



Former Death Row inmate Madison Hobley won a victory Wednesday in his wrongful conviction lawsuit. —AP

Cops face depositions in torture lawsuit

Detectives appeal ruling, could end up taking the Fifth

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In what plaintiffs see as a small victory, U.S. Magistrate Judge Geraldine Soat Brown ordered that Area 2 police detectives sub-

mit to depositions in a civil case filed by freed Death Row inmate Madison Hobley.

However, James Sotos, the defense attorney representing former Area 2 detective Jon Burge and detectives accused of torturing and framing Hobley, said he would appeal the ruling with another judge. Otherwise, it is possible the detectives would take the Fifth Amendment.

Hobley is suing the detectives and Chicago for his wrongful conviction, saying they tortured him and falsified evidence.

Attorney Jon Loevy, who represents Hobley, said the ruling means his case "can finally move forward."

"The defendants have been saying they want to defend themselves, now it's their chance," Loevy said. "They have to either defend themselves or exercise their constitutional right. . . . If they do the latter, then they are stuck with those answers."

Loevy said unlike a criminal case, a jury can "draw an adverse inference from silence."

At issue in the civil case is whether the detectives can say something in the depositions that would incriminate them in an ongoing criminal investigation.

A special prosecutor appointed by another court in 2002 is investigating allegations of widespread torture of murder suspects in the South Side police office. That prosecutor has not said who specifically is targeted. Sotos argues that if his clients are targeted in the investigation then there is a possibility the special prosecutor could look at that testimony to bring new charges.

"They want to defend themselves — they want to testify about the matter," Sotos said.

Brown said she has given the defendants six months to weigh their options and ordered the two sides to meet on July 9 to start scheduling the depositions.