vaguely recalled the first and second set of interrogatories to which BURGE responded to regarding the [redacted] lawsuit. [redacted] could not recall if he or [redacted] reviewed the interrogatories prior to sending them to Attorney [redacted]

b6 -2,-5,-6
b7C -2,-5,-6

[redacted] reviewed the signatures on both sets of interrogatories. [redacted] said it appeared that BURGE signed both sets of interrogatories, but he was not present when BURGE signed the documents. [redacted] said it was common practice to have a notary verify a signature when the client was not able sign the documents in their office. [redacted] assumed the documents were sent to BURGE [redacted] It appeared [redacted] then forwarded the documents to the [redacted] believed that he or [redacted] asked BURGE

Investigation on 09/25/2008 at Chicago, Illinois

File # 282A-CG-126294-302 Date dictated

by SA [redacted]

b6 -1
b7C -1

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the interrogatory questions and went over his responses prior to BURGE signing the documents.

[redacted] b6 -5 b7C -5 did not believe that [redacted] ever signed a client's signature. If [redacted] would have signed the document for a client, it would have been followed by his own signature and/or initials and date he signed the document. b6 -5,-6 b7C -5,-6

[redacted] reviewed the letter from [redacted] dated October 8, 2003. [redacted] recalled the letter and recalled that they were dealing with discovery issues at that time.

[redacted] reviewed the letter from [redacted] dated October 20, 2003. [redacted] recalled the letter and stated that they were still looking for the discovery items requested by [redacted] b6 -5,-6 b7C -5,-6

[redacted] did not specifically recall [redacted]

[redacted]

Copies of the interrogatories, cover letters, and other communications will be forwarded to the 1A section of the case file.

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 7/30/2009

[redacted] Social Security Account Number [redacted] b6 -5
[redacted] residing at [redacted] home b7C -5
telephone number [redacted] was telephonically interviewed on July 27, 2009. After being advised of the identity of the interviewing Agent and the nature of the interview, [redacted] provided the following information:

[redacted] recalled the [redacted] recalled that b6 -5,-6
[redacted] were also involved with the b7C -5,-6
incident. [redacted] LEE HOLMES were questioned and later released because they did not have anything to do with the [redacted]

[redacted] turned himself in with [redacted] because he heard that CPD officer were looking for him. When [redacted] was at Area 2, located at 91st St. and Cottage Grove, Chicago, Illinois, he said b6 -5,-6
that he was beaten with a telephone book during the interrogation b7C -5,-6
He could not recall which Chicago Police Department officer beat him. He would not be able to pick the officer from a photographic line-up. He recalled being questioned in a room with "two-sided mirrors." [redacted] believed he was roughed up so he would implicate others in [redacted] statement was not recorded and he did not receive medical treatment as a result of the beating.

[redacted] did not witness anyone else get beat, but LEE b6 -5
HOLMES (deceased) later told him that he was beaten in a similar b7C -5
manner.

[redacted] was convicted of [redacted]

[redacted] terminated the interview because he had to pick up his children. [redacted] agreed to further questioning at another time, if necessary.

b6 -5
b7C -5

Investigation on 07/27/2009 at [redacted] (telephonic)

File # 282A-CG-126294-302 Date dictated b6 -1,-5 b7C -1,-5

178

by [redacted]

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282A-CG-126294-302 -179
JAO:jao

1

On February 10, 2009, [redacted] residing at [redacted] provided documents to the Chicago FBI for review. The documents [redacted]

b5 -1
b6 -5
b7C -5

(1) JAO

b6 -1
b7C -1

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 01/22/2010

[redacted] previously interviewed, was interviewed telephonically. After being advised of the identity of the interviewing Agent and the purpose of the interview, [redacted] provided the following information. b6 -5 b7C -5

[redacted] confirmed that it was her common practice to ask customers for identification prior to notarizing a document. She usually wrote the identification on the document, but in some instances there was not room for that information on the signature page. In other instances, the customer or the customer's attorney would request that the information not be written on the document in order to keep it clean. In such circumstances, [redacted] would still require the customer to show proper identification, but she would not write the information on the signature page. [redacted] cannot recall the circumstances surrounding the notarizing of JON BURGE's interrogatory document in November, 2003. b6 -5 b7C -5

Investigation on 1/22/2010 at Chicago, Illinois (telephonically)

File # 282A-CG-126294-302 b6 -1 b7C -1 Date dictated 1/22/2010

by SA [redacted]

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 01/22/2010

[redacted] telephone number [redacted] who resides at [redacted] date of birth [redacted] was interviewed telephonically. After being advised of the identity of the interviewing Agent and the purpose of the interview, [redacted] provided the following information. b6 -5 b7C -5

[redacted] was employed at [redacted] and retired in approximately [redacted] She became a notary sometime in the 1980's and remained a notary until retirement. b6 -5 b7C -5

She always followed the same procedure when she notarized a document. She asked the customer for identification. She made sure the identification matched up to that customer. She asked if the customer understood what they were signing and whether the document was true to the best of the customer's knowledge. [redacted] would not notarize a document if any of those conditions were not met. She provided an example of a customer signing a document prior to arriving at the bank, in which case she would make the customer sign the document again in her presence. [redacted] custom was to write the customer's identification number on the signature page of the notarized document. She did followed that procedure until the bank told the notaries to discontinue that practice due to privacy and identity theft concerns. [redacted] cannot recall when the bank changed that procedure. b6 -5 b7C -5

[redacted] has no recollection of notarizing JON BURGE's signature on an interrogatory document in November, 2003. She received a copy of the document from BURGE's defense attorney and confirmed that she did notarize the document and confirmed it was her signature as notary. [redacted] did not know BURGE when she notarized the document and has not followed any press coverage of his case. b6 -5 b7C -5

Investigation on 1/22/2010 at Chicago, Illinois (telephonically)

File # 282A-CG-126294-302 Date dictated 1/22/2010

by SA [redacted] b6 -1 b7C -1

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282A-CG-126294-302 -182
KKK:kkk

1

On [redacted] appeared before the Grand Jury pursuant to a federal Grand Jury subpoena.

b3 -1
b6 -5
b7C -5

**FEDERAL BUREAU OF INVESTIGATION**

Date of transcription 02/22/2010

[redacted] (previously interviewed) provided an updated contact telephone number of [redacted] This number is a cellular telephone number and is the most reliable number with which to reach her.

b6 -5
b7C -5

Investigation on 2/22/2010 at Chicago, Illinois (telephonically)

File # 282A-CG-126294-302 Date dictated 2/22/2010

b6 -1
by SA [redacted] b7C -1

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FEDERAL BUREAU OF INVESTIGATION

b6 -5,-6
b7C -5,-6

Date of transcription 04/05/2010

[redacted] date of birth [redacted] was interviewed at his residence, [redacted] located at [redacted] telephone number [redacted] Present during part of the interview was [redacted] case manager [redacted] After being advised of the identities of the interviewing Agents and the nature of the interview, [redacted] provided the following information: b6 -2,-5 b7C -2,-5

[redacted] first became aware that the Chicago Police Department (CPD) was looking for ANDREW WILSON and [redacted] in connection with the murders of CPD Officers WILLIAM FAHEY and RICHARD O'BRIEN the evening of 02/13/1982. [redacted] heard on a television news broadcast the [redacted] were wanted by the police. The news broadcast also mentioned the police were looking for a third party that may have been in the car with the [redacted] at the time of the incident. [redacted]

b6 -5,-6
b7C -5,-6

After hearing about the story on the news, [redacted] received a call from [redacted]

[redacted]

Investigation on 03/30/2010 at Chicago, IL

File # 282A-CG-126294-302 Date dictated b6 -1 b7C -1 b7E -4

by SA [redacted] jbm

-184

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b6 -2,-4,-5
b7C -2,-4,-5

[redacted] estimated that he arrived at Area 2 at approximately [redacted]

b6 -5,-6
b7C -5,-6

[redacted] JON BURGE then came into the room and asked [redacted] lied and told BURGE another officer said it was okay.

b6 -5,-6
b7C -5,-6

[redacted] also known as (aka) [redacted] aka [redacted] and [redacted] aka [redacted] detained at the police station for questioning regarding the murders of the officers. [redacted]

b6 -5
b7C -5

[redacted] WILSON was being questioned by the police [redacted] BURGE was in the room at the time and told the officer questioning [redacted] to "Get him out of here".

[redacted] was taken to a room that he described has having

b6 -5,-6
b7C -5,-6

[redacted] two officers that interrogated [redacted] stated, [redacted]

b6 -5
b7C -5

The officer that made the statement punched and kicked [redacted] interrogated. BURGE was present and witnessed the abuse. [redacted]

b6 -5,-6
b7C -5,-6

does not recall the name of the officer that punched and kicked him, but he was one of the two officers that was present when [redacted] made a statement to Assistant States Attorney [redacted]

b3 -1
b6 -5,-6
b7C -5,-6

the Grand Jury and [redacted]

[redacted] spoke with defense attorney [redacted] by telephone within the last six months regarding the events [redacted]

b6 -5,-6
b7C -5,-6

WILSON in the stomach while BURGE was present.

b6 -2,-5,-6
b7C -2,-5,-6

[redacted] feels that BURGE should be sparred of jail time because BURGE is an "old man", was acting as an officer of the law at the time of the incident and the fact that the [redacted] were guilty of killing two police officers.

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 07/29/2008

[redacted] date of birth [redacted] social security account number [redacted] was interviewed at his residence located at [redacted] telephone number [redacted] After being advised of the identity of the interviewing Agents and the nature of the interview, [redacted] voluntarily provided the following information:

b6 -5
b7C -5

b6 -5,-6
b7C -5,-6

[redacted]

b6 -2,-5,-6
b7C -2,-5,-6

[redacted] saw BURGE at the Popolano's Restaurant on several occasions. [redacted] BURGE was sitting at the bar as a customer. A news story was shown on the television at the bar discussing the [redacted] (known to the writer as ANDREW [redacted] BURGE made a hand signal to [redacted] as if he were telling [redacted] to keep the discussion of the black box quiet. [redacted] was present for this conversation with [redacted]

b6 -5,-6
b7C -5,-6

[redacted] understood that the [redacted] were tortured from his discussions with [redacted] saying that the box was used to interrogate suspects. [redacted] understood the use of the box in "interrogations" meant the suspects were being electrocuted.

Investigation on 07/22/2008 at [redacted]

b6 -1,-5
b7C -1,-5

File # 282A-CG-126294-302 Date dictated 07/29/2008

185

by SA [redacted]

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[redacted]

BURGE never discussed his interactions with prisoners around [redacted] BURGE alluded that he had fought with officers, but did not discuss any arrests.

b6 -4,-5,-6
b7C -4,-5,-6

[redacted] provided the following names as individuals who may know more about BURGE's activities. [redacted] a former Cook County Police Officer, First Name Unknown (FNU) DILLARD, and FNU [redacted] (phonetic). [redacted] believed FNU [redacted] BURGE. [redacted] also believed that [redacted] would know some information about BURGE through his late father. [redacted] believed BURGE spoke about his illegal activities to his friends at the club.

b6 -5,-6
b7C -5,-6

[redacted] believed BURGE's illegal activities were widely known. [redacted] believed his association with BURGE affected how people thought about him. [redacted] claimed she knew of BURGE's abuse from Chicago Police Department Detective [redacted] BURGE but did not have a positive relationship with BURGE. [redacted] believed [redacted] may have a different last name through marriage. [redacted] married a man who also had information regarding BURGE. However, [redacted]

FEDERAL BUREAU OF INVESTIGATION

b6 -1,-5
b7C -1,-5

Date of transcription 10/30/2008

On October 29, 2008, [redacted] date of birth [redacted] residing at [redacted] telephone number [redacted] was interviewed at his residence by Special Agents (SAs) [redacted] and [redacted] of the Federal Bureau of Investigation (FBI). After being advised of the identities of the Agents and the nature of the interview, [redacted] provided the following information: b6 -5,-6 b7C -5,-6

[redacted] entered duty as a Chicago Police Department (CPD)

[redacted]

When [redacted] first served in Area 2 Homicide there were two entities: Homicide/Sex and Robbery. [redacted] when [redacted] was moved and JON BURGE became the commanding officer. b6 -5,-6 b7C -5,-6

While [redacted] JEFFREY MAYFIELD was killed when shot nine times and dumped into the gardens near the river. [redacted]

[redacted] b6 -2,-5,-6,-7 b7C -2,-5,-6,-7

During a two to four hour interrogation conducted by [redacted] and [redacted] denied any involvement in the [redacted]

Investigation on 10/29/08 at [redacted]

File # 282A-CG-126294-302 Date dictated -1860

by SA [redacted] er al
SA [redacted] b6 -1,-5 b7C -1,-5

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10-1562.302

[redacted] Around 9 p.m., a supervisor opened the interrogation room door, asked if there was any progress with [redacted] then sent [redacted] was unsure whether that supervisor was BURGE. [redacted] was unaware that officer JIM DOYLE had been shot that evening, but watched as a Chicago Transit Authority bus was brought in by Robbery Detectives as he left Area 2.

b6 -2,-4,-5,-6
b7C -2,-4,-5,-6

[redacted] and when he returned he asked his Sergeant, [redacted] what had happened to [redacted] [redacted] stated that [redacted] was charged with Unlawful Use of a Weapon. When [redacted] showed up in court sometime later for a suppression hearing, Assistant State's Attorney (ASA) [redacted] mentioned to [redacted] that [redacted] was attempting to suppress because of electrocution that occurred during his interrogation. [redacted] was shocked because this was the first he had heard of torture taking place.

b6 -2,-5,-7
b7C -2,-5,-7

[redacted] asked each other about the incident later, each agreeing that they had never heard of it and knew nothing of the torture. [redacted] insists that he never has seen excessive force and that he never witnessed anyone touch [redacted] never asked BURGE about the accusations against BURGE because it would be inappropriate to confront a superior. [redacted] did not consider himself "a BURGE guy" and stated that [redacted] was "not a brutal person." [redacted] recollected that [redacted] worked in [redacted] of CPD prior to partnering together for about

b6 -5,-7
b7C -5,-7

To explain the term "BURGE guy," [redacted] stated that there was an "A team" which consisted of people that BURGE trusted and worked with. [redacted] was not on that team. [redacted] and had no desire at the time to spend money at a bar with BURGE and other police officers that should otherwise go to his family. [redacted] asserted that he would never be willing to risk his job by abusing a suspect, stating that his goal was to earn money for his family. In relation to this, [redacted]

Approximately a year later, a triple homicide occurred on 95th Street, and [redacted] was brought into Area 2 again as a suspect. Sergeant [redacted] told [redacted] that [redacted] was in an interview room and that [redacted] should interrogate him. [redacted] reluctantly began the interrogation of [redacted] alone, during which time [redacted] told

b6 -2,-4,-5
b7C -2,-4,-5

[redacted] stated that [redacted] left the interview room to contact the crime lab because [redacted] recalled that [redacted] was partnered with [redacted] at the time, and when [redacted] left the interview room, [redacted] entered. [redacted] recounted to [redacted] that [redacted] confessed the same to him in private. When [redacted] received the lab report it revealed that [redacted] described did match those in [redacted] called an ASA to take [redacted] confession, but [redacted] refused to make the statement before the ASA.

b6 -2,-6
b7C -2,-6

[redacted] based on his statements. [redacted]

[redacted] recounted the arrest of ANDREW [redacted] for the murders of CPD Officers FAHEY and O'BRIEN in Februa[redacted] was with Officers [redacted] First Name Unkn[redacted] (FNU) [redacted] JON BURGE, [redacted] PATRICK O'HARA and [redacted] took a written statement from one of the individuals who [redacted] They executed a search warrant on [redacted] early in the morning and found either [redacted] and other officers returned to the police department without the [redacted] at that time, and Sergeant [redacted]

b6 -2,-4,-5,-7
b7C -2,-4,-5,-7

b6 -2,-4,-5
b7C -2,-4,-5

[redacted] came to work around 7:30 on Sunday morning. By that time, ANDREW WILSON had been taken into custody. Around 10 a.m., [redacted] was directed to CPD 2nd District to pick up [redacted] The officers proceeded to [redacted] and returned to Areas 2 with [redacted] By this time, news crews were all around Area 2.

b6 -2,-5
b7C -2,-5

[redacted] was involved with portions of [redacted] interrogation, and [redacted] never saw abuse during this time, never saw [redacted] being bagged or hit or forced to play Russian roulette. At no time did [redacted] witness a black box being

used. [redacted] was not involved in the interrogation for long and was unsure whether [redacted] were present throughout the interrogation. At no time did [redacted] see ANDREW WILSON and at no time did he hear screams. [redacted] never spoke with BURGE about the allegations of torture and would never have confronted a superior officer in that manner. [redacted] wanted to continue working Homicide and did not want to put his position in jeopardy. b6 -2,-4,-5,-7 b7C -2,-4,-5,-7

[redacted] recounted the arrest of [redacted] stating that he was involved with everything from the scene. He recalled the incident as [redacted] headed to the scene in a squad car and encountered the murder of [redacted] CPD learned that [redacted] were involved. [redacted] proceeded to [redacted] residence in the vicinity of [redacted] along with approximately six other CPD officers. [redacted] was taken by an unknown officer to the interrogation room at Area 2. Meanwhile, [redacted] was taken into custody at a [redacted] b6 -2,-5 b7C -2,-5

[redacted] recalled the background of the case was that [redacted] b6 -2,-5,-7 b7C -2,-5,-7

Around 5 p.m., [redacted] began interrogating [redacted] but [redacted] was unaware of anyone interrogating [redacted] yet. [redacted] did recall that [redacted] both appeared untouched when he saw them in the interview rooms, though [redacted] recalled that [redacted] was high. [redacted] believed that BURGE had nothing to do with the incident. b6 -2,-4,-5,-6 b7C -2,-4,-5,-6

[redacted] began interrogating [redacted] around 6 p.m., and [redacted] had been in custody already for hours. During that time, [redacted] never said anything about being touched. When [redacted] told [redacted] that [redacted] was also in custody, [redacted] was in disbelief, stating, "Show me [redacted] and I'll tell you everything." [redacted] was displayed to [redacted] and he proceeded to give a confession. [redacted] called Felony Review, ASA [redacted] took the confession and photographs of [redacted] were taken. [redacted] was sent home around 2-3 a.m., and the other detective at the time may have been [redacted]

Among [redacted] were JACK COLE (deceased), [redacted], JOHN YUCAITIS (deceased), [redacted] does not remain in contact with anyone from CPD. The most recent contact was when [redacted] telephoned [redacted] to advise him of the Area 2 reunion, which [redacted] did not and has not attended. [redacted] was in Florida at the time of the call. [redacted] believes that [redacted] b6 -1,-5 b7C -1,-5

Approximately two hours after the interview in [redacted] residence, SA [redacted] telephonically contact [redacted] then provided the following information:

In approximately [redacted] Attorney [redacted] and another attorney advised [redacted] while being deposed by Attorney [redacted] advised [redacted] th b6 -5,-6 b7C -5,-6 they did not know who was being targeted, and that anything [redacted] said might make a conspiracy run again. [redacted] further advised that he would not represent [redacted]

In [redacted] was called to testify at the Grand Jury at [redacted] He was advised by Attorney [redacted] was unsure of the reasoning for this and could not recall if he told [redacted] that he wanted to testify. b3 -1 b6 -5,-6 b7C -5,-6

In approximately [redacted] was called for a deposition, and Attorney [redacted] advised [redacted] that he could answer questions because the Grand Jury had expired.

**FEDERAL BUREAU OF INVESTIGATION**

Date of transcription 04/28/2010 b6 -5 b7C -5

[redacted] date of birth [redacted] telephone number [redacted] who resides at [redacted] was interviewed at his residence. After being advised of the identity of the interviewing Agents and the purpose of the interview, [redacted] provided the following information. b6 -5,-6 b7C -5,-6

[redacted] met JON BURGE in [redacted] and BURGE were good friends [redacted] considered BURGE a "blowhard" who always had to be better than everybody else. [redacted] did not consider himself to be in BURGE's class of people. BURGE made more money and wanted to show that off, particularly in front of ladies. b6 -5,-6 b7C -5,-6

BURGE and [redacted] did not discuss their personal lives. [redacted] knew BURGE would tell stories to [redacted] but he did not pay too much attention during those conversations as he thought BURGE had a "big mouth" and liked to talk about himself. [redacted] does not recall any specific stories from those conversations. He cannot recall BURGE mentioning a black box, or speaking in racist terms. b6 -5,-6 b7C -5,-6

[redacted] believes that [redacted] would be able to provide more information on BURGE. [redacted] is now employed at a [redacted]

[redacted] has not spoken to BURGE since before 1991.

Investigation on 4/28/2010 at [redacted] b6 -1,-5 b7C -1,-5

File # 282A-CG-126294-302 Date dictated 4/28/2010 -187

SA [redacted]

by SA [redacted] :kkk

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FEDERAL BUREAU OF INVESTIGATION

b6 -3,-5
b7C -3,-5

Date of transcription 04/22/2010

[redacted] (previously interviewed) was interviewed in preparation for trial at the UNITED STATES ATTORNEY'S OFFICE, 219 S. Dearborn Street, Chicago, Illinois. Also present for the interview were Assistant United States Attorney's (AUSA) [redacted]

During the interview, [redacted] recalled an incident in which he witnessed a male subject seated on the floor in the Chicago Police Department's Area 2 station, located at the time at 91st and Cottage Grove. The individual was handcuffed to what appeared to be a radiator. [redacted] described the individual as looking shocked but otherwise uninjured. Later, [redacted] watched news reports and saw the same individual looking bloodied and beaten up, with a bandage over his forehead. [redacted] initial recollection was that the individual he witnessed on the floor and then on the news was [redacted] After reviewing news clippings and a photograph of the line-up, [redacted] indicated his initial recollection was incorrect and he identified ANDREW WILSON as the individual in question.

b6 -2,-5
b7C -2,-5

[redacted] does not remember if JON BURGE was working during the arrest of [redacted] He does not know who [redacted] had contact with at Area 2 after [redacted] left.

b6 -2,-5
b7C -2,-5

[redacted] subsequent statements were consistent with his statements made in prior interviews.

Investigation on 4/21/2010 at Chicago, Illinois

File # 282A-CG-126294-302 b6 -1 b7C -1 Date dictated 4/22/2010

-188

by SA [redacted] :kkk

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FD-302 (Rev. 10-6-95)



FEDERAL BUREAU OF INVESTIGATION

b5 -1,-3
b6 -5
b7C -5

Date of transcription 05/11/2010

On May 10, 2010, [redacted] provided the undersigned agent with [redacted]

The [redacted] will be placed in a 1A envelope and maintained in the case file.

131KKK01.302.wpD

Investigation on 5/10/2010 at [redacted]

File # 282A-CG-126294-302 Date dictated 5/11/2010

-189

by SA [redacted]

b6 -1,-5
b7C -1,-5

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FEDERAL BUREAU OF INVESTIGATION

b6 -3,-5
b7C -3,-5

Date of transcription 05/06/2010

[redacted] telephone number [redacted] who is a [redacted] was interviewed telephonically. Also present for the interview were Assistant United States Attorneys [redacted] and [redacted] After being advised of the identity of those present and the purpose of the interview, [redacted] provided the following information.

b3 -1
b6 -3,-5,-6,-7
b7C -3,-5,-6,-7

[redacted]

b3 -1
b6 -2,-3,-5,-6,-7
b7C -2,-3,-5,-6,-7

As [redacted] would not allow prosecutors to question [redacted] prior to his Grand Jury testimony, [redacted] At the beginning of his testimony, AUSA [redacted] asked [redacted]

The first time [redacted] ever saw [redacted] was the day he testified in the Grand Jury. [redacted] or spoke with him personally prior to that day.

b3 -1
b6 -5,-7
b7C -5,-7

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Investigation on 5/5/2010 at Chicago, Illinois (telephonically)

File # 282A-CG-126294-302 b6 -1 b7C -1 Date dictated 5/6/2010

by SA [redacted]

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FEDERAL BUREAU OF INVESTIGATION

b6 -3,-5
b7C -3,-5

Date of transcription 05/06/2010

[redacted] telephone number [redacted] who is employed at [redacted] was interviewed telephonically. Also present for the interview were Assistant United States Attorneys [redacted] and [redacted] After being advised of the identity of those present and the purpose of the interview, [redacted] provided the following information.

b3 -1
b6 -3,-5,-6,-7
b7C -3,-5,-6,-7

[redacted]

[redacted] had previously told the prosecutive team that [redacted] prior to testifying in the Grand Jury. To the best of [redacted] recollection, [redacted] spoke at [redacted] does not recall the details of [redacted] wording, but is 80% to 90% certain that [redacted] told the two that it was important for [redacted] before the Grand Jury. [redacted] has no recollection as to whether [redacted] discussed any speci[b3 -1] adverse consequences if [redacted] did not provide truthfu[b6 -3,-5,-6,-7] testimoy. He does not recall if [redacted] made any response [b7C -3,-5,-6,-7] [redacted]

[redacted] was attended by counsel at all times except when testifying in front of the Grand Jury. [redacted] never spoke to or at [redacted] prior to that day. He does not recall if [redacted] was personally served with a Grand Jury subpoena by an Agent of the Federal Bureau of Investigation or if his attorney accepted service on his behalf.

b3 -1
b6 -5,-7
b7C -5,-7

Investigation on 5/5/2010 at Chicago, Illinois (telephonically)

File # 282A-CG-126294-302 b6 -1 b7C -1 Date dictated 5/6/2010

by SA [redacted]

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FEDERAL BUREAU OF INVESTIGATION
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(Rev. 05-01-2008)

UNCLASSIFIED

# FEDERAL BUREAU OF INVESTIGATION

**Precedence:** ROUTINE **Date:** 06/05/2009

**To:** Chicago
Criminal Investigative

**Attn:** SAC
**Attn:** Public Corruption Section
Acting Section Chief [redacted]
Public Corruption Unit
Unit Chief [redacted]

**From:** Chicago
Squad WC-1
**Contact:** SA [redacted]

b6 -1 Per FBI
b7C -1 Per FBI

**Approved By:** [redacted] 6/9/09

b6 -1 Per FBI
b7C -1 Per FBI

**Drafted By:** [redacted]

**Case ID #:** 74-CG-~~NEW~~ ~~(Pending)~~ 130688

**Title:** Unsub(s);
Office of Professional Standards,
Chicago Police Department;
Perjury
SENSITIVE INVESTIGATIVE MATTER

b6 -1 Per FBI
b7C -1 Per FBI

**Synopsis:** Request to open and assign a SENSITIVE INVESTIGATIVE MATTER, Perjury, to SA [redacted] and SA [redacted]

b6 -1,-3 Per FBI
b7C -1,-3 Per FBI

**Administrative:** Reference May 26, 2009, Memorandum from the United States Attorney's Office, Northern District of Illinois, by AUSA [redacted] to FBI Special Agents [redacted] and [redacted] and AUSA's [redacted] and [redacted] titled "OPS Investigation."

b6 -1,-3 Per FBI
b7C -1,-3 Per FBI

**Enclosure(s):** Enclosed for receiving offices is a copy of the May 26, 2009, Memorandum from the United States Attorney's Office, Northern District of Illinois, by AUSA [redacted] to FBI Special Agents [redacted] and [redacted] and AUSA's [redacted] and [redacted] titled "OPS Investigation."

**Details:** The Chicago FBI and the U.S. Attorney's Office are currently investigating former Chicago Police Commander Jon Burge

UNCLASSIFIED

b6 -1 Per FBI
b7C -1 Per FBI

O+A to SA [redacted]
SA [redacted]
[redacted] 6/15/09

source: NONE
CPI: 07

on Federal perjury and obstruction of justice charges, in case 282A-CG-126294. Burge has been indicted on perjury and obstruction of justice charges, and is expected to begin trial in October 2009. That case relates to allegations of torture by members of the Chicago Police Department in the early 1980's. The indictment charges Burge with lying about his involvement in the alleged torture during the course of a civil lawsuit brought in federal court. This investigation is being conducted by FBI Chicago's Squad WC-3.

b5 Per EOUSA
b6 -3 Per FBI
b7C -3 Per FBI

[redacted]

The primary focus of the new investigation will be to review the investigative reports pertaining to the original investigation and the statements provided by investigators assigned to the case. The U.S. Attorney's Office has received allegations of a cover-up by OPS personnel. Interviews will be attempted with former City of Chicago employees and specifically members of the Office of Professional Standards. The object of the interviews will be to determine if there is corroborate evidence of an orchestrated cover up of the illegalities committed by the Chicago Police Department.

b5 Per EOUSA
b6 -3 Per FBI
b7C -3 Per FBI

[redacted]

The SAC may authorize a Perjury investigation on the request of the U.S. Attorney's Office when the perjury arises

To: Chicago From: Chicago
Re: 74-CG-NEW, 06/05/2009

from a civil case in Federal court in which the U.S. Government is not a party to the case. See MIOG Part 1, 74-2.1.1.

The U.S. Attorney's office has requested that all pertinent investigation in this matter be completed by the end of August 2009, prior the initiation of the Federal perjury trial of retired Police Commander Jon Burge.

[redacted]

to SA's [redacted] and [redacted]

b5 Per EOUSA

b6 -1,-3 Per FBI
b7C -1,-3 Per FBI



19-cv-4048(FBI)-1826

To: Chicago From: Chicago
Re: 74-CG-NEW, 06/05/2009

**LEAD(s):**

**Set Lead 1: (Info)**

CRIMINAL INVESTIGATIVE

AT WASHINGTON, DC

Will notify the Section Chief, Public Corruption Section, and the Unit Chief, Public Corruption Unit, of the intitiation of this investigation.

♦♦



19-cv-4048(FBI)-1827

FEDERAL BUREAU OF INVESTIGATION
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FOI/PA# 1417740-0

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Page 3 ~ b7C - Per EOUSA;
Page 4 ~ b5 - Per EOUSA; b6 - 1,-3 Per FBI; b7C - 1,-3 Per FBI;

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74 CG 130688
JWD (8)
24

FEDERAL BUREAU OF INVESTIGATION
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FOI/PA# 1417740-0

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# Memorandum

To : SA [redacted] (SQUAD 12)

Date 2/11/91

b6 -1 Per FBI
b7C -1 Per FBI

From : SSA [redacted] (SQUAD 12)

Subject: CIVIL RIGHTS MATTER

O & C 2/11/91 DMC

OOL 2/15/91

Attached to this memorandum is a civil rights complaint. It has been determined that this complaint will not be opened and a preliminary investigation conducted without specific instructions from FBIHQ or the DEPARTMENT OF JUSTICE (DOJ) to do so. Accordingly, this complaint will be forwarded to FBIHQ which will then submit it to the Civil Rights Division, DOJ, for review.

The process by which this complaint is to be handled is somewhat complicated and involves the preparation of an airtel, LHM and FD-610. While Chicago will be conducting no investigation regarding this complaint at this time it is still necessary to open a civil rights case and close it on the communication sent to FBIHQ.

The following instructions are set forth to assist you in handling this matter:

1] Review the attached complaint thoroughly and prepare an appropriate title in accord with civil rights matter's procedures.

2] Draft and FD-610 and obtain a file number from Squad #12 rotor.

3] Prepare an LHM synopsizing the complaint, setting forth the reason(s) why the case will not be investigated by Chicago, and concluding with a statement reflecting that the Chicago Division will not conduct investigation into this matter unless specifically instructed to do so by FBI Headquarters or the Civil Rights Division of the DOJ. Copies of all complaint forms, FD-302s, or other supporting documentation must be attached to the LHM. The original enclosures should be attached to the Chicago file copy. Reasons for not conducting any investigation include the lack of witnesses, no physical violence or serious injury, etc. See Squad #12 Supervisor if you have difficulty in this area.

2/11/91 R-set T for 2/15 & forward to Rotor DMC

44A-CG-79486-1

SEARCHED [redacted] INDEXED [redacted]
SERIALIZED [redacted] FILED [redacted]
b6 -1 Per FBI
b7C -1 Per FBI
FEB 1 1 1991
FBI — CHICAGO

SA [redacted]

19-cv-4048(FBI)-1957

4] Prepare a cover airtel to transmit the FD-610 and LHM to FBIHQ. The airtel should note the FD-610 and LHM as enclosures, contain a very short explanation of the case, and note that the Chicago Division has placed the captioned matter in a closed status and will conduct no further investigation unless instructed to do so by FBIHQ or DOJ. State results of indices check. This airtel should also note that a letter has been sent to the complainant explaining that the matter has been forwarded to DOJ for review.

5] Prepare letter to complainant under the SAC's signature line with a "By" line for SSA Squad #12. cc to USA's office if a referral.

6] Submit as a package to Squad #12 desk for review and approval.

Questions regarding these instructions should be directed to the Squad #12 desk, where examples are also maintained. All FOAs are reminded to make the appropriate entries into their Probationary Agent Log.



19-cv-4048(FBI)-1958

1] INDICES
2] SQUAD #12 SUPERVISOR

**PLEASE EXPEDITE ASAP!**
**THANK YOU!**

[redacted]

U.S. Department of Justice

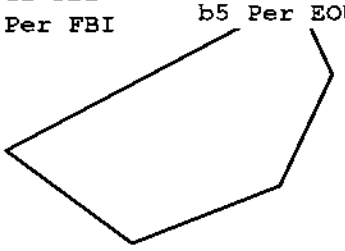
*United States Attorney*
*Northern District of Illinois*

*Dirksen Federal Building*
*219 South Dearborn Street, Room 1500*
*Chicago, Illinois 60604*

December 14, 1990

b6 -1 Per FBI
b7C -1 Per FBI

b5 Per EOUSA



[redacted]
Supervisory Special Agent
Squad 12
Federal Bureau of Investigation
219 S. Dearborn, 9th Floor
Chicago, Illinois 60604

Dear [redacted]

Enclosed please find two civil rights complaints regarding police misconduct in the Chicago Police Department. Please conduct a preliminary investigation into this matter.

Thank you for your assistance.

Very truly yours,

FRED FOREMAN
United States Attorney

By: Dean Polales

DEAN L. POLALES, Deputy Chief
Special Prosecutions Division
353-4490

Enclosure

SEARCHED ____ INDEXED ____
SERIALIZED ____ FILED ____
FEB 11 1991
FBI — CHICAGO

SA [redacted] b6 -1 Per FBI
b7C -1 Per FBI

# Memorandum

| Subject | Date |
|---|---|
| Re: Possible police misconduct | November 21, 1990 |

To Dean Polales
Dp. Ch. SPD

From [redacted] b6 Per EOUSA

I received the enclosed from [redacted] regarding alleged police misconduct. b6 Per EOUSA
Do you want me to acknowledge the receipt of [redacted] complaint in writing to [redacted]

[redacted]

b6 Per EOUSA

October 1, 1990

Mr. Fred Foreman
U. S. Attorney
Northern District of Illinois
219 S. Dearborn - Room 1500
Chicago, IL 60604

Dear Mr. Foreman:

Human rights in Chicago must be protected!

The torture of victims as indicated by complaints against Commander Jon Burge and the officers under his command urgently requires your attention. Torture by Chicago police which is paid for by our federal, state, and city taxes is too important an issue not to be investigated by your office.

We have no room for third-world torture tactics in Chicago, or in any other part of the world, and those responsible should be held accountable.

Thank you

[redacted]

b6 Per EOUSA

[redacted]

BURGE, JON, G. 3/73 44-2010*

BURGE, JON 7/74 92-350-Sub14-861

Area 2, Robbery
Cg. P.D.
Star #14322

BURGE, JON 5/74 92-350-Sub14-878
p.2

Area 2, Robbery
Chicago Police Departm

[redacted]

b5 Per EOUSA

Routing Slip

0-7 (Rev. 10-9-84) (Copies to Offices Checked)

TO: SAC, Chicago

| | | | |
|---|---|---|---|
| [ ] Albany | [ ] Houston | [ ] Oklahoma City | [ ] Bern |
| [ ] Albuquerque | [ ] Indianapolis | [ ] Omaha | [ ] Bogota |
| [ ] Alexandria | [ ] Jackson | [ ] Philadelphia | [ ] Bonn |
| [ ] Anchorage | [ ] Jacksonville | [ ] Phoenix | [ ] Canberra |
| [ ] Atlanta | [ ] Kansas City | [ ] Pittsburgh | [ ] Hong Kong |
| [ ] Baltimore | [ ] Knoxville | [ ] Portland | [ ] London |
| [ ] Birmingham | [ ] Las Vegas | [ ] Richmond | [ ] Mexico City |
| [ ] Boston | [ ] Little Rock | [ ] Sacramento | [ ] Montevideo |
| [ ] Buffalo | [ ] Los Angeles | [ ] St. Louis | [ ] Ottawa |
| [ ] Butte | [ ] Louisville | [ ] Salt Lake City | [ ] Panama City |
| [ ] Charlotte | [ ] Memphis | [ ] San Antonio | [ ] Paris |
| [ ] Chicago | [ ] Miami | [ ] San Diego | [ ] Rome |
| [ ] Cincinnati | [ ] Milwaukee | [ ] San Francisco | [ ] Tokyo |
| [ ] Cleveland | [ ] Minneapolis | [ ] San Juan | |
| [ ] Columbia | [ ] Mobile | [ ] Savannah | |
| [ ] Dallas | [ ] Newark | [ ] Seattle | |
| [ ] Denver | [ ] New Haven | [ ] Springfield | |
| [ ] Detroit | [ ] New Orleans | [ ] Tampa | |
| [ ] El Paso | [ ] New York City | [ ] Washington Field | |
| [ ] Honolulu | [ ] Norfolk | [ ] Quantico | |

[ ] ASAC, Brooklyn-Queens (MRA)

10-4-91
Date

RE:

Retention For appropriate

[ ] For information [ ] optional [ ] action [ ] Surep, by _____

[ ] The enclosed is for your information. If used in a future report, [ ] conceal all sources, [ ] paraphrase contents.

[ ] Enclosed are corrected pages from report of SA _____ dated _____.

Remarks:

This case has been closed by the Civil Rights Division - Department of Justice on 10-4-91

44A-CG-79486-5

12

Enc

Buffie

Urfile

19-cv-4048(FBI)-1973 FBI/DOJ

Memorandum

Subject

Notice of File Closing
CIVIL RIGHTS MATTER

Date

25 SEP 1991

To

Director
Federal Bureau of Investigation

From

JRD

John R. Dunne
Assistant Attorney General
Civil Rights Division

Reference is made to your field office file captioned as on the attached closing form and numbered CE-44A-79486.

This matter has been closed as of the date on the attached form.

19-cv-4048(FBI)-1974

144-23-2325

unknown subjects;
Jon Burge; Chicago P.D.;
Torture of unnamed -Victim

25 SEP 1991
September 25, 1991

Civil Rights

Gerard Hogan

Civil Rights

19-cv-4048(FBI)-1975

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Page 2 ~ b3 - 1 Per FBI & EOUSA; b6 - 1,-3 Per FBI; b7C - 1,-3 Per FBI;
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(Rev. 01-31-2003)

# FEDERAL BUREAU OF INVESTIGATION

**Precedence:** ROUTINE **Date:** 10/22/2007

**To:** Chicago

**From:** Chicago
CR-1
**Contact:** [redacted]

b6 -1 Per FBI
b7C -1 Per FBI

**Approved By:** [redacted]

**Drafted By:** [redacted]

**Case ID #:** 282A-CG-126294-GJ (~~Pending~~) - 5

b6 -2 Per FBI
b7C -2 Per FBI

**Title:** JON BURGE ET AL - SUBJECTS;
[redacted] - Victims;
CIVIL RIGHTS - COLOR OF LAW - FORCE &/OR VIOLENCE

b3 -1 Per FBI
b5 Per EOUSA

**Synopsis:** [redacted] was sent to DOJ for [redacted]

**Details:** On October 22, 2007, [redacted] (phonetic), telephone number [redacted] employed at the Special Prosecutor's Office (SPO) located at 221 N. LaSalle Street, Suite 607, provided the writer with a CD containing information as requested by AUSA [redacted] The CD was [redacted] for inventory purpose [redacted] provided a CD which contained files selected from a contents list identifying OPS, CPD, and IA documents. The contents list was previously provided to the USAO by the SPO. The original CD and a copy was sent to AUSA [redacted] AUSA [redacted] forwarded the CD to the Department of Justice for [redacted] A second copy will be maintained in the 1A section of the case file until it is determined whether or not to contain [redacted] If the CD contains [redacted] all copies will be forwarded to AUSA [redacted] will not be reviewed until [redacted] is completed.

b5 Per EOUSA
b6 -3,-5 Per FBI
b7C -3,-5 Per FBI

b3 -1 Per FBI
b5 Per EOUSA
b6 -3,-5 Per FBI
b7C -3,-5 PerFBI

♦♦

19-cv-4048(FBI)-2025

196jun03.ec

282A-CG-126294 - GJ - 6
JAO:jao

b3 -1 Per FBI
b6 -3,-5 Per FBI
b7C -3,-5 Per FBI

1

On October 22, 2007, [redacted] (phonetic), telephone number [redacted] employed at the Special Prosecutor's Office (SPO), located at 221 N. LaSalle Street, Suite 607, provided the writer with a CD containing information as requested by Assistant United States Attorney [redacted] The CD was labeled [redacted] for inventory purposes. The CD was sent to the Department of Justice for [redacted]

b5 Per EOUSA

(Y)
JAO

FEDERAL BUREAU OF INVESTIGATION
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FOI/PA# 1417740-0

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282A-CG-186294-GJ

-16

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**U.S. Department of Justice**

*United States Attorney*
Northern District of Illinois

Barry A. Miller
Assistant U.S. Attorney

Everett McKinley Dirksen Building
219 South Dearborn Street - Suite 500
Chicago, Illinois 60604

(312) 886-1325
Fax: (312) 353-4322

December 8, 2008

**By Fax and Mail**

Richard M. Beuke
53 W. Jackson Blvd., Suite 1410
Chicago, IL 60604-4176

William G. Gamboney, Jr.
216 S. Marion Street
Oak Park, IL 60302-3104

Marc W. Martin
53 W. Jackson Blvd., Suite 1420
Chicago, IL 60604-3753

Re: *United States v.* Burge, No. 08 CR 846

Gentlemen:

I am writing concerning several discovery points in the above-captioned matter.

First, we are prepared to provide you with disks containing electronic copies of substantially all of the materials the government has obtained from third-parties in connection with this investigation. Most of the materials were obtained from the Cook County Special Prosecutor's Office, which obtained them via grand jury process, and other means. Before turning over the materials, we would like to enter an agreed protective order. A draft is attached. Please contact me and let me know if this draft meets with your approval, so I can send it to Judge Lefkow for entry.

b5 Per EOUSA
b6 Per EOUSA

Second, the materials on the disks include substantial information concerning the [redacted] We anticipate seeking the admission of testimony by [redacted] and will likely file a motion *in limine* on the point next month. Before filing such a motion, we wanted to invite you to give us any comments on the point so that if there are any differences between us, they may be narrowed (or made clear) before the matter is presented to Judge Lefkow.

Pursuant to Local Rule 16.1 and Rule 16 of the Federal Rules of Criminal Procedure, the government discloses the following:

I. Statements of Defendant

The defendant has not made any statements to any of the agents involved in the investigation, with the exception of certain statements made on the date of his arrest. A copy of an FBI-302 concerning the arrest is attached. It is Bates-numbered FBI_302-00115 through 117.

b5 Per EOUSA

[redacted]

2. Results of Examinations, Tests, or Experiments

The government is not aware of any physical or mental examinations or scientific tests involving the defendant to date.

3. Grand Jury Testimony by Defendant

None.

4. Defendant's Criminal Record

I am enclosing a copy of your client's NCIC report, which is Bates-numbered BURGE 1-3.

5. Defendant's Property in Government Custody

The government did not keep possession of any of the items in your client's possession at the time of his arrest.

6. Documents and Tangible Things.

All original documents and tangible objects currently possessed by the government that may be material to preparing the defense are available for your inspection by contacting the undersigned.

7. Evidence Favorable to Defendant

The defendant should be aware that many current and former police officers have denied any knowledge that torture or abuse occurred under the command of (or in connection with) your client. The materials that are being tendered include such denials. In addition, the government has grand jury testimony and interviews with such officers. We will produce any such statements two weeks before trial.

The government is aware of its *Brady* obligations, and will turn over additional materials as appropriate.

8. Electronic materials.

Once the protective order is entered, we will provide you with disks containing electronic copies of the materials described above.

* * * * *

In return, I am requesting all discovery material to which the government is entitled pursuant to Local Rule 16.1 and the Federal Rules of Criminal Procedure, including but not limited to:

1. the opportunity to inspect and copy any document or object that you intend to use at trial, as described in Rule 16(b)(1)(A);

2. the results of any examination or test that defendant may raise at trial, as described in Rule 16(b)(1)(B);

3. a written summary of any expert testimony that the defendant intends to use, as described in Rule 16(b)(1)(C);

4. notice of any alibi or similar defense the defendant intends to raise, including the defense of necessity or coercion and any defense asserting the defendant's unavailability, on or near the dates and times named in the indictment;

5. notice of any defense that may possibly be raised of insanity at the time of the alleged offense, or of a mental disease bearing on the issue of guilt; and

6. notice of a defense of public authority.

I would also like to inform you that we will agree to the following concerning further discovery or inspection:

1. the government agrees to preserve the written notes of government agents;

2. the government will provide you with identification and notification of evidence it intends to introduce pursuant to Federal Rule of Evidence 404(b) four weeks prior to trial;

3. the government will file any proffer made within the scope of United States v. Santiago, 582 F.2d 1128 (7th Cir. 1978) four weeks prior to trial; and

4. the government will provide materials subject to 18 U.S.C. § 3500 two weeks prior to trial if, in exchange, you will provide any statements or reports relating to defense witnesses two weeks prior to trial as well.

If you disagree with any of the points raised above, please contact me immediately.

One additional matter for your consideration is the subject of plea negotiations and/or the possibility of cooperation. Based upon our assessment of the evidence in this case, we will need to begin preparing for trial no later than six weeks before the scheduled trial date. As you know, the defendant's timeliness in manifesting an acceptance of responsibility is one of the elements to be considered in determining whether to reduce the adjusted offense level under the advisory Sentencing Guidelines. Please note in this regard that once we begin trial preparation, the defendant becomes ineligible for a one level reduction under Guideline § 3E1.1(b).

Please call if you have any questions.

Very truly yours,

PATRICK J. FITZGERALD
United States Attorney

BY: [redacted]
Assistant U.S. Attorney

b6 -3 per FBI & EOUSA
b7C -3 per FBI

Enclosures

cc: [redacted] AUSA
[redacted] DOJ CRT
[redacted] AUSA
[redacted] FBI ✓

b6 -1,-3 Per FBI & EOUSA
b7C -1,-3 Per FBI

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 10/28/2008

On October 21, 2008, JON G. BURGE, date of birth December 20, 1947, Social Security Account Number 346-26-2679, telephone number 813-645-7501, residing at 751 Flamingo Drive, Apollo Beach, Florida 33572, was arrested at his residence without incident on an arrest warrant issued out of the Northern District of Illinois, Eastern Division. Present during the arrest were FBI Special Agents (SA) [redacted] and [redacted] SA [redacted] SA [redacted] and SA [redacted] were from the FBI Chicago Division. SA [redacted] SA [redacted] and SA [redacted] were from the FBI Tampa Division. All times listed in the report are approximate: b6 -1 Per FBI b7C -1 per FBI

At 6:30 a.m., the arrest team was briefed by SA [redacted] After the briefing, SA [redacted] and SA [redacted] were instructed initiate surveillance of BURGE'S residence at 751 Flamingo Dr. Apollo Beach, Florida. At 6:55 a.m., surveillance was initiated. At 7:12 a.m., SA [redacted] SA [redacted] SA [redacted] and SA [redacted] arrived at BURGE's residence. Surveillance results were negative. b6 -1 Per FBI b7C -1 Per FBI

The arrest team approached BURGE'S residence. SA [redacted] and SA [redacted] knocked and announced the presence of the FBI and advised of the arrest warrant. BURGE answered the door, complied with Agents' instructions, and was placed in handcuffs at 7:15 a.m. The residence was cleared for Agent safety at 7:17 a.m. At 7:18 a.m., BURGE was allowed to sit in a chair at his request. A copy of the arrest warrant was produced for BURGE to review. BURGE advised he could not see without his reading glasses, so the charges were read to him. At 7:20 a.m., BURGE was verbally advised of his rights. BURGE stated he was invoking his 5th amendment right, wanted to get an attorney, and did not want to discuss matter with the Agents. b6 -1 Per FBI b7C -1 Per FBI

At 7:25 a.m., BURGE was escorted to the bathroom which was located in his bedroom. BURGE was asked if he had any weapons in the bedroom and he said he had a loaded pistol in the night stand drawer. BURGE advised he had other weapons in the house, but no other weapons were in his bedroom. The pistol in the bedroom was located and secured. The bathroom and bedroom were cleared for weapons and BURGE was uncuffed. He used the bathroom, brushed his hair, and rinsed his mouth with mouthwash. BURGE advised Agents of the clothes he wanted to wear which were retrieved in his presence.

---

Investigation on 10/21/2008 at Apollo Beach, Florida

File # 282A-CG-126294-302 Date dictated [redacted] b6 -1 Per FBI b7C -1 Per FBI

by SA [redacted] jao

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.

The clothes were checked for contraband and BURGE was allowed to get dressed.

At 7:30 a.m., BURGE was escorted back to the chair in the front room of his residence. BURGE was asked if he needed to take any prescription medication. He said he did need to take some medication since he had not taken it this morning. His prescription medications were retrieved and at 7:32 a.m. BURGE took Atenelol and Celebrex. Prior to BURGE sitting down in the chair, he said he was feeling a little dizzy and asked if anyone was an EMT. SA [redacted] advised he was an EMT. BURGE sat down and began to feel better. SA [redacted] took BURGE'S radial pulse which was 110 beats per minute and regular. BURGE had regular respirations at about 16 breaths per minute and his skin conditions were normal, pink, and dry. BURGE was alert and oriented to person, place, b6 -1 Per FBI event. BURGE said he was not in any pain, but advised he had b7C -1 Per FBI heart condition which caused a rapid irregular heart beat and dizziness. BURGE said his normal heart rate was around 70-80 beats per minute. BURGE was advised of his heart rate and was further advised that SA [redacted] was not a doctor and could not definitively comment on his current condition. BURGE said he felt better and refused further medical attention. BURGE was asked several times at the residence and during transport if he was feeling ok and he replied that he felt fine.

At 7:38 a.m., BURGE was provided with his reading glasses. At 7:42 a.m., BURGE was allowed to read the advice of rights waiver (FD-395) that was read to him earlier which he refused to sign. At 7:43 a.m., BURGE put on his knee brace for walking assistance since he was not allowed to bring his cane.

BURGE was asked if he wanted Agents to get him anyth b6 -6 Per FBI to drink or eat before being transported to the United States b7C -6 Per FBI Marshals Service (USMS). BURGE denied any food, but requested some juice from his refrigerator. BURGE was provided with a glass of juice at 7:45 a.m. At 7:47 a.m., BURGE was allowed to smoke a cigarette and make a telephone call to [redacted] telephone number [redacted] BURGE advised [redacted] he was being arrested and that he wanted [redacted]

BURGE requested an Agent to look through his wallet to find his lawyer's business card. BURGE said the wallet was located in the console of his car which was parked in the garage. SA [redacted] retrieved the wallet and proceeded to look for the business card. BURGE stated the card had [redacted] number on one side and [redacted] number on the other. [redacted] was a lawyer for the

b6 -1,-6 Per FBI
b7C -1,-6 Per FBI

Fraternal Order of Police in Chicago and [redacted] was a local Tampa, Florida attorney. While attempting to find the business card, SA [redacted] noticed many forms of identification for BURGE. The identifications positively identified the individual in custody as JON G. BURGE residing at 751 Flamingo Drive, Apollo Beach, Florida. The identifications also identified BURGE as a retired Chicago Police Officer. SA [redacted] located the lawyer's card and SA [redacted] placed the card in BURGE'S shirt pocket. SA [redacted] photographed BURGE'S identification and left the wallet and identification at his residence. SA [redacted] also photographed BURGE to show his condition at the time of arrest. b6 -6 Per FBI b7C -6 Per FBI

At 7:50 a.m., BURGE was handcuffed in front to a belly chain. At 7:55 a.m. [redacted] At 8:00 a.m., BURGE was placed in a van and restrained to the seat with the seatbelt for safety. A van was utilized to allow more room for BURGE beca b6 -1 Per FBI b7C -1 Per FBI Agents were aware of BURGE'S recent knee surgery.

At 8:05 a.m., SA [redacted] and SA [redacted] began transport with a starting mileage of 15,165. After transport began, BURGE advised that "old-timers" were a lot less restricted by rules than you (referring to the FBI). BURGE later questioned Agents as to the federal bond process. Agents advised BURGE that it could be handled in many different ways, but he probably would be offered a bond which he could pay so he could be released. At 8:42 a.m., Agents and BURGE arrived to the USMS with an ending mileage of 15,190. At 8:45 a.m., BURGE was escorted to the USMS holding area. At 9:10 a.m., BURGE was taken into custody by the USMS.

While at BURGE'S residence, an Agent commented favorably on how nice the house was and that it was located on a canal. BURGE said he had a 22 foot boat, but had not used it much in the last couple of years. BURGE also mentioned he had a motorcycle he purchased online, but was unable to ride it due to his recent knee issues.

No items were removed from BURGE'S residence with the exception of his prescription medications which were turned over to the USMS in case BURGE needed them during the day. Copies of photographs, were placed in a 1-A envelope and sent to the case file.

[redacted] REQ [redacted]
.01DP36BEROBINSON
.FBICGS9
'IS NCIC INTERSTATE IDENTIFICATION INDEX RESPONSE IS THE RESULT OF YOUR
'QUIRY ON NAM/BURGE,JON SEX/M RAC/W DOB/19471220 PUR/C

b6 -1 Per FBI
b7C -1 Per FBI

| ME | FBI NO. | INQUIRY DATE |
|---|---|---|
| 'RGE,JON GRAHAM | 952B2CD7 | 2008/12/08 |

| X RACE | BIRTH DATE | HEIGHT | WEIGHT | EYES | HAIR | PHOTO |
|---|---|---|---|---|---|---|
| W | 1947/12/20 | 602 | 260 | GRN | WHI | Y |

RTH PLACE
LINOIS

NGERPRINT CLASS PATTERN CLASS
WU LS RS RS RS WU LS LS LS LS
WU LS WU WU WU

CIAL SECURITY
6-26-2679

ENTIFICATION DATA UPDATED 2008/10/27

E CRIMINAL HISTORY RECORD IS MAINTAINED AND AVAILABLE FROM THE
LLOWING:
BI - FBI/952B2CD7

E RECORD(S) CAN BE OBTAINED THROUGH THE INTERSTATE IDENTIFICATION
DEX BY USING THE APPROPRIATE NCIC TRANSACTION.

D

09.12.19 12/08/08 WVFBINF00
BIGGS9

/ZLO1DP3A5ERQBI00318

b6 -1 Per FBI
b7C -1 Per FBI

********** CRIMINAL HISTORY RECORD **********
a As Of 2008-12-08
********** Introduction **********
s rap sheet was produced in response to the following request:
Number 95282CD7
uest Id
pose Code
ention
information in this rap sheet is subject to the following caveats:
s record is based only on the FBI number in your request-95282CD7.
ause additions or deletions may be made at any time, a new copy
uld be requested when needed for subsequent use. (US; 2008-12-08)
arrest entries contained in this FBI record are based on
gerprint comparisons and pertain to the same individual. (US;
8-12-08)
use of this record is regulated by law. It is provided for official
only and may be used only for the purpose requested. (US;
8-12-08)
********** IDENTIFICATION **********
ject Name(s)
GE, JON GRAHAM
ject Description
Number State Id Number
82CD7 Unknown (XX)
ial Security Number
262679
Race
e White
ght Weight Date of Birth
2" 260 1947-12-20
r Color Eye Color Fingerprint Pattern
te Blue WU LS RS RS RS WU LS LS LS LS (Other)
ce of Birth Citizenship
US
gerprint Images
to Images
to Image Available FBI-CJIS DIV-CLRKSBG CLARKSBURG WVFBINF00
ilable Image Other
Photo Image Transmitted
ment:FBI has two photos associated with
arrest date of 2008/10/27)
to Image Available FBI-CJIS DIV-CLRKSBG CLARKSBURG WVFBINF00
ilable Image Other
Photo Image Transmitted
ment:FBI has two photos associated with
arrest date of 2008/10/21)
********** CRIMINAL HISTORY **********
========== Cycle 001 ==========
liest Event Date 2008-10-21
---
est Date 2008-10-21
est Case Number
esting Agency FLFBITP00 FBI TAMPA
rge 01
Charge Literal 5003 - PERJURY
Severity Unknown
rge 02
Charge Literal 5099 - OBSTRUCT-(SPECIFY JUDIC, CONGR, LEGIS, COMMSN) -
Severity Unknown
---
rt Disposition (Cycle 001)
rt Agency Unknown
rge 01
Charge Literal 5003 - PERJURY
Severity Unknown
Disposition (Unknown 2008-10-21; NOT YET DISPOSED)
rge 02
Charge Literal 5099 - OBSTRUCT-(SPECIFY JUDIC, CONGR, LEGIS, COMMSN) -


19-cv-4048(FBI)-2647

```
            Severity  Unknown
          Disposition  (Unknown 20[redacted]10-21; NOT YET DISPOSED)
========================== Cycle 002 ==========================
arliest Event Date      2008-10-27
------------------------------------------------------------------
rrest Date              2008-10-27
rrest Case Number
rresting Agency         ILFBICG00 FBI CHICAGO
harge                   01
       Charge Literal   5003 - PERJURY
             Severity   Unknown
harge                   02
       Charge Literal   5099 - OBSTRUCT-(SPECIFY JUDIC, CONGR, LEGIS, COMMSN) -
             Severity   Unknown
------------------------------------------------------------------
ourt Disposition        (Cycle 002)
ourt Agency              Unknown
harge                   01
       Charge Literal   5003 - PERJURY
             Severity   Unknown
          Disposition   (Unknown 2008-10-27; NOT YET DISPOSED)
harge                   02
       Charge Literal   5099 - OBSTRUCT-(SPECIFY JUDIC, CONGR, LEGIS, COMMSN) -
             Severity   Unknown
          Disposition   (Unknown 2008-10-27; NOT YET DISPOSED)
**********  INDEX OF AGENCIES  **********
gency                   FBI-CJIS DIV-CLRKSBG CLARKSBURG; WVFBINF00;
ddress
                         1000 CUSTER HOLLOW RD
                        CLARKSBURG, WV 26306
------------------------------------------------------------------
gency                   FBI TAMPA; FLFBITP00;
ddress
                         5525 W GRAY ST
                        TAMPA, FL 33609
------------------------------------------------------------------
gency                   FBI CHICAGO; ILFBICG00;
ddress
                         2111 W ROOSEVELT RD
                        CHICAGO, IL 60608
* * END OF RECORD * * *
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FEDERAL BUREAU OF INVESTIGATION
FOI/PA
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FOI/PA# 1417740-0

Total Deleted Page(s) = 1
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Page 175 ~ b5 - Per EOUSA; b6 - Per EOUSA; b7C - Per EOUSA;
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Page 178 ~ b5 - Per EOUSA; b6 - Per EOUSA; b7C - Per EOUSA;
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Page 185 ~ b5 - Per EOUSA; b6 - Per EOUSA; b7C - Per EOUSA;
Page 186 ~ b5 - Per EOUSA; b6 - Per EOUSA; b7C - Per EOUSA;
Page 187 ~ b5 - Per EOUSA; b6 - Per EOUSA; b7C - Per EOUSA;
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Page 224 ~ b5 - Per EOUSA; b6 - Per EOUSA; b7C - Per EOUSA;
Page 225 ~ b5 - Per EOUSA; b6 - Per EOUSA; b7C - Per EOUSA;
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(Rev. 01-31-2003)

# FEDERAL BUREAU OF INVESTIGATION

**Precedence:** ROUTINE **Date:** 10/17/2007

**To:** Chicago

**From:** Chicago
CR-1
**Contact:** [redacted]

b6 -1 Per FBI
b7C -1 Per FBI

**Approved By:** [redacted]

**Drafted By:** [redacted] jao

**Case ID #:** 282A-CG-126294 (~~Pending~~) - 16

**Title:** JON BURGE ET AL - SUBJECTS;
ANDREW WILSON, [redacted]
[redacted] - Victims;
CIVIL RIGHTS - COLOR OF LAW - FORCE &/OR VIOLENCE

b6 -2 Per FBI
b7C -2 Per FBI

**Synopsis:** Strategy meeting.

**Details:** On October 11, 2006, a strategy meeting was held at the USAO'S office. Attending the meeting were the following:

FBI SSA [redacted]
FBI SA [redacted]
FBI SA [redacted]
AUSA [redacted]
AUSA
DOJ Attorney [redacted]
USAO Employee [redacted]

b6 -1,-3 Per FBI
b7C -1,-3 Per FBI

b6 -3 Per FBI
b7C -3 Per FBI

AUSA [redacted] provided a memorandum dated 10/11/2007, which outlined the suggested steps in moving forward with the Burge investigation. The memorandum was reviewed and approved by all attending. The memorandum is attached to this communication.

DOJ Attorney [redacted] provided a summary table of individuals associated with JON BURGE who testified in civil matters within the last five years. The summary table is attached to this communication.

b6 Per EOUSA

AUSA [redacted] provided a list of documents obtained or produced by the Special Prosecutors Office (SPO) who investiga Jon Burge and others. The list of documents is attached to this communication.

b6 -3 Per FBI
b7C -3 Per FBI

290 jao 01. eC

19-cv-4048(FBI)-2693

b5 Per EOUSA
b6 -1,-3 Per FBI & EOUSA
b7C -1,-3 Per FBI & EOUSA

DOJ Attorney [redacted] SA [redacted] and SA [redacted] reviewed a contents list identifying OPS, CPD, and IA documents. Documents containing testimony of potential subjects were identified. AUSA [redacted] will contact the SPO to arrange for the pick-up of the selected documents. [redacted]

[redacted]

♦♦



19-cv-4048(FBI)-2694