

Mayor: 'Sorry' for Burge era *Emanuel offers apology as city pays 2 victims*

BY HAL DARDICK AND JOHN BYRNE

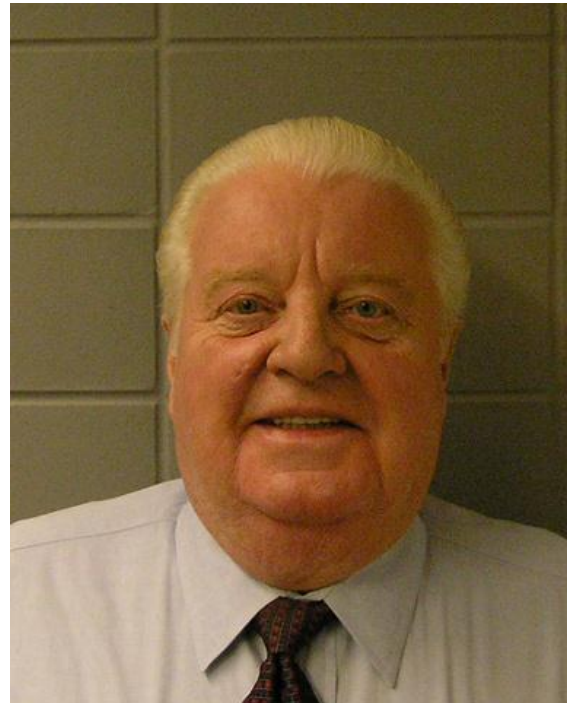
Mayor Rahm Emanuel on Wednesday apologized for an era in the Chicago Police Department during which many African-American men were tortured into false confessions for murders and rapes on the South Side under the direction of disgraced ex-Cmdr. Jon Burge.

The unexpected apology drew praise from longtime critics of City Hall's handling of a scandal that helped eliminate the death penalty in Illinois and will cost taxpayers more than \$100 million when the last cases are settled. But as Emanuel seeks to turn the page, Flint Taylor, an attorney who has represented many of the victims, suggested the city should create a \$20 million fund to compensate Burge victims who are unable to bring their cases in court.

Emanuel tackled the sensitive topic after a City Council meeting at which aldermen approved an additional \$12.3 million to settle lawsuits, this time brought by two African-American men convicted after being abused by detectives working for Burge before he was dismissed from the force 20 years ago.

The mayor called the Burge era a "dark chapter" in the city's history.

"So yes, there has been a settlement, and I do believe this is a way of saying all of us are sorry about what happened here in the city, and closing that period of time, that stain on the city's reputation, its history and now being able to embark on a new part of the city and a new way of actually doing business. And that is not who we are, and we all are one or another obviously sorry."



Jon Burge

Asked to clarify if he was indeed apologizing, the mayor added: "Here's what I mean: I am sorry this happened. Let us all now move on."

Emanuel has long talked about the need to move beyond the Burge era. His top City Hall attorney, Stephen Patton, has dramatically sped up the pace at which cases are settled, saying he's done so because it saves taxpayer money and is "the right thing to do."

But Wednesday's comments marked the first time Emanuel has explicitly said he was sorry for the conduct that occurred under Burge, when perhaps dozens of mostly African-American men were tortured into false confessions. Attorneys defending Burge victims say as many as 120 men were tortured and wrongfully imprisoned from

1972 to 1991, when the department first sought to fire Burge.

Taylor, the defense attorney who has represented many of the wrongfully convicted men, praised the mayor's apology. "We're grateful that Mayor Emanuel has heeded our demand for an apology and would acknowledge that the Chicago police torture scandal is a dark stain on the history of the city and that he is sorry for it," Taylor said. "I certainly think this is in sharp contrast to (former) Mayor (Richard) Daley's repeated refusal to apologize in the past."

Taylor wants the city to set up a \$20 million fund to provide compensation, health care and job counseling for Burge victims who for various reasons could not make their case in court.

The statute ran out on men like Anthony Holmes, who testified against Burge at his 2011 sentencing hearing about being subjected to electric shocks and smothering four decades earlier, Taylor said.

The Emanuel administration did not have an immediate response to Taylor's demand for the new fund, but when Ald. Carrie Austin, 34th, asked last week about providing job training, health care and psychological counseling for Burge victims, Patton said he was giving it some thought. "I'll think about it, and if anyone else has other ideas, we're open to it," Patton said.

So far the city has spent nearly \$85 million on Burge-related settlements and legal fees, and Cook County government has spent nearly \$11 million, after 18 cases have wended their way to a conclusion. Three cases are still pending, and more could come: A state commission on police torture has found credible evidence that torture was used against more than a dozen other men who were later imprisoned.

On Wednesday the council agreed to pay \$6.15 million each to Ronald Kitchen and Marvin Reeves. The onetime co-defendants

spent 21 years behind bars for a quintuple murder before being released and exonerated.

Burge is serving a 4½-year sentence in federal prison for lying about torturing suspects by employing brutal techniques that included the use of cattle prods on genitals, plastic to suffocate suspects and phone books to beat them. He's still drawing his city pension, but state Attorney General Lisa Madigan has asked the Illinois Supreme Court to stop those payments.

Allegations against Burge first surfaced when Daley, as Cook County state's attorney, was in charge of all prosecutions. Prosecutors who worked for Daley have been named in many of the lawsuits.

When reporters in 2006 asked Daley if he felt any responsibility for the abuse, he responded, "Well, why not? I'll take responsibility for it. I'll say it. I'll apologize to anyone, yes I would. There's nothing wrong with that."

"It should never have happened — how's that? It should had never had happened. And (with) the procedures and policies we have (put) in place, (it) will never happen again."

Even as he said he would take responsibility, Daley also said the responsibility ultimately belonged in the Police Department, which was not under his control at the time.

Ald. Howard Brookins, 21st, chairman of the council's Black Caucus, lauded Emanuel for his apology.

"It's about time that the city realizes that this ugly saga in our past has actually happened," Brookins said. "I believe that it was in part due to the inability of the previous administration to come to grips that it actually did happen, even though it was costing the city millions of dollars a year."