

The
MacArthur
Justice
Center

August 7, 2003

By Facsimile and Regular Mail: (312) 603-4708

Richard A. Devine
State's Attorney of Cook County
69 West Washington Street, 32nd Floor
Chicago, Illinois 60602

Dear State's Attorney Devine:

We the undersigned are writing to urge you to investigate an event that took place at Cook County Jail on July 27, 2003. Following up on complaints from family members of inmates, some of us have talked to seven men housed in a segregation unit of Division 11 (wing A-AB) who allege that a group of officers there, without provocation, set upon them, hitting and kicking them even after they were handcuffed. One guard used a pool stick to beat the inmates; others put on leather gloves or rolled handcuffs around their wrists. One inmate's arm was bruised from being struck with the pool cue while he was trying to protect his head, another inmate had a bloodied and torn lip that required several stitches to close, a third had splinters lodged in his back from being struck repeatedly with a pool stick.

The event is noteworthy for these reasons: (1) The inmates' accounts of the beatings were consistent and credible. The accounts were corroborated by the injuries we observed several days after the incident. (2) The guards initiated all physical contact with the inmates, first by ordering an inmate to come out of the tier, then by opening the cell doors of two inmates who were alone in their cells and by beating four other inmates who had obeyed their orders to lie down on the floor. (3) The beating involved as many as 50 officers and some supervisory personnel.

The event took place on the evening of July 27, 2003, when five inmates were out of their cells, three of them (Tony Echoles, Reginald Flemister, and Rufus Williams) as workers cleaning up the tier and two (Nikitus Cross and Daniel Jimerson) on their one-hour out-of-cell time. As the three guards who had been on and off the tier left the unit, one of them looked back through the dayroom window and gestured to Jimerson to hang up the phone. When Jimerson did not act fast enough, the guard pulled on a pair of black

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leather gloves and told him to come outside the tier. Jimerson obeyed. The guard took him to an adjacent “multipurpose room” where he smacked him across the face. The two other guards appeared. They hit Jimerson again, and he broke away and ran back onto the tier and into his cell. The three guards chased him to his cell, where they beat him and his cell mate, Carl Askew. One guard was wielding a pool stick he evidently had grabbed from the recreation room; the others had handcuffs wrapped around their fists. The guards then spied inmate Gregory Ashford locked in the next cell where he had been sleeping. After signaling the control area guard to pop that cell door, the guards pulled Ashford out of his cell and beat him to the ground.

Jimerson, Askew, and Ashford were forced to the ground outside their cells, and the four other inmates who were out of their cells were ordered to lie on the ground facing the wall. As many as 50 other guards rushed onto the tier. The guards kicked and beat the inmates as they lay on the ground, even after their hands were cuffed. Eventually the inmates were taken to holding cells, where the guards and supervisory personnel from Division 11 spoke to them, threatening that they would be beaten again when they recovered from their injuries.

Since then, Cook County Sheriff’s Police officers have informed the inmates that *they* – and not the guards – may soon be charged with aggravated battery and mob action for the events on July 27th. Because these inmates have been told that these criminal charges are imminent – despite their role as victims of this violence – we are writing you now instead of continuing our investigation.

Because of the credibility of the inmates’ claims, and the seriousness of their charges about the guards, we urge you to investigate this incident thoroughly. We will arrange to provide legal representation for the inmates so that they can feel free to talk to representatives of your office about what happened. If your investigation confirms the inmates’ account of what happened, we ask that you bring criminal charges against the guards who beat the inmates and the supervisors who allowed or encouraged the beatings.

As attorneys and community leaders interested in the human rights of all people, we know that violent beatings at Cook County Jail will not cease until the guards understand that they will face criminal liability for illegal conduct. We urge you to prosecute any Jail employees that a thorough investigations finds have violated the law.

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Signed,

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trial counsel on behalf of
MacArthur Justice Center

Nancy Bothne
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