

# THE BROTHERS DALEY COVER UP ABUSE OF SUSPECTS AGAIN

✘ You may have noticed I snuck away for the weekend. Mr. EW and I decided to take the opportunity of Athenae's book party to head to Chicago for a weekend. In spite of the fact that Athenae's book was obviously timed to St. Paddy's Day, in spite of the fact that I've been to Chicago for St. Paddy's Day before, I somehow forgot there'd be thousands of drunk fake Irishmen in the streets from dawn to dusk.

Gaping at the green river is about as close as my Irish husband wanted to get to one of the legendary St. Patrick's Day celebrations on earth. (He's just jealous because Dublin's celebration sucks shamrock by comparison.)

But I wasn't entirely ignoring current events. One of the women in my hotel, up from Indiana for the weekend, told me she came up to see "our Mayor Daley" in the parade. "For the last time," I thought, as I realized how this holiday is a bit of a send-off to the Mayor.

And so I was already thinking about the Daley empire when I read of brother Bill's reasoned reflection before he determined State Department spokesperson PJ Crowley had to go.

While some White House officials knew of Crowley's comments, White House chief of staff Bill Daley learned of them when ABC News asked that question of the president. Daley told White House officials of Crowley, "he's done."

Another Daley covers up abuse of suspects, I thought.

I was thinking of Richard M's role in covering up the torture committed by Jon Burge and other Chicago cops.

Last Wednesday, IL Governor Pat Quinn signed a law outlawing the death penalty in Illinois. Next Wednesday, former Chicago Police Commander Jon Burge reports for a four and a half year prison sentence for lying about torturing one suspect—though credible evidence suggests he tortured at least 50 and possibly as many as 200 police suspects. Those are the latest chapters in the long exposure of the systematic torture of black suspects by Burge's South Chicago detective team, and the wrongful conviction of many of those suspects based on tortured confessions.

And Richard M is in the middle of the scandal, largely because as Cook County's State's Attorney he pawned off evidence of torture rather than investigate and prosecute.

Daley was Cook County's state's attorney for seven years during the 1980s, and his office approved at least 55 felony murder charges against black males who claim they confessed only after they were beaten, suffocated, burned and electro-shocked by Burge and his detectives."Many of our men, or sons, fathers, brothers are behind bars for crimes they did not commit," said one demonstrator Friday.

As demonstrators protested outside City Hall, the mayor attempted to explain this 1982 letter from then-police superintendent Richard Brzeczek expressing concern about torture allegations to then state's attorney Daley. The mayor said he read it and referred it to subordinates believing the police department had the ultimate responsibility to investigate office misconduct.

"It's up to the Chicago Police Department. That responsibility lies within them," Daley said.

"What did Daley do about it? Absolutely

nothing. And what does the report say about that? Nothing," protestors said.

And under still-Mayor Daley, Chicago continues to pay to cover up Burge's crimes—and continues to pay Burge his pension.

Despite Burge's conviction, the harsh sentence, scores of court rulings and decades of public outcry, the City of Chicago and its agencies carry on as if nothing happened.

Shortly after the sentence, the Chicago police pension board ruled that Burge could continue receiving his Chicago Police pension, applying the contorted logic that Burge's conviction was for lying during a lawsuit, not for criminal conduct in the course of his duties as a police officer. Do they really think Burge's conviction and sentence aren't ultimately about the torture that Burge keeps on trying to cover up? The pension board ought to read the transcript of federal Judge Joan Lefkow's comments she imposed the prison sentence on Burge.

The City of Chicago's Corporation Counsel hasn't been paying attention either. Expensive, private lawyers are being paid by Chicago taxpayers to represent Burge (under her supervision) in still-pending lawsuits brought by innocent Burge victims who spent years in prison based on tortured confessions.

Shouldn't the City be thinking about paying up in these cases? (Full disclosure: I represent Ronald Kitchen, who is one of those suing.) Instead, Burge's City-funded lawyers last week submitted a document in Kitchen's case refusing to provide any documents related to Mr. Kitchen and claiming the Fifth Amendment privilege on behalf of Burge. That's smart lawyering. Burge

isn't about to admit what he and his men did to Ronald Kitchen. And he's seen what can happen if he denies it under oath. So it's good advice to Jon Burge to clam up and take the Fifth.

But the taxpayers of Chicago shouldn't have to pay lawyers' fees so that Burge can avoid another criminal prosecution.

As prosecutor, Richard M apparently chose to overlook clear evidence of brutal torture so as to get convictions, a good many of them against men who were completely innocent. And as Mayor, he still seems to hope an omerta will make all this go away.

Brother Bill, it appears, has brought that Daley culture to the White House. Though a number of top officials knew—and did nothing—about Crowley's public critique of Bradley Manning's abuse, as soon as brother Bill heard of it, he decided Crowley had to go. Who knows whether it's a sense of loyalty or an omerta that drove brother Bill's decisiveness? In either case, the effect is the same, putting a conviction—in this case, of Manning—ahead of rule of law, decency, and morality.

And so it is that another Daley brother, in a position to make ongoing abuse right, chooses to defend the institution rather than do the right thing.