

IN JUSTICE TODAY

## Let's Talk About Respect: Chicago Police Officers Continue to Fail the Communities They are Sworn to Serve

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November 16, 2017

When police departments face criticism for high-profile officer-involved shootings or more general calls for reform, some talking heads tend to fall back on crime statistics, particularly violent crime statistics in majority black neighborhoods, saying that crime is the underlying problem of those areas, not the police who work there. The “what about black-on-black crime?” canard deflects criticism of police and their often-abusive practices in communities of color. The argumentative sleight of hand shifts responsibility from the police back onto the community that lodges the complaint of police abuse, as if the existence of high crime neighborhoods negates complaints of police abuse. Police accountability is not an ancillary issue that should take a back seat to crime fighting. Accountable police officers are paramount to public safety and security. The increase in violence on the streets of Chicago particularly has become the go-to shibboleth of the “tough on crime” set. U.S. Attorney General Jeff Sessions has decried Chicago “lawlessness” and underscored that the “most critical factor to our success is the strength, training, and morale of the Chicago Police Department.” The Manhattan Institute’s Heather Mac Donald explicitly blamed Chicago’s murder spike on what she called the “Ferguson effect”: chilled by the public outcry following Ferguson officer Darren Wilson’s killing of teen Michael Brown, line officers retreated from proactive policing and, consequently, a spike of violent crime followed. This causal relationship was not backed by data—though “de-policing” has shown to have correlative effects in other cities like Baltimore—but Chicago continues to be a buzzword for those who believe police are not getting the respect they deserve and that lack of respect is enabling violent crime.

OK. Let’s talk about respect and the Chicago Police Department (CPD).

For almost 20 years, Chicago Police Commander Jon Burge tortured men—primarily black men—to elicit confessions to murders and other crimes. Many men spent decades in prisons after these torture sessions, often for crimes they didn’t commit. When he was finally fired, the statute of limitations had expired for his most barbaric acts. He was eventually convicted of lying in a civil case about the torture he inflicted and sentenced to four-and-a-half years in prison. Burge still receives a \$4,000 per month pension, despite the City setting up a multi-million dollar reparations fund to compensate his many victims.

More recently, Officer Dante Servin was charged for fatally shooting Rekia Boyd, 22, from his car in 2012. Servin claimed he was trying to shoot a man who had reached into his waistband and

pointed a gun at him, but shot into a crowd of unarmed young black people ordered to disperse, killing Boyd and injuring another man. The gun Servin claimed he saw was a cell phone. Servin was charged with involuntary manslaughter, but the judge dismissed the case in 2016, saying that Servin was mischarged because the facts supported first degree murder. Servin quit before he could be terminated for killing Boyd so, like Burge, he too kept his pension. The City paid Boyd's family \$4.5 million for her wrongful death.

But CPD's problems go well beyond one or two bad cops.

In 2015, *The Guardian* published a massive, multi-part investigative report about a secret interrogation site in Chicago known as Homan Square. *The Guardian* had to sue to get much of the official information about Homan Square, which held more than 7,000 individuals functionally incommunicado from friends, family, and legal counsel. An estimated 82 percent of the individuals held at the black box site were African American, and fewer than 100 had documented visits from legal counsel. People detained there reported being shackled for hours and held for days at a time without outside contact. At least 14 reported being subjected to "punches, knee strikes, elbow strikes, slaps, wrist twists, baton blows and Tasers" that were not performed in the course of a lawful arrest and at least two individuals died while held at Homan Square. One man alleged he was sexually abused in an effort to coerce his cooperation in a drug case.

The most famous misconduct case to come out of Chicago in recent years was the fatal shooting of Laquan McDonald by CPD officer Jason Van Dyke in 2014. The shooting itself was troubling on a number of levels—Van Dyke emptied his magazine into the black teen's body well after he suffered a head shot that left him motionless on the ground—but the aftermath and the video evidence point to even larger, systemic problems within the CPD.

The delay in releasing the dash cam video of the incident—forced by an investigative journalist's Freedom of Information Act request and subsequent lawsuit—raised questions of politics, specifically that the release was delayed, in part, to protect the reelection prospects of Mayor Rahm Emanuel. When the footage was released, none of the dash cams had operating microphones to capture audio of the incident. An internal CPD review showed that 80 percent of CPD dashcams had dysfunctional audio due "to operator error or in some cases intentional destruction" by officers, strongly suggesting widespread tampering with potential criminal evidence. The manager of a Burger King near the scene reportedly told a grand jury that police destroyed 86 minutes of surveillance footage he turned over to them that corresponded with the time of the killing. Ten officers were recommended to be fired and four officers and a sergeant were brought up on administrative charges for covering-up the shooting by filing false reports about the incident. Van Dyke was indicted for the killing and only three other CPD officers were indicted on misconduct and obstruction charges for the cover-up. (The *Chicago Tribune* compiled an ongoing timeline of the case here.)

The stories above are just a few of the many cases of misconduct known within and outside of Chicago. The CPD continues to operate in an environment that protects officers from accountability for many years, even in the most egregious cases of misconduct. Those who point

to Chicago to decry the lawlessness in the communities there would do well to examine the police who patrol those streets and why they continue to fail the people they are sworn to serve.

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