

COPY

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

AARON PATTERSON, et al.,)	
)	
Plaintiffs,)	No. 03 C 4433
)	
vs.)	The Honorable Joan
)	B. Gottschall
FORMER CHICAGO POLICE)	
LIEUTENANT JON BURGE, et al.,)	Magistrate Judge
)	Geraldine Soat
Defendants.)	Brown

The sworn statement of MS. DORIS M. BYRD,
taken before Carmella T. Fagan, C.S.R., R.P.R.,
Notary Public within and for the County of Cook and
State of Illinois, in the City of Chicago, Cook
County, Illinois, commencing at 12:10 p.m. on the 9th
day of November, 2004.

PRESENT:

MR. G. FLINT TAYLOR,
Attorney for Aaron Patterson;

MR. MORT SMITH,
Investigator.

1 (WHEREUPON, the Witness was
2 sworn.)

3 DORIS M. BYRD,
4 called as a witness herein, having been first
5 duly sworn, was examined and testified as follows:

6 EXAMINATION

7 BY MR. TAYLOR:

8 Q Could you state your name and spell
9 your last name for the record.

10 A My name is Doris M. Byrd. That's
11 B-y-r-d.

12 Q And, Ms. Byrd, are you or have you
13 been a Chicago police officer?

14 A Yes.

15 Q When did you become a Chicago police
16 officer?

17 A I became a Chicago police officer
18 January 3rd, 1977.

19 Q And did you -- what was your
20 assignment after you left the training academy in
21 1977?

22 A I was a patrol officer.

23 Q What District were you assigned to?

24 A I was assigned to the 22nd District.

1 Q And did you make detective at some
2 point after going to the 22nd District?

3 A Yes.

4 Q And approximately when was that?

5 A 1980.

6 Q All right. Were you assigned to an
7 Area when you made detective?

8 A Yes.

9 Q And what Area was that?

10 A 1.

11 Q And while you were at Area 1, did you
12 have an occasion to meet another detective there by
13 the name of Peter Dignan?

14 A Yes.

15 Q And at some point was there an attempt
16 to have you work with Peter Dignan at Area 1, or was
17 it at Area 2?

18 A At Area 1.

19 Q And what happened with regard to that?

20 A Well, he went -- as we worked
21 midnights, he went his way, I went my way.

22 Q Who attempted to have you work with
23 him? Was it --

24 A Well, our names was assigned to the

1 same car on the work sheet, so that meant we should
2 have been working together. But at the time he was
3 in school.

4 Q So did he make -- was it on his
5 initiative that you ended up not working with him?

6 A Yeah. He would just say he had
7 something else to do.

8 Q And did you ever come to any
9 conclusions about what that was about?

10 A Well, I figured he didn't want to work
11 with me.

12 Q Was that because you were black or --

13 A Because I was black and a female, he
14 didn't want to work with me.

15 Q So it turned out that you never worked
16 with him at Area 1; is that right?

17 A Correct.

18 Q Now, the next year, 1981 or so, were
19 you assigned to Area 2 Detective division?

20 A Yes.

21 Q And did you work a particular shift at
22 the Area 2?

23 A Yes, I did.

24 Q What shift was that?

1 A I worked the third watch.

2 Q And that was basically from what time
3 to what time?

4 A From 5:00 p.m. to 1:00 a.m.

5 Q So would your time then abut with what
6 they call the midnight shift or the first watch?

7 A Yes. They started as we were leaving.

8 Q All right. And did you have a partner
9 that you normally worked with at Area 2?

10 A Yes.

11 Q And who was that?

12 A When I initially went to Area 2, I
13 worked with, uh, Lucius Moore and Walter Young and
14 Wayne -- I can't think of Wayne's last name, but he's
15 deceased now, because all the blacks worked together.

16 Q And shortly after you got there or
17 around the same time you got there, did Lieutenant
18 Burge become the lieutenant in charge of the unit
19 that you were working in?

20 A Yes.

21 Q And what was -- what unit was that?

22 A That was Violent Crimes. He came
23 after, uh -- oh, I can't think of the other
24 lieutenant's name.

1 Q Lieutenant Griffith?

2 A Griffith. Yes. Lieutenant Griffith.
3 He came after Lieutenant Griffith left.

4 Q And that was sometime in '81; is that
5 right?

6 A '81, '82. Yeah.

7 Q Were you there when the George Jones
8 case was happening and Frank Lavery came forward in
9 court about the George Jones case?

10 A Yes.

11 Q And that had to do with the street
12 files; is that right?

13 A Yes.

14 Q Were you privy to any of the
15 conversations that Burge had with Lavery or anyone
16 had with Lavery about his decision to come forward
17 and to expose the street files?

18 A No, I wasn't privy to any
19 conversation, but I observed some action from Burge
20 towards Lavery.

21 One day we were in the, um -- in the
22 room and Lavery was in there looking for a file.
23 And when he left out the room, Burge drew his weapon
24 and pointed it at the back of Lavery and said,

1 "Bang."

2 Q Was there other detectives other than
3 yourself in the room at that time?

4 A Um-hum. Yes.

5 Q Was that a message? Did you take that
6 as a message about what would happen if police
7 officers came forward and broke the code of silence
8 and exposed police misconduct?

9 A Yes.

10 Q Do I need to ask you what it said to
11 you with regard to that?

12 A No, you don't need to, but if you want
13 me to --

14 Q Did it intimidate you and other
15 detectives in terms of anything that might have been
16 going on?

17 A Well, not really, because we were
18 never really privy to anything.

19 Q Now, you say you weren't privy. Now,
20 let me ask you specifically with regard to Area 2.
21 You were there at the old 91st and Cottage Grove; is
22 that right?

23 A Yes.

24 Q And at that time were the rooms kind

1 of close together, the interview rooms? Could you
2 hear things going on in the interview rooms when you
3 were on duty?

4 A Yes.

5 Q And sometimes were you on duty when
6 the midnights was also on duty?

7 A Yes.

8 Q And did you, from time to time, either
9 work on cases or turn over cases to the midnight
10 squad?

11 A Well, basically all our cases we kept
12 ourselves because they were not the newsworthy cases.

13 Q So was there some kind of practice
14 that Jon Burge had in terms of assigning cases with
15 regard to white detectives and black detectives
16 there?

17 A Yeah.

18 Q Could you tell us what that was.

19 A Black detectives got, uh,
20 non-newsworthy, uh, in-custody and known-but-flowns,
21 ghost offenders, as opposed to the A-Team getting all
22 the newsworthy and the high-profile cases.

23 Q By the "A-Team," was that a term that
24 was given to a particular squad or to a watch?

1 A Yes.

2 Q What squad or watch was that?

3 A Well, the midnight, but they had a few
4 on days that was part of the A-Team.

5 Q Was Sergeant Byrne the head of the
6 A-Team in terms of sergeants?

7 A Well, he worked midnights. Yes.

8 Q Did you often see Burge around there
9 late at night working on some of the heater cases?

10 A Yes.

11 Q And during the time you were there,
12 did you sometimes work over your shift and stay there
13 into the midnight shift?

14 A Yes.

15 Q And did you, from time to time, hear
16 screaming and other unusual noises coming out of
17 interview rooms while the midnight shift was
18 interrogating people?

19 A Yes.

20 Q And did you, from time to time, see or
21 speak to suspects that were in those rooms where you
22 heard some of the noises coming out of?

23 A Sometimes.

24 Q And did those suspects report to you,

1 from time to time, that they had been physically
2 abused by the A-Team?

3 A Yes.

4 Q And did they tell you, from time to
5 time, the kinds of techniques that were used, that
6 they said were used against them?

7 A Yes.

8 Q And could you tell us some of the
9 techniques that you heard from the suspects that were
10 used?

11 A Heard they used the telephone book.

12 Q Did you ever hear that they used any
13 kind of bags over their head?

14 A I heard about the bag, never saw the
15 bag.

16 Q But you did hear it from people who
17 said that that had been used against them?

18 A Heard about it, yes.

19 Q And did you also hear about the
20 electric shock box?

21 A Heard about the black box, never saw
22 the block box.

23 Q Did you hear about the black box from
24 some of those people that were in the rooms that you

1 spoke to?

2 A I heard -- the black box, I mean, it
3 was running rampantly through the little unit up
4 there. Plus, uh, offenders, some offenders who had
5 been released, you know, you meet on the street and
6 they talk to you.

7 Q So you heard about it both up there
8 from other detectives and --

9 A Um-hum.

10 Q -- from victims; is that right?

11 A Yes.

12 Q Okay. And was the -- when this black
13 box and the phone book and the bags that you were
14 told about, was this -- would it be fair to say that
15 it was somewhat of an open secret up at Area 2 that
16 this kind of stuff was going on?

17 A Yes.

18 Q And did -- was it pretty much an open
19 secret that it was Burge that was the head of this
20 kind of -- well, I'll use the term torture.

21 A He was in charge of the unit. Yes.

22 Q And when people mentioned that they
23 had been subjected to this kind of abuse, did they
24 link it to Burge or to Byrne and the people on

1 midnights?

2 A Yes.

3 Q Okay. Was there a commander at Area 2
4 that was, at least in rank, above Burge?

5 A Yes.

6 Q What was his name?

7 A Which -- at what time? There was a
8 couple.

9 Q Okay. How about at the old Area 2?
10 The old --

11 A When I first went to Area 2 in '81,
12 '82, it was Milton -- Commander Milton Deas.

13 Q And was Milton Deas, in point of fact,
14 in charge of the Area or was Burge in charge of the
15 Area?

16 A Commander Deas was in charge of the
17 Area.

18 Q And did Burge, in fact, answer to Deas
19 or did Deas pretty much let Burge do what he wanted
20 to?

21 A Pretty much let Burge do what he
22 wanted to do.

23 Q Okay. At the old Area 2 were you
24 working during the time period, at least part of the

1 time period, when they were looking for the killers
2 of the two police officers, Fahey and O'Brien, in
3 February of 1982?

4 A Yes, I was.

5 Q And prior to their apprehending Andrew
6 Wilson and Jackie Wilson on a Sunday, which was
7 February 14th, did you have occasion to be in the
8 Area, from time to time, during that four or five
9 days from the time the killings took place until the
10 time they caught Andrew Wilson?

11 A Yes.

12 Q And did you have an occasion to
13 observe and hear any unusual things going on at Area
14 2 during that period of time?

15 A I observed, uh, and heard arrestees
16 that had been brought in for questioning screaming
17 and hollering, and I observed, uh, one male black
18 that was attached to a radiator where the steam was
19 coming out the spout.

20 Q Uh-huh. And during that period of
21 time, did you hear anybody yelling out that they had
22 been mistreated in any way?

23 A Well, they wasn't more -- they was
24 hollering, yeah, saying they shouldn't be there, they

1 didn't have nothing on them, they hadn't done
2 anything.

3 Q Uh-huh. Now, I think you mentioned
4 earlier at various times when you were at Area 2, and
5 particularly the old Area 2, and you heard people
6 yelling, did you, from time to time, actually hear
7 them yelling things, like, to stop abusing them?

8 A No.

9 Q You just heard the yelling?

10 A Yes.

11 Q And did you ever, other than during
12 that period of time before the Wilsons were
13 apprehended, did you ever see anyone handcuffed to a
14 radiator or -- at other times?

15 A That was my first time.

16 Q Did you subsequently see that again?

17 A No, not at Area 2.

18 Q Okay. Not at the old Area 2?

19 A Not at the old Area 2.

20 Q Did you at the new Area 2?

21 A No. They would just hook them to the
22 rod there. They didn't have radiators at the new
23 Area 2.

24 Q Now, did you have an occasion -- you

1 said that Deas was the first commander. Were you
2 also at Area 2 when Leroy Martin was the commander?

3 A Yes.

4 Q Did you ever deal with Leroy Martin
5 concerning the disparity in assignments that Burge
6 gave between the black detectives and the white
7 detectives?

8 A Yes.

9 Q Could you tell us what happened when
10 you spoke to Martin.

11 A Well, the three, it was only three
12 black detectives in the Violent Crimes unit.

13 Q Um-hum.

14 A And we went in and spoke to, uh, the
15 commander as to why we were never assigned homicide
16 cases or any, uh, cases that was newsworthy.

17 He said he would talk to Burge. He
18 went and talked to Burge. The next thing we knew, we
19 was being chewed out. So that was the end of that.

20 Q So you were being chewed out by Burge?

21 A Chewed out by the commander.

22 Q So instead of him going to talk to
23 Burge, you ended up being chewed out for raising --

24 A Right. Can you excuse me, please.

1 MR. TAYLOR: Sure. We'll go off the record to
2 answer a phone call.

3 (WHEREUPON, there was a brief
4 pause in the proceedings.)

5 BY MR. TAYLOR:

6 Q You had mentioned earlier something
7 about at one point when you were overhearing some of
8 the yelling at the old -- I think the old Area 2, but
9 you might not have specified, you heard someone
10 saying, "Stop hitting me, man" or --

11 A Yeah. You would hear them say, "Stop
12 hitting me," or "What you hitting me for?" Yeah.

13 Q Uh-huh.

14 A Yeah.

15 Q And would it be fair to say that
16 sometime in, what, late '82 or early '83, they moved
17 Area 2 over to 111th Street? Is that --

18 A Right.

19 Q -- about right? And you stayed there
20 until '84, did you tell me?

21 A Correct.

22 Q And did this continue to go on, the
23 kind of mistreatment that you had heard about and you
24 would hear yelling and just the comments? As far as

1 you knew, it continued on?

2 A Yes.

3 Q And it primarily continued on the
4 midnight shift under Burge and Byrne; is that right?

5 A Yes.

6 Q Did anyone from downtown ever come and
7 do any kind of investigation, ask anybody, well, what
8 the heck is going on here? Was there any kind of --

9 A No --

10 Q -- investigation?

11 A -- not to my knowledge. Not while I
12 was present.

13 Q And when did you retire from being a
14 police officer?

15 A I retired April 15th, 2004.

16 Q And other than myself who has
17 questioned you, have you ever been questioned by
18 anybody in the command structure of the police
19 department, anybody from OPS or IAD, about your
20 knowledge about what was going on at Area 2?

21 A No.

22 Q Never brought in by anybody who said,
23 was it an open secret? What did you hear? What did
24 you know? What did people talk about at Area 2 in

1 terms of torture?

2 A No.

3 Q And, I take it, you would have been
4 willing to tell them what you told me if, in fact,
5 somebody from downtown came and asked you that was
6 doing a legitimate investigation about what was going
7 on here?

8 A I would have to think twice about that
9 because when Lavery spoke out, they didn't do
10 very -- very much for him.

11 Q Other than Burge pointing a gun at the
12 back of his head as he walked out and closed the door
13 of the Area, anything else that happened to Lavery
14 that reinforced your feeling that it would be totally
15 counterproductive to your interests as a police
16 officer to come forward with information that was --
17 about Burge that was -- that would implicate him?

18 A They stuck him into a unit and
19 squashed his career.

20 Q And they stuck him over in -- did they
21 send him over to city hall?

22 A No.

23 Q Oh, I'm sorry. To --

24 A He went to --

1 Q -- 11th and State.

2 A -- recruit processing.

3 Q Right. Did you ever know --

4 A Never to make rank.

5 Q And so the reason you're talking to me
6 on the record now is that you're no longer -- you're
7 free of being a police officer and you've retired?

8 A I retired. Yes.

9 Q And you have your pension?

10 A Yes, I have my pension.

11 Q And if they can't take Burge's
12 pension, they can't take yours.

13 A They sure as hell better not try to
14 take mine.

15 Q Now, with regard to Leroy Martin,
16 did -- was he at the Area? Did he have an office at
17 Area 2?

18 A Yes.

19 Q And did he, like -- was he in the area
20 where the interrogation rooms were, from time to
21 time?

22 A Well, yes, he would walk through. He
23 would come out of his office and come and go into
24 Burge's office or call Burge into his office.

1 Q Now, did you --

2 A But he had access to the whole floor.

3 Q Do you know whether he ever talked to
4 Burge about what was going on, about the open secret
5 of torture at Area 2?

6 A I don't know.

7 Q Did you feel that you could go forward
8 and tell Leroy Martin what you knew --

9 A No.

10 Q -- about police torture?

11 A No.

12 Q And why was that?

13 A Because Leroy Martin would -- I would
14 get dumped, ostracized and everything else.

15 Q And "dumped," you mean dumped from
16 being a detective?

17 A Yes.

18 Q Why did you come to that conclusion?

19 A Because Leroy Martin, and I'm just
20 guessing here, but nine out of -- he wasn't going to
21 put his career on the line.

22 Q And, in fact, the one time you did
23 bring something to Leroy Martin --

24 A Right.

1 Q -- what happened?

2 A The one time we did come to him to
3 make a complaint about stuff, he showed no
4 consideration. He didn't give us any.

5 Q Now, calling your attention to
6 sometime in October of '83, did you have an occasion
7 to be in on the arrest of a murder suspect by the
8 name of Gregory Banks?

9 A Yes.

10 Q And did you and your partner, Sammy
11 Lacey -- was Sammy working with you on that?

12 A Yes.

13 Q Did you have the initial stages of
14 investigation in that case?

15 A Yes.

16 Q And did you have an occasion to
17 question or attempt to question Banks and his
18 codefendant, Bates?

19 A Yes.

20 Q Did you have any success in getting an
21 inculpatory statement from him?

22 A No.

23 Q Did you use any force or intimidation
24 tactics on him?

1 A No.

2 Q Did you ever? Did you ever use force
3 or intimidation on suspects you brought in?

4 A No.

5 Q After you questioned without success
6 in terms of an inculpatory statement Mr. Banks, did
7 some other people from the A-Squad take over the
8 investigation?

9 A Yes.

10 Q And did they take Banks and his
11 codefendant -- or Banks, I should say, out of the
12 Area?

13 A Yes.

14 Q Was this late at night?

15 A Yeah.

16 Q And did --

17 A Or early morning.

18 Q Did they bring Banks back at some
19 point?

20 A Yes.

21 Q Could you tell us what happened after
22 they brought him back?

23 A He was very cooperative.

24 Q By "cooperative," do you mean did he

1 give an inculpatory statement?

2 A Yes, he gave a statement.

3 Q And did you --

4 A Not to Lacey and I.

5 Q Right. But to Dignan and Byrne?

6 A Right.

7 Q And was this a pattern that you often
8 saw in cases, that the midnights were quite
9 successful in getting cooperation, as you said, and
10 signed statements from suspects that other detectives
11 working other watches didn't?

12 A Yes.

13 Q Was that part of the open secret, that
14 you understood that the tactics that they were using
15 to get these statements included the torture tactics
16 that you heard about?

17 A Yes.

18 Q And did you hear that in Banks' case,
19 that that, in fact, had been what had occurred in
20 that case?

21 A Yes.

22 Q And are there other cases that you
23 know of that were similar to that, without going into
24 names?

1 A Yes.

2 Q And so you were at Area 2 for
3 approximately four years; is that right?

4 A No.

5 Q From '81 to '84. Is that four years?

6 A No. I made detective in '80, '81. I
7 went to Area 2 in '82. About two years.

8 Q Two or three --

9 A About two years.

10 Q Okay. When you left Area 2, where did
11 you go?

12 A I went to the Labor detail.

13 Q And that was a job that you enjoyed;
14 is that right?

15 A Yes.

16 Q And why was it that you were able to
17 escape Area 2 and get a good assignment, unlike
18 people like Walter Young?

19 A Well, a deputy superintendent, I guess
20 he had taken a liking to me when I worked out of Area
21 1, asked me if I wanted to try my hand at doing
22 something else.

23 Q And what was his name?

24 A Uh, Bob Williams.

1 Q He was African-American?

2 A African-American.

3 Q And did he, for lack of a better word,
4 kind of look out for you at Area 2 a little bit, from
5 time to time, with Burge?

6 A Yes. He and Deputy Chief O'Reilly,
7 James O'Reilly.

8 Q And did they sometimes intervene
9 with --

10 A O'Reilly did.

11 Q He did --

12 A Yes.

13 Q -- on your behalf with Burge?

14 A Yes.

15 Q Can you tell us in what kind of
16 situations that was?

17 A Well, during the time when I was a
18 detective, they used to have, uh -- the three lowest
19 detectives, you would have to send in this report
20 every month, and the three lowest, if you was the low
21 man on the totem pole, I think it was two or three
22 times, you get dumped from the unit.

23 And my name and my partner's name, Sam
24 Lacey, we were always -- our names were always sent

1 in. So the chief told Burge do not submit our names
2 anymore.

3 Q So Burge, what he would do with the
4 black detectives is give you the cases that you --
5 that were unsolvable?

6 A Yes.

7 Q And so then when you would have a low
8 arrest ratio, he would grade you low; is that right?

9 A Yes.

10 Q And then when you were graded low, you
11 would you always be vulnerable to --

12 A Getting dumped.

13 Q -- getting dumped. And so that was
14 the fate of all the black detectives at Area 2 while
15 you were there; is that right --

16 A Yes.

17 Q -- to be constantly in fear of being
18 dumped; is that right?

19 A Yes.

20 Q Would it be fair to say that Burge had
21 racially motivated practices with regard to black
22 detectives?

23 A Yes.

24 Q And would it be fair to say that he --

1 that what you saw in terms of how he ran his
2 operation and how he related to blacks and whites,
3 that he was a racist?

4 A Yes, because one incident at roll call
5 one evening, uh, present at roll call was, uh, two
6 females, Detective Joanne Ryan and myself.

7 And during the course of his roll call
8 he was using profanity, and he apologized to Joanne
9 Ryan but didn't apologize to me.

10 Q That was clear to you then what he
11 thought of you as a black woman?

12 A Right.

13 Q Did you ever hear a rumor that he was
14 in the Klan, Jon Burge?

15 A Yeah, I heard -- I heard that. Don't
16 know it, don't know any facts about it, but I heard.
17 It was going around that he was in the Klan.

18 Q So that was kind of -- it went around
19 the detectives the same way as the open secret about
20 torture?

21 A Right. Right.

22 Q Did other -- strike that.

23 Going back to the Andrew Wilson time
24 in February, did Burge involve the black detectives

1 in the investigation and in the manhunt looking for
2 the killers of the police officers the same way he
3 did the white detectives?

4 A No.

5 Q What did he do with regard to you and
6 the other black detectives?

7 A Well, he really didn't do anything
8 with us. One of his sergeants, they assigned us to
9 an investigation that really had no -- that didn't
10 pertain to the Wilson investigation at all. We were
11 sent on, like, wild goose chases.

12 Q And this open secret about torture,
13 with regard to what was going on during the manhunt,
14 was it known among detectives that Burge was heading
15 up a manhunt in which unnecessary force and torture
16 tactics were being used to find the killers?

17 A Yes.

18 Q And that was another kind of open
19 secret; is that right?

20 A Yes.

21 Q And did you also hear from other
22 detectives and police personnel about any mandate
23 that Jon Burge had been given from the higher-ups to
24 conduct his manhunt in a violent -- and using torture

1 tactics?

2 A Yes. I heard he was given a mandate
3 to do whatever he had to do to clear this case.

4 Q And you as a detective at Area 2 knew
5 what he -- to do whatever he had to do, to Burge that
6 meant using the kind of tactics that he used on
7 suspects up at Area 2, including torture; is that
8 right?

9 A True.

10 Q And who did this mandate come from?
11 What were you told with regard -- from other police
12 where this mandate came from?

13 A The mayor of the city of Chicago.

14 Q Who was at that time?

15 A Jane Byrne.

16 Q Was there also any involvement with
17 the state's attorney of Cook County at that time?
18 Did people talk about that at all?

19 A No. I didn't hear anything about the
20 state's attorney.

21 Q So it was simply Byrne?

22 A Yes.

23 Q Were you present at 11th and State
24 when they brought Donald White over there to question

1 him when they thought he was the killer of Fahey and
2 O'Brien?

3 A No.

4 Q So you weren't with Sammy Lacey that
5 night?

6 A No. I was off.

7 Q Now, in 1989, where were you working
8 then?

9 A In 1989? What part of '89?

10 Q When the Wilson trial was going on in
11 the early part of 1989.

12 A I was in the Labor detail.

13 Q And did anyone ever come to you with
14 any information about Burge during that period of
15 time?

16 A I had a phone call.

17 Q Who did you get that phone call from?

18 A I'm trying to remember. Was it -- I
19 got a phone call about a letter.

20 Q Okay. No, it wasn't from me.

21 A Oh, okay.

22 Q The letters that I received --

23 A Right.

24 Q -- from an anonymous source?

1 A Oh, and I also got a phone call from
2 that guy Conroy who wrote that article about Burge in
3 the -- what's that paper that comes out in Hyde Park?

4 Q The Reader.

5 A The Reader. Right.

6 Q So there were some people who thought
7 you might have been the source of the letters to me?

8 A Right. Right.

9 Q Were you the source of the letters to
10 me?

11 A No, I was not.

12 Q You have seen those letters?

13 A Yes.

14 Q And is it your conclusion in terms of
15 the race of the person who wrote me, do you have an
16 opinion or a conclusion having read those letters?

17 A Yes. I believe it was one of the
18 white detectives.

19 Q What led you to believe that?

20 A Because the way -- the structure of
21 the wording because I worked with all the black
22 detectives and I knew how they wrote reports.

23 Q And you actually saw copies of the
24 letters, did you not?

1 A Yes.

2 Q Did they appear to be actual letters
3 that were typed, you know, at Area 2 or on a police
4 department --

5 A I don't know if they was typed at -- I
6 can't say they was typed at Area 2 or on, uh, police
7 department equipment.

8 Q You couldn't tell one way or the
9 other?

10 A No. I couldn't tell one way or the
11 other.

12 Q Has anyone ever come to you and
13 admitted to you or told you who the author of those
14 letters were?

15 A No.

16 Q But you have read them, right?

17 A Yes.

18 Q And it was clear to you from reading
19 them that it was someone with intimate knowledge of
20 Area 2?

21 A That it was someone that was on the
22 inside.

23 Q Someone who actually worked there with
24 Burge, right?

1 A Yes.

2 Q Okay. Was there a captain at some
3 time who called you concerning the torture --

4 A Yes -- no, it wasn't --

5 Q -- per se about --

6 A -- per se about the torture. He
7 called me because, um, Jack Byrne had received a
8 notice about him going to court --

9 Q Uh-huh.

10 A -- and he called me and they said I
11 was a weak link, and he called me about testifying
12 against Byrne. So my answer to him was if I get
13 called and if I have to save an ass, I'm going to
14 save mine.

15 Q This was sometime when Jack Byrne was
16 in court?

17 A That's when he started to make rank.

18 Q Oh, okay. Was it Byrne or was it
19 Dignan?

20 A Oh, Pete Dignan. I'm sorry. Pete
21 Dignan. I'm sorry. Not Jack Byrne. I keep thinking
22 about Byrne because I heard some news about him. I'm
23 sorry. Pete Dignan.

24 Q And this was when Dignan was being

1 considered to be promoted to lieutenant?

2 A Well, he did get promoted to
3 lieutenant.

4 Q Was it before or after he got promoted
5 that you got this call?

6 A This was after.

7 Q And this captain was concerned that
8 you might say something negative about Dignan and --

9 A Yeah, because he and Dignan was
10 friends, and he said Dignan had been speaking with
11 him and Dignan was worried about me.

12 Q Could you tell us who this captain
13 was?

14 A Uh, I remember his name being Phelan.
15 His first name I don't remember.

16 Q P-h-e-l-a-n, Phelan?

17 A Yes. Phelan.

18 Q And this was how long ago? Can you
19 tell us?

20 A Oh, this has to be five -- let's see.
21 Pete retired in, I want to say, 2000. Oh, we're
22 talking at least seven, eight years ago.

23 Q Now, in those letters that I received,
24 there was a list of people that were called Burge's

1 ass-kickers. Do you --

2 A Um-hum.

3 Q -- remember that? And Sergeant Jack
4 Byrne was listed as Burge's main man. Is that
5 consistent with what you --

6 A Yeah. He --

7 Q -- recall?

8 A -- ran the midnight crew.

9 Q So he was the head of the A-Team?

10 A Um-hum. Yes.

11 Q And he was one of the ones that was
12 being identified as one of the people doing the
13 torture?

14 A Um-hum.

15 Q And George --

16 A I mean, yes. I'm sorry.

17 Q And George Basile, do you know who he
18 was?

19 A Yes.

20 Q Was he at Area 2 when you were there?

21 A Yes.

22 Q Was he someone that was a close
23 associate of Burge?

24 A Yes.

1 Q Did he also have the reputation of
2 being in that group of persons who were torturing
3 people?

4 A Yes. He worked days.

5 Q And Pete Dignan, he's listed in this.
6 Was he known to you through what you heard and
7 observed to be one of the people that was involved in
8 the open secret of torture?

9 A I didn't see much of Pete because he
10 worked midnights.

11 Q But he was on the A-Team?

12 A Yes.

13 Q And Frank Glynn, do you know who he
14 was?

15 A Yes, I remember Frank Glynn.

16 Q Was he on the A-Team?

17 A Yes.

18 Q And Fred Hill, did you know him?

19 A Yes. A big guy.

20 Q Was he on the --

21 A Yes.

22 Q -- A-Team? Yes? And Paladino, John
23 Paladino?

24 A Yes. He and Basile were partners.

1 Q Okay. So he was on days?

2 A Yes.

3 Q Did he have a reputation --

4 A And afternoons. They came to
5 afternoons. Yeah.

6 Q Okay. Did he have a reputation of
7 being one of Burge's people?

8 A Yes.

9 Q And John Yucaitis?

10 A Yes.

11 Q Was he on the A-Team?

12 A Yes.

13 Q And did he have a reputation along
14 with Burge for torture and abuse?

15 A Yes.

16 Q Any others you can think of that were
17 on the A-Team that were in the group that were
18 Burge's men who were involved in the same kind of
19 acts that Burge was, to your -- to what you heard?

20 A Uh, got most of them. Got the
21 majority of them there. There was some that may
22 be -- like, they may have been on the crest.

23 Q Um-hum.

24 A They, like may be -- they may not have

1 joined in, but they knew what was going on.

2 Q Okay. Did you know Jimmy Pienta?

3 A Yes.

4 Q Did you know anything about whether he
5 was one of Burge's guys or not?

6 A We used to discuss that. We didn't
7 think Pienta was a member of Burge's group.

8 Q How about Robert Dwyer? Did you know
9 him?

10 A Yes.

11 Q And was he one of Burge's guys?

12 A That was -- that was a hard one too,
13 also.

14 Q He was on the crest?

15 A Yes.

16 Q Was Pienta on the crest too or --

17 A No, I don't think Pienta was very well
18 liked.

19 Q By Burge?

20 A By Burge.

21 Q Can you think of anything else that I
22 haven't asked you that would be pertinent to the
23 investigation and to the open secret of torture at
24 Area 2?

1 A That's just about everything. We have
2 covered just about everything.

3 MR. TAYLOR: Let me look through my papers for
4 a second.

5 (WHEREUPON, there was a brief
6 pause in the proceedings.)

7 BY MR. TAYLOR:

8 Q Did you know a Sergeant Mike Hoke?

9 A Yes.

10 Q Was he at Area 2 when you were?

11 A Yes.

12 Q Did you ever discuss any of this
13 torture? Was he ever involved in talking about what
14 was going on at Area 2 in terms of torture or abuse?

15 A No.

16 Q Do you know whether he had any
17 involvement in any of this or not?

18 A Never saw him or -- no.

19 Q You never saw him one way or the
20 other?

21 A Right.

22 Q Okay. Did you ever go back to Area 2
23 after you left in 1984 as an assignment?

24 A No.

1 Q Did you stay in contact with any of
2 the detectives at Area 2?

3 A Yes.

4 Q And who was that?

5 A Sam Lacey, Jack Hines.

6 Q Did he come to Area 2 after you got
7 there, Jack Hines?

8 A Yes. Jack Hines came to Area 2 when
9 we were on 91st and Cottage.

10 Q So that was the old Area 2?

11 A Yes. The old Area 2.

12 Q The one that had the radiators?

13 A Right.

14 MR. TAYLOR: I have no further questions that
15 I can think of now.

16 THE WITNESS: Okay.

17 (WHEREUPON, there was a brief
18 pause in the proceedings.)

19 MR. TAYLOR: We're going to go back on the
20 record for a minute because when we were about to
21 leave, I realized we had forgotten to have Ms. Byrd
22 give her rank and some related information about her
23 rank.

24 BY MR. TAYLOR:

1 Q Could you tell us, did you make
2 sergeant at some point?

3 A Yes, I did.

4 Q And did your partner, Sammy Lacey,
5 make sergeant?

6 A Yes, he did.

7 Q Now, was that very important to both
8 of you, to make sergeant and to continue on a career
9 course that led to advancement?

10 A Yes, it was.

11 Q And could you tell us, in your words,
12 what your belief is about what would have happened if
13 you had come forward and rocked the boat with regard
14 to what you knew and what you had heard about police
15 torture and about Burge and the A-Team.

16 A Well, first of all, we would have been
17 frozen out of the police system. We would have been
18 ostracized. We definitely wouldn't have made rank.
19 We probably would have been stuck in some do-nothing
20 assignment.

21 Q Okay.

22 A And ostracized from the police
23 department.

24 Q So would it be fair to say that your

1 reluctance prior to your retirement to tell me or
2 anyone else what you knew you about and what you had
3 heard about torture at Area 2 was based on your
4 belief that you would have been ostracized and also
5 based on the strong feelings about what had happened
6 to Frank Laverty?

7 A Yes. And also, uh, from what went on.
8 Even if you had young, uh, teenage children that
9 lived -- and I lived in the community of Area 2 and I
10 had a young son, a black male, that would probably
11 get picked up for no reason.

12 Q So you actually had some worry that
13 your own family could have been mistreated at Area 2
14 by persons that you worked for there?

15 A Correct.

16 Q Did that ever actually happen?

17 A Yes. The George Jones case was a
18 fellow police officer's son.

19 Q Right. And that was the case where he
20 was ultimately exonerated --

21 A Right.

22 Q -- based on what Laverty showed the
23 courage to do?

24 A Correct.

1 Q So you figured if it could happen to
2 another police officer's son, it certainly could
3 happen to you?

4 A That's correct.

5 Q Have you had an occasion to speak to
6 the special prosecutor?

7 A Yes.

8 Q Did he ask you the same kinds of
9 questions about your knowledge of Area 2 that I've
10 been asking you?

11 A No.

12 Q Do you have any problem with my giving
13 the special prosecutor a copy of your statement?

14 A No.

15 Q Anything else you can think of that
16 you would like to add to this statement?

17 A Nothing.

18 MR. TAYLOR: Okay. Thank you very much.

19 THE WITNESS: You're welcome.

20

21 (Which concluded the sworn
22 statement of Ms. Doris Byrd,
23 November 9, 2004.)

24

1 STATE OF ILLINOIS)
2) ss:
COUNTY OF C O O K)

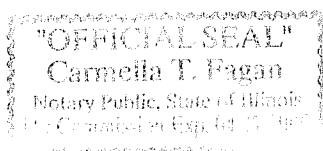
3
4
5 I, CARMELLA T. FAGAN, a Certified
6 Shorthand Reporter and Registered Professional
7 Reporter doing business in the City of Chicago,
8 County of Cook, and State of Illinois, do hereby
9 certify that I reported in computerized shorthand the
10 foregoing proceedings of said sworn statement as
11 appears from my stenographic notes so taken.

12 I further certify that the foregoing
13 is a true and correct transcription of my shorthand
14 notes, and contains all of the proceedings had at
15 said sworn statement.

16 In testimony whereof, I have hereunto
17 set my hand and affixed my notarial seal this 9th
18 day of November, 2004.

19
20 Carmella T. Fagan
21 Carmella T. Fagan, CSR, RPR

22
23 My notary expires:



April 27, 2006