

Cops review time in custody



Tribune file photo by Milbert O. Brown

Joseph Lopez contends that police held him in custody for five days while questioning him in a murder. Another suspect emerged, and charges against Lopez were dropped.

Ex-suspect's suit says city police aren't adhering to 48-hour limit

By Michael Higgins

Tribune staff reporter

Chicago police are reviewing how long officers can hold and interrogate suspects without bringing them before a judge, a key issue in a civil rights lawsuit against the city.

Except in extraordinary circumstances, police cannot hold a suspect for more than 48 hours unless a judge reviews the arrest and confirms that there is probable cause to believe the person has committed a crime, the U.S. Supreme Court ruled in 1991.

But what constitutes an "extraordinary circumstance" is the subject of disagreement

among legal experts and even among police departments.

Joliet police, for example, said they consider 48 hours to be a strict deadline. Police in Elgin and Waukegan said some cases justify 72 hours. Other departments said they have no set limit but look to the circumstances of each case.

Joseph Lopez of Chicago contends that in 2000, police held him for five days in a bleak interview room, where he says he was handcuffed to a wall, deprived of sleep and questioned repeatedly about the fatal shooting of a 12-year-

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