

Council may approve cop abuse settlement

by Ferman Mentrell Beckless

staff reporter

Two North Side men who were handcuffed and held in jail for three days and charged with multiple counts of aggravated battery, will learn today whether the city council will approve a settlement of \$197,000, as offered by the city's law department.

Jennifer Hoyle, a spokesperson for the law department, told the *Defender* on Tuesday, that the city council Finance Committee approved the law departments settlement recommendation, which will go before the full city council.

On May 2, 2000, David and John Fox alleged in a civil rights lawsuit, that they were stopped by two Jefferson Park (16th) District officers, William Tororiello and Michael Simpson, near the corner of Addison and Harlem, at approximately 2 a.m.

The officers alleged that they stopped the men because they saw John Fox urinating on a building, and when they asked for identification, John Fox complied, but David Fox started to fight with them.

Each of the two officers involved will contribute \$5,000 towards the settlement. The city will contribute the remaining \$187,000.

After handcuffing the two brothers, Officers Tororiello and Simpson called for a squad car, manned by two unidentified officers, to transport the men to the 16th District station. When those officers attempted to place David Fox in the squad car, another altercation ensued, and several additional police units responded to the scene. Hoyle said four of the officers and David Fox were treated for injuries sustained during the altercation.

She also said the Cook County state's attorney dropped all charges against the Fox brothers after it became known that the Federal Bureau of Investigation (FBI) had been investigating Tororiello, Simpson and numerous other officers in the 16th District.

These officers were being investigated for stopping Polish immigrants during the early morning hours, asking to see their identification, and then removing cash from their wallets.

As a result of the FBI undercover investigation, Tororiello pled guilty to two counts of felony official misconduct, and eventually

resigned from the police department. Simpson pled guilty to misdemeanor obstruction of justice charges, and eventually retired from the department.

"The Fox brothers were stopped on the street in their neighborhood, a neighborhood where the defendant officers had been regularly stopping Polish immigrants coming home from the bars," said Amanda Antholt, an attorney with the law firm of Loevy & Loevy representing the Fox brothers.

Antholt said police in that area had basically been robbing polish immigrants, arresting them, and just engaging in a systematic process of harassing polish immigrants.

The incidents leading to the guilty pleas occurred in February, March and April of 2000, just before the incident in this case. The plaintiffs in the case claim they were stopped because of a routine of "shaking down" Polish immigrants.

"My clients were believed to be Polish, though they were not," Antholt said. "We could tell from the files the Chicago Police Department knew this was going on for years.

"This was going on for a long, long time, before it occurred to my clients.

"Nothing was done to protect the citizens in this community. When the officers took my clients' wallets, they (clients) knew what was going on. It's a community of Polish immigrants who would be stopped, have this happen to them, and would not speak out.

"They're (Fox brothers) very pleased with the settlement, Antholt said.

Hoyle said she's unable to explain why the Fox brothers were targeted by the officers. "They weren't polish or eastern european immigrants. They weren't immigrants at all," she said.

"I only know that the two officers involved in this case ultimately pled guilty. None of the other officers pled guilty. The pattern of the stops matched those of other stops," Hoyle said.

Antholt said she is pleased now that the city has taken this case seriously. She said her clients are also happy that the city finally did something about this.

"Instead of trying to fix the system," Antholt said, the city just keeps paying out these enormous sums in judgments.