

## Chicago Police Misconduct â?? A Rising Financial Toll

### Description

Itâ??s well known that alleged misconduct by Chicago police costs city taxpayers dearly.

A new Better Government Association analysis shows just how dearly: \$106 million in 2014 and 2015 alone, covering misconduct-related settlements, judgments, legal fees and other costs.

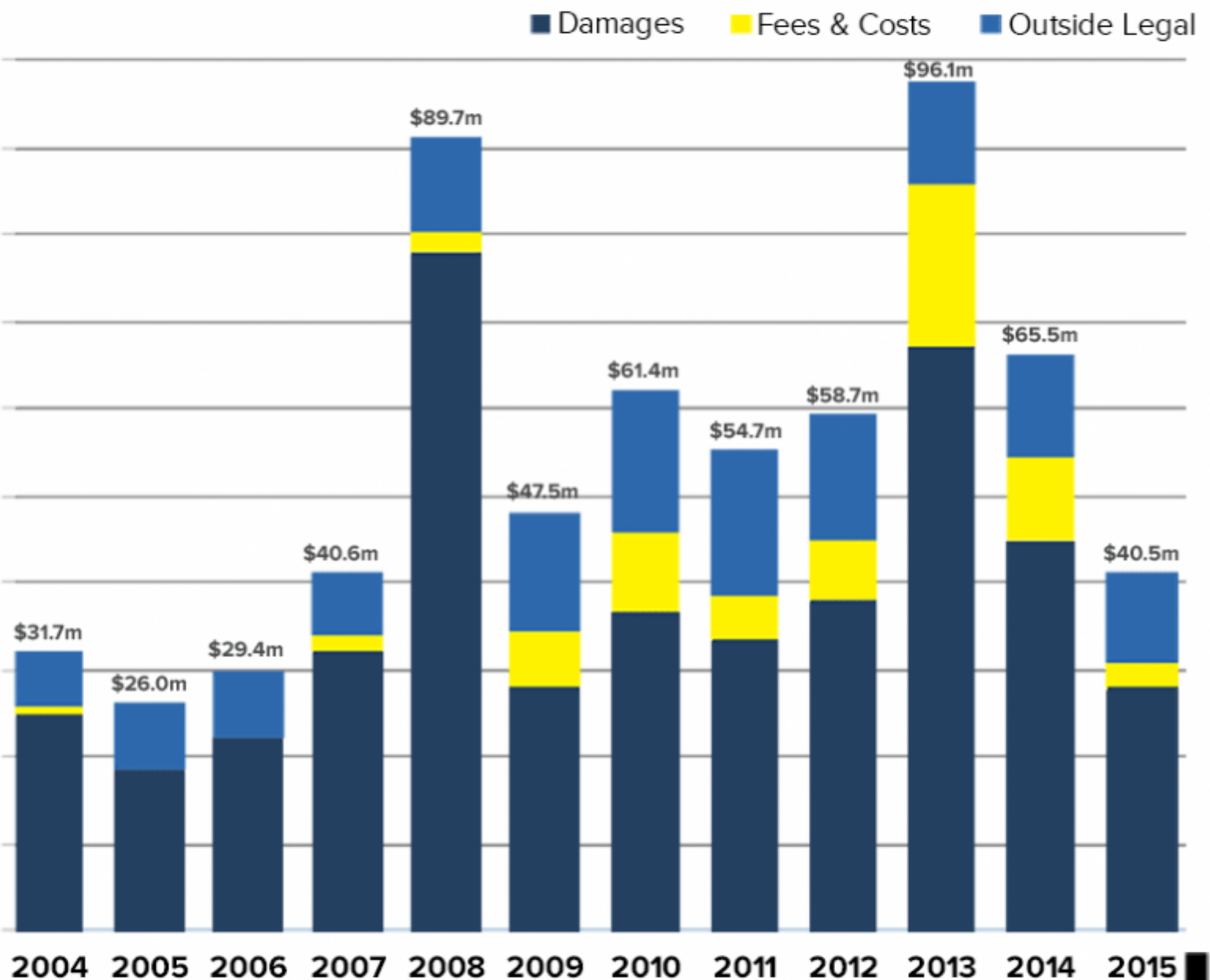
All told, Chicagoâ??s municipal government â?? under Mayor Rahm Emanuel and his predecessor, former Mayor Richard M. Daley â?? spent nearly \$642 million on alleged police misconduct over more than a decade, from 2004 through 2015, according to interviews and city records.

In 2015, nearly \$41 million was spent, including roughly \$28 million on damages, \$10 million on outside legal expenses and \$3 million on other costs, according to data obtained from city governmentâ??s Law Department.

That annual total â?? which included \$5 million paid out to the family of Laquan McDonald, who was shot and killed by Chicago Police Officer Jason Van Dyke in an incident caught on dash-cam video â?? was the lowest since 2007, when almost \$41 million was spent. It also was considerably lower than in 2014 when \$65 million was spent and 2013 when \$96 million was spent, in what was the highest tally in the 12 years analyzed by the BGA.

# COST OF POLICE MISCONDUCT

## \$641,780,521 IN TOTAL PAYMENTS SINCE 2004



**22,962 + \$133,157,559 = \$641,780,521**

(Damages, fees, & costs)      (City payments to outside defense attorneys)      (Total Payments)

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Note: 2015 data as of Nov. 30. Source: Interviews and municipal records

Andrew Schroedter  
2016/01/31

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rise to cover faltering city finances â?? is likely to keep rising. Thatâ??s because there may still be outstanding legal bills from 2015, and more than 450 police misconduct lawsuits remain pending against the city, many of them high profile and potentially costly.

There were 273 misconduct lawsuits filed in 2015, down slightly from 289 the previous year, says Bill McCaffrey, a spokesman for Law Department.

Told of the BGAâ??s findings, Lou Reiter, a national law enforcement expert, says, â??The culture of the agency has to changeâ?• if the costs are ever to decline.

â??It has to start at the bottom,â?• says Reiter, a retired Los Angeles Police Department deputy chief who has testified as an expert witness in Chicago police misconduct lawsuits. â??It canâ??t just be at the top. You need a large cadre of officers who speak out and say, â??Enough is enough.â??â?•

However, Dean Angelo, president of the Fraternal Order of Police chapter representing rank-and-file Chicago cops, says while the \$642 million payout may paint the police in a bad light, itâ??s not a reflection of the job that most officers do.

â??Historically, the city has settled too easily in some cases,â?• Angelo says, adding the city often pays even when an officer may not have been at fault. â??Itâ??s extremely frustrating to police officers. But itâ??s not their call.â?•

Anthony Guglielmi, a Chicago police spokesman, declined to comment. [Click here for Emanuel Administrationâ??s response.](#)

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In April 2014, the BGA reported the city had shelled out \$521 million on police misconduct-related legal claims over the previous decade.

The latest analysis includes payments for all of 2014 and most of 2015, as well as an annual accounting of the cityâ??s police misconduct-related legal bills.

City officials previously said they were unable to provide records showing what private attorneys were paid to defend the city and police officers in civil lawsuits alleging wrongful death, excessive force, false arrest and more.

But the city recently turned over data showing it spent more than \$133 million from 2004 to 2015 on private attorneys in police misconduct cases. Additionally, the city paid nearly \$447 million in damages and almost \$62 million in plaintiff attorney fees and other costs over that same 12-year period, according to interviews and records.

The \$5 million paid to McDonaldâ??s family was unusual, because it was given without a lawsuit being filed.



Laquan McDonald (right) seen on police dash-cam video before he was fatally shot by a Chicago police officer in 2014.

Under intense public pressure, Cook County State's Attorney Anita Alvarez charged Van Dyke with first-degree murder last November, the same day the city made public a dash-cam video of the October 2014 shooting. The video showed Van Dyke shooting McDonald multiple times as he appeared to be walking away from the officer.

The U.S. Department of Justice is now investigating the police department's use of force and handling of misconduct allegations, a review that some hope will bring about changes that reduce misconduct. Emanuel, who oversees the police department, initially resisted the Justice Department review as well as the release of the McDonald video but, amid public uproar, reversed course.

"We have a unique opportunity because we have a mayor who seems motivated and citizens who will not accept anything less anymore," says attorney James Montgomery Jr., who has represented victims of alleged police misconduct.

Other 2015 payments include:

- \$8.5 million to the family of Aaron Harrison, an 18-year-old who was fatally shot in the back by a Chicago police officer in 2007 in North Lawndale. The payment came two years after a jury awarded the family the same amount; the city had appealed the verdict only to back off and fork

over the money, says Montgomery, the family's attorney. The Independent Police Review Authority, known as IPRA, which probes police shootings, ruled the officer was justified in his use of force.

- \$1 million to the family of Joshua Madison Sr., a 21-year-old man who was fatally shot by a Chicago police officer outside a South Side fast-food restaurant. IPRA ruled the 2010 shooting was justified but Madison's family claimed police had no probable cause to stop Madison's vehicle or shoot the unarmed man when he tried to flee.
- \$415,000 to a 22-year-old woman who accused two on-duty Chicago police officers of raping her in 2011. Authorities charged Paul Clavijo and Juan Vasquez with criminal sexual assault and official misconduct. The officers, who resigned from the force, pleaded guilty to a single count of felony official misconduct and were sentenced to two years of probation.