

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 MR. TONY THOMPSON,
taken at Forensic Video Deposition Services, 2823
North 48th Street, Suite 8, Phoenix, Arizona,
commencing at 10:56 a.m. on the 5th day of March,
2005.

PRESENT:

MR. G. FLINT TAYLOR,
Attorney for Aaron Patterson and
Leroy Orange;

MR. MORT SMITH,
Investigator;

MR. RICHARD BORGMAN,
Certified Legal Video Specialist
and Notary Public.

1 MR. BORGMAN: This is the videotaped sworn
2 statement of Tony Thompson, held in the offices of
3 Forensic Video Deposition Services, 2823 North 48th
4 Street, Phoenix, Arizona, on Saturday, March 5, 2005,
5 at the time indicated on the video screen. The
6 certified legal video specialist and notary public is
7 Richard Borgman in association with Forensic Video
8 Deposition Services.

9 Will the attorney present please
10 introduce himself.

11 MR. TAYLOR: My name is Flint, F-l-i-n-t,
12 Taylor, and I'm here on behalf of Aaron Patterson and
13 Leroy Orange in the cases in federal court. Also
14 present is my investigator, Mort Smith.

15 (WHEREUPON, the Witness was
16 sworn.)

17 TONY THOMPSON,

18 called as a witness herein, having been first
19 duly sworn, was examined and testified as follows:

20 EXAMINATION

21 BY MR. TAYLOR:

22 Q Mr. Thompson, could you tell us your
23 present age.

24 A I'm 48.

1 Q Okay. And are you presently working?

2 A I am.

3 Q And how long have you been working at
4 the job that you -- that you're presently working at?

5 A Uh, a year in April.

6 Q Okay. And calling your attention now
7 back to 1979, did you live in Chicago at that time?

8 A I did.

9 Q And calling your attention
10 specifically to the 28th of September --

11 A Um-hum.

12 Q -- 1989, sometime in the late morning
13 or early afternoon of that date, did you have an
14 occasion to be brought into custody by Chicago police
15 officers?

16 A I did.

17 Q And could you tell us briefly how that
18 happened.

19 A I was in the -- um, involved in an
20 armed robbery. Naturally it went south. Police
21 arrived on the scene. Um, a shootout, uh, emerged.
22 I managed to get a couple of blocks away, then I was
23 apprehended and detained from that point.

24 Q Okay. Now, could you give me a

1 general address where you were apprehended?

2 A Vaguely. Winchester, I do believe. I
3 was, um, somewhere on Winchester, if I'm not
4 mistaken.

5 Q Okay. Winchester and --

6 A It's vague.

7 Q -- how -- and what cross street?

8 A I'm not sure.

9 Q Okay. Was it on the south side or
10 west side?

11 A It was -- it was the south side.
12 It -- Dearborn Wholesale. I don't totally recall the
13 exact street that it was on, but it was a couple of
14 blocks, um, if I'm not mistaken, east of it.

15 Q Okay. Now, when you were apprehended,
16 did you receive any physical injury?

17 A In -- in -- yes. Um, when they, um,
18 subdued me and cuffed me, I got punched around,
19 kicked around and, um, picked up and throwed into the
20 paddy wagon.

21 Q Okay. But at that time had you
22 received serious injuries to your face or other parts
23 of your body?

24 A Not -- no, not as I recall. No. It

1 was, uh -- it was nothing -- I mean, there was some
2 identifying marks such as, you know, bruising here
3 and things of that nature, swelling on my forehead, I
4 think, if I recall, uh, but nothing as extensive -- as
5 extensive as later --

6 Q Okay.

7 A -- it became.

8 Q Now, the people who arrested you at
9 the scene in the afternoon of -- of September 28th,
10 were they uniformed officers?

11 A Yes.

12 Q And where did they take you after they
13 brought you into custody?

14 A Initially I went to 85th and Green.

15 Q Is that the 6th District police
16 station in Chicago or the Gresham District?

17 A Gresham District. That's what it's
18 known to me as. Gresham District. Yeah.

19 Q All right. And after you were taken
20 to Gresham, what happened in terms of where they took
21 you?

22 A They put me in a room. Um, I sit
23 there for, um, several hours. Later that evening
24 they came up and took me out and put me in a squad

1 car at this point, a unmarked squad car, and I
2 arrived over to Area 2 --

3 Q All right. And is that --

4 A -- District.

5 Q -- the Area or police station over at
6 90th and Cottage Grove, that area?

7 A Correct.

8 Q All right. And who picked you up? Do
9 you know?

10 A Um, Gorman and another plain-clothes
11 officer. And when I got down to the -- to the car,
12 Burge was in it, was sitting in the car.

13 Q All right. Now, you've named --

14 A There was --

15 Q -- two people. Prior to being brought
16 from the Gresham District to Area 2, had you ever
17 seen the people you now call Gorman and Burge before?

18 A No.

19 Q Okay. Did they identify themselves to
20 you subsequently or at the time they took you to 90th
21 and Cottage?

22 A Not per se, no. Not as I recall, no.

23 I --

24 Q How did you learn their names?

1 A It became, uh, through my, uh, court
2 appearances and transcripts and things of that
3 nature, um, I became familiar with who they are.

4 Q Okay.

5 A Names, per se.

6 Q Now, when you say they took you over
7 to Area 2 sometime in the evening of the 28th of
8 September -- is that right?

9 A Correct.

10 Q All right. Describe to me what
11 happened when they took you to Area 2.

12 A Well, they took me upstairs, um, in a
13 room, interrogating room. There was, um, a chair up
14 against the wall with two mountings, uh, hook
15 mountings, on the wall, on each mounting spreaded
16 apart like this (indicating), the distance, and they
17 had handcuffs to them.

18 They handcuffed me to the chair -- uh,
19 to the mountings on the wall as I was sitting in the
20 chair, and they began to ask me questions.

21 Q Now, "they" is who?

22 A Burge, per se.

23 Q All right.

24 A Burge asked me questions and --

1 Q Anyone else in the room?

2 A Gorman was there, and another guy,
3 another officer, was standing up against the door, if
4 memory serves me correctly.

5 Q And was he a detective as well --

6 A Yes.

7 Q -- to the best of your knowledge?

8 A Everybody -- everybody was
9 plain-clothes, so I'm assuming, yes, they were
10 detectives.

11 Q Okay. Now I'm going to show you some
12 pictures and I want to see if you can pick out Burge.
13 I've got five pictures. Let me number them on the
14 back so that we can properly identify them. I'm
15 going to start with this one, 1. I'm going to show
16 them to the camera as I -- picture 1.

17 (WHEREUPON, Photograph was marked
18 as 1 and displayed for camera.)

19 MR. BORGMAN: Hold it up a little longer.

20 (WHEREUPON, Mr. Taylor complied.)

21 MR. TAYLOR: All right. Picture 2. I'm going
22 to show you all --

23 (WHEREUPON, Photograph was marked
24 as 2 and displayed for camera.)

1 MR. BORGMAN: Hold it farther away.

2 (WHEREUPON, Mr. Taylor complied.)

3 MR. TAYLOR: I'm not going to -- I'm going to
4 put them all together, so I'm not showing them to the
5 witness at this point. I'm going to give him all
6 five at the same time.

7 MR. BORGMAN: Okay.

8 MR. TAYLOR: All right? This is picture 3.

9 (WHEREUPON, Photograph was marked
10 as 3 and displayed for camera.)

11 This is picture 4.

12 (WHEREUPON, Photograph was marked
13 as 4 and displayed for camera.)

14 And picture 5 is this one.

15 (WHEREUPON, Photograph was marked
16 as 5 and displayed for camera.)

17 BY MR. TAYLOR:

18 Q All right. Now, I'm going to show you
19 these. Let me see if I can put these in -- well,
20 they have numbers on the back, so it doesn't really
21 matter.

22 I'm going to just put them all down
23 here, and I'm going to ask you, if you can, these
24 many years later, pick out the person who you have

1 said was Burge who was questioning you.

2 A This one (indicating).

3 MR. TAYLOR: And the record should show that
4 he has picked out the picture number 2, which is, in
5 fact, Jon Burge.

6 BY MR. TAYLOR:

7 Q Okay. Burge started questioning you
8 in the evening hours at Area 2. What happened --
9 what was he questioning you about?

10 A My accomplices, because initially at
11 that time I was the only one that they apprehended.

12 Q All right. And they apprehended you
13 for a robbery, did you say, an armed robbery?

14 A That is correct.

15 Q All right. And was that an armed
16 robbery where there had been shooting at police
17 officers?

18 A Yes.

19 Q All right. And was -- were you
20 apprehended in the vicinity of where this robbery
21 took place?

22 A Yes.

23 Q All right. Now, so they were
24 questioning you about this robbery. And what

1 happened after they started questioning you?

2 A I was nonresponsive and, um, he became
3 belligerent, irritated, and proceeded initially to
4 hit me over the head with, um, a phone book, then it
5 exceeded to a long flashlight and the punching
6 with -- with his fists.

7 Q All right. Now, who -- are there
8 still basically three, these same three, detectives
9 or -- or three plain-clothes officers in the room
10 while all this -- while this beating that you've
11 described is going on?

12 A Yes.

13 Q And all of the three of them, were
14 they all participating in the beating or was one or
15 two of them more involved? Could you tell me more
16 detail about who was doing what.

17 A Uh, Jon Burge was more the -- the lead
18 one in it. Uh, the other one, Gorman, or whatever
19 his name, he would just, you know, like, in
20 reinforcement, hit me upside the head or something,
21 or grab me by my neck and yank my face up and say
22 stuff and -- like, you're going -- you'll divulge
23 what we need to know, what we want to know before
24 this is over, and whatever acronyms (sic) that he

1 would make, racial acronyms he would make. And then
2 Burge would resume his -- his method of persuasion,
3 more or less.

4 Q Well, let me ask you. You used the
5 term "racial acronyms." Give me --

6 A Well, you know --

7 Q What were they saying?

8 A He would, you know, um, use the
9 "nigger" word and "you black son of a bitch, God had
10 diarrhea when he created you motherfuckers," things
11 of that nature, you know, just racial stuff like
12 that, you know.

13 Q Now, were they all saying that or was
14 there --

15 A Burge. Burge was the focus point, uh,
16 for all of it.

17 Q All right. Now, you said you were
18 being hit over the head with a phone book?

19 A Phone book.

20 Q All right. And a flashlight?

21 A Yeah. One of the long flashlights.

22 Q Um-hum.

23 A Yeah.

24 Q And was -- was there any reference

1 made to Gorman in the context of what he was or what
2 kind of reputation he had?

3 A Um, one of the two of them indicated
4 that they was affiliated with the Fred Hampton and
5 Mark Clark raid. And, uh, then the ensued gun battle
6 that took place, that they were, uh, participants in
7 it.

8 And my understanding was that Burge
9 was a party to that, and Gorman, um, was also. They
10 had been with one another, a partnership, for an
11 extensive period of time and how that they do have
12 ways of persuading people to talk to them.

13 Q So they were saying that they were
14 involved in the Fred Hampton Black Panther raid?

15 A Yes.

16 Q Did they specifically say that they
17 had been involved in killing Fred Hampton?

18 A Yes.

19 Q And they were using that as a
20 technique, you thought, to -- to further intimidate
21 you?

22 A Exactly.

23 Q All right. Now, did -- through the
24 beating with a flashlight and the phone book and, I

1 take it, with fists as well --

2 A Yes.

3 Q -- did you receive injuries to your
4 face or body?

5 A He hit me, uh, with the flashlight.
6 He got -- he got -- he became belligerent and
7 irritated,

8 Q "He," meaning?

9 A Uh, Burge.

10 Q Um-hum.

11 A And he grabbed the flashlight and he
12 swung at me here (indicating), and I got eight, ten
13 stitches here. It busts instantaneously.

14 Burge, uh -- the other guy, Gorman,
15 pulls him off and, uh, proceeded to give the innuendo
16 of calming him. And he breaks loose from him, rush
17 backs (sic) to me and knocked me out of the chair,
18 kicked me, stomped me a couple of times because I'm
19 on the floor. Though I am stretched out, part of my
20 body's on the floor, but I'm in this angle
21 (indicating).

22 Q Meaning you're handcuffed?

23 A I'm still handcuffed. Yeah. He
24 handcuffed me to -- I was handcuffed to the two -- to

1 the two, uh, hooks that was on the walls.

2 Q Um-hum.

3 A After that, uh, he picked me back up
4 then slammed me back down in the chair. And one of
5 them, which I don't recall exactly who, said, the son
6 of a bitch is bleeding all over us, bleeding all over
7 me, and made a comment about his pants being
8 expensive or something to that effect.

9 As I could recall, some time elapsed.
10 He left out and come back. And the other officer,
11 uh, detective, that was standing there in the
12 background pretty much, came in, unhooked me, took me
13 downstairs.

14 When I got ba -- when I got
15 downstairs, they put me in a car. Burge and Gorman
16 was in the front and this guy was in the back with
17 me. They took me to the -- to a hospital and the
18 doctor sewed me up. He sewed me up from right here
19 (indicating), and then my eyelid. Um --

20 Q Indicating, for the record, your right
21 eye?

22 A Yes. My right eye and my eyelid.

23 Q And you say you got -- how many
24 stitches did you think you had?

1 A I got ten here (indicating) and three
2 in my eyelid.

3 Q All right. So you're talking about
4 you had ten stitches up above your right eye?

5 A By the temple, by the right temple.

6 Q And you had actually three stitches on
7 your eyelid itself.

8 A And the eyelid.

9 Q Okay.

10 A And then after that, um, they took me
11 back to the station.

12 Q Which station now?

13 A 92nd.

14 Q Area 2?

15 A Area 2.

16 Q Um-hum.

17 A They took me back upstairs and some
18 time elapsed again. Then he came back in, asked --

19 Q "He," I'm going to ask you who --

20 A Meaning Burge.

21 Q Okay.

22 A Burge and his partner come back in,
23 Gorman. They came back in and he started repeating
24 the questions. And at this point in time, um, I was

1 pretty much incoherent and -- and maintaining focus
2 and adheredness (sic), you know.

3 Q Um-hum.

4 A I would pass out periodically and I
5 would wake up, or he would bring me back around, uh,
6 through a onslew (sic) of hit -- of hitting, per se,
7 and, um, the questioning would start all over again.

8 Q Now, did they bring you to the same
9 room or a different room or do you know?

10 A It was the same -- it was -- as I
11 recall, it was the same room.

12 Q Are you handcuffed this time or not?

13 A Behind my back.

14 Q Not to the rings this time?

15 A No, not to the rings. I'm -- I'm
16 being handcuffed behind my back at this point --

17 Q Now, this --

18 A -- because it was straight from when
19 they handcuffed me, taking me from the -- to the car
20 and back to the car. Even when the doctor was doing
21 the stitching, I was, uh, handcuffed in the back.

22 Q Do you remember what hospital this
23 was?

24 A Little Mary or Little Company of Mary

1 or somebody Mary. Something to that effect.

2 Q Little Company of --

3 A I was --

4 Q -- St. Mary Hospital?

5 A Yeah. I was in and out quickly.

6 Q Um-hum. They brought you in and out.

7 Okay. The second time you're back in the room at
8 Area 2 and Burge comes back in and you're feeling,
9 like, in and out of consciousness --

10 A Um-hum.

11 Q -- what happened in terms of the
12 questioning at that point?

13 A He goes on to make accu -- accusations
14 about what he's going to do, such as he indicated
15 what he would do with my family. At that point in
16 time, my --

17 Q What did he say?

18 A At that point in time, my fiancée was
19 pregnant with my son, and he used the fact that he's
20 going to involve her in this, uh, because the car
21 that I was driving belonged to her, was in her name,
22 et cetera. And he's going to go over there and pick
23 that bitch up and, you know, before I see her again,
24 she going to look like me, and all that kind of

1 stuff.

2 He left out -- no. Another guy comes
3 and knocked on the door and whispers something to
4 him, and then he said openly to Gorman, we better let
5 this motherfucker make this phone call. We don't
6 want him to -- we don't want it to slip up for
7 violation of -- through technicalities. That was the
8 term, through technicalities.

9 Shortly thereafter I went and made the
10 phone call, called home and got, uh, to talk to my
11 fiancée. Then I got a number to my brother and I
12 called him to impress him on my situation and for him
13 to start notifying people to obtain whatever money
14 that would be needed and to facilitate me a lawyer.

15 Q Now, your brother is -- what is his
16 name?

17 A Thompson, Timothy.

18 Q All right. And did he ultimately get
19 arrested for this case as well?

20 A Then later he did.

21 Q Okay. So what happened during this
22 phone call in terms of --

23 A Afterwards, Burge come out the room --
24 come into the room, snatched the phone from me and

1 slammed it down and called me a ignorant son of a
2 bitch. He say, we got you, we got him.

3 At that point I was taken back into
4 the room in which that -- that was adjacent to the
5 room that, uh, the phone was in, and I sit there and
6 I could see them scurrying about acquiring equipment,
7 such as vests and rifles and things of that nature.
8 He's giving a slew of orders to the guys that was
9 accompanying him.

10 Some time passed, uh, and afterwards,
11 um, everybody that was a party to what took place,
12 the robbery, per se, uh, they was in custody.

13 Q Okay. Now, during this second time
14 you were at Area 2 after coming back from the
15 hospital, was there any physical brutality or any
16 kind of coercive techniques used on you at that
17 particular point by Burge or any others?

18 A It was a thing that he called the
19 "Nigger Box." He told one of the -- one of the
20 detectives, I don't know if it was Gorman or the
21 other one, he said, go get the "Nigger Box."

22 They brought in a box and began to --
23 it had wires extended from it, and he would just poke
24 it at me, you know, into my chest and down into my

1 genitals and would laugh about it.

2 You know, it would make you do a
3 jerking thing. And, you know, I remember, uh, losing
4 my fluids, and a slew of it. He slapped me around
5 some more and they were laughing about it, and this,
6 that and the other.

7 At this point I passed out, and what
8 brought me back was -- the next thing I remember, it
9 was -- he threw a glass of water or a cup of water.
10 Water came over my face. And when I -- he had water,
11 a cup in his hand. He stuck me a couple more times
12 with the box and he said, this is just for fucking up
13 my whole night, and things of that nature.

14 At that point they had all the
15 information that I think that they needed, so I think
16 that was just the, um -- the end segment of it as
17 memorabilia, if you will.

18 Q Now, you say he brought a box? Do you
19 remember what color it was?

20 A It was dark in color.

21 Q Okay.

22 A So I'm assuming black.

23 Q Okay. And you say wires came out of
24 it?

1 A Yes. It was wires extended from it.

2 Q And when he stuck -- and he stuck
3 these wires into your chest and your genital area,
4 did you say?

5 A Yes.

6 Q All right. What happened? Did you
7 feel any sensation when he stuck these wires in you?

8 A I felt a surge of voltage, um, infused
9 in me, you know, almost a burning, you know, inside.

10 Q Okay. Did you have a shirt on at this
11 time or how did --

12 A Um, a partial. It was a T-shirt that
13 was ripped.

14 Q Um-hum. Okay. And when they put the
15 shock -- did you feel the shock on your genitals when
16 he -- when they did that?

17 A Yes.

18 Q All right. And were your genitals
19 exposed at that time or did they do it through your
20 clothes?

21 A He just -- yeah. He do it -- he did
22 it through my clothes. He didn't expose me.

23 Q Okay. Now, on how many occasions did
24 you get shocked by this -- these wires that came out

1 of this black box -- or, excuse me, this dark-colored
2 box?

3 A In the -- it was just the one session,
4 so it was done repeatedly. It was not like it was a
5 continue -- or a break in between and then continued
6 thereafter. So it was a -- it was a continuation of
7 it, you know, that lasts, I would estimate, ten, 15
8 minutes, you know.

9 And he would -- like I say, they would
10 step back and laugh about it and say something, make
11 some comments, and, you know, watch this, watch this,
12 watch this motherfucker, and he would do it again
13 and, you know, I would yell out and quiver at the
14 same time and things of that nature. So it was --

15 Q So this --

16 A It was not like he took a break here
17 and came back a hour or so later and re -- redid it.
18 No.

19 Q So it was a session of about ten or
20 15 --

21 A It was --

22 Q -- minutes.

23 A Yes. It was, uh, one session. Yeah.

24 Q And during that ten or 15-minute

1 session, he repeatedly hit you with the electricity
2 from this -- these wires; is that right?

3 A Correct.

4 Q Okay. And you were -- were you in a
5 chair at this time or were you on the floor or do you
6 remember how you were situated?

7 A Initially I was in the chair. And as
8 this took place, yeah, I mean, you know, I bolted out
9 of the chair.

10 Q Um-hum.

11 A You know, I was skirm -- skirmaging
12 (sic) across the room, you know, but I was still
13 cuffed from behind.

14 Q And you screamed out in pain or shock
15 when you -- when he hit you with this electric shock?

16 A In pain or shock?

17 Q No.

18 A What's -- what's -- I don't get that
19 one.

20 Q All right. Did you --

21 A No. It was just pain.

22 Q It was pain. I'm sorry.

23 A Wasn't no -- the shock came.

24 Q Yes.

1 A It was no shock to me what was going
2 on.

3 Q I see. Okay.

4 A No. It was -- yeah. Just pain.

5 Q It was pain.

6 A Excruciating pain. Yeah.

7 Q Uh-huh. Okay. And did they -- you
8 say he threw water on you at some point?

9 A When -- it was running down my face.
10 It could have been blood, but I, uh, seen the cup in
11 his hand and I ascertained that, yeah, it was water.

12 Q And did he -- was there any connection
13 between the -- did he give you any shocks after he
14 threw the water on you or in close proximity?

15 A Yeah. I mean, yeah.

16 Q Did they --

17 A All in that sensation of time. Yeah.
18 I mean, when he initially started the shocking
19 aspects of it, that was a catalyst to me blacking
20 out, I do believe, apart from the head injury, you
21 know, and the swelling and all of which. But that
22 was one of the main focus, one of the main catalysts
23 of me blacking out.

24 And when I re -- regained

1 consciousness -- for however long I was out, I can't
2 say. But when I regained consciousness, um, yeah,
3 there was a dripping, you know, down my face and, um,
4 then he started it, the same process, all over again.

5 Q Meaning the shocking.

6 A The shocking. Yeah.

7 Q Now, did you say that Gorman was in
8 the room when -- when this happened?

9 A Yes.

10 Q All right. "This," meaning the
11 shocking.

12 A Yes.

13 Q Okay. Was there any detectives,
14 plain-clothes officers, in the room other than Gorman
15 and Burge when Burge was shocking you?

16 A Yes, there was another one. I -- he
17 just, I don't know, stood in the background, for the
18 most part, like I said, by the door for whatever
19 reason. I didn't have any -- as I can recall, any,
20 uh, physical encounters with him that I can recall.

21 Q Now, the reason that you can identify
22 Burge and Gorman is because they appeared in your
23 case at some point and in your brother's case and --

24 A Well, in actuality, due to that

1 incident, true enough. But there later, um, I went
2 to jail, um, Cook County jail, and I bonded out and
3 recuperated at home.

4 As three or four days passed, they
5 came to my house again with, um, other charges --

6 Q Uh-huh.

7 A -- that I wasn't -- that I was not a
8 party to. But still and yet, they brought up other
9 charges from different areas of Chicago, and I was
10 reinstituted, relocked up. And at that point I
11 stayed -- I stayed, uh, in jail.

12 Q So "they," meaning -- who was the
13 "they" that came back to your house?

14 A Burge and Gorman and, um, another
15 squad, this time, of officers.

16 Q And do you recognize Burge and Gorman
17 as being the ones who had tortured and -- and beaten
18 you --

19 A Prior to. Yes.

20 Q -- some days before?

21 A Yes.

22 Q Okay. Now, did you at some point give
23 a statement concerning your involvement in this armed
24 robbery that you had been arrested for?

1 A Due to, uh, the course of time that
2 this took place, a statement had been written up, I
3 found out later. And, yes, I did sign it.

4 Q Okay. Now, do you know -- and that
5 admitted involvement in the armed robbery and the
6 shooting at the police that you had been arrested
7 for; is that right?

8 A Was I --

9 Q Was that what the statement -- did the
10 statement make --

11 A Yes.

12 Q It admitted to that?

13 A Yes. It was an admission to that.

14 Q Okay. And was there a state's
15 attorney that was involved in either taking that
16 statement or -- or witnessing it when you signed it?

17 A Yes.

18 Q Okay. And did you sign that statement
19 before or after they applied the electric shock to
20 you? Do you remember?

21 A After.

22 Q Okay. And did the electric -- excuse
23 me. So you've told us about a -- the beating with
24 the phone book and with the flashlight and fists, and

1 you've told us about the session with electric shock,
2 which came later, right, after you came back from the
3 hospital from the beating, right?

4 A Right.

5 Q Was there any other physical abuse
6 or -- or coercion that was used on you other than
7 these two very serious incidents that you've told us
8 about?

9 A Not that I recall.

10 Q All right. Was there any -- other
11 than in the session that the -- that you were
12 electric shocked repeatedly, did they also beat you
13 at that time or was it simply electric shocking at
14 that particular portion of the --

15 A It was in conjunction with. It was a
16 combination of the two. I mean, electric shock would
17 take place for a while and then the slapping and the
18 hitting.

19 And, like I said, I fell out of the
20 chair and then I was kicked and stomped and picked
21 back up and the process repeated itself.

22 Q Now, in this -- but when you were
23 being electric shocked, you were handcuffed behind
24 your back; is that right?

1 A Yes.

2 Q Other than the three detectives and --
3 or plain-clothes officers, I should say, because
4 Burge was actually a sergeant at that point -- that
5 you've described, Gorman, Burge and the third
6 person --

7 A Um-hum.

8 Q -- were there any other plain-clothes
9 officers in the room at Area 2 during the time that
10 you were beaten and electric shocked?

11 A Not as I recall.

12 Q Okay.

13 A I'm not saying that it could not have
14 been, but you must take in consideration also that,
15 uh, the severity of the beating did not provide me
16 with the option of surveying the room.

17 Q Um-hum.

18 A You know, I'm primarily focusing on --
19 on the pain and trying to contain that as well as
20 myself. And, you know, there's a whole slew of other
21 things going through your head -- going through my
22 head.

23 And at that point my eyes was
24 primarily closed shut to a slit so I can -- you know,

1 that's -- as the night wore on, I could barely see
2 anything else.

3 Q Did you have bandages at all on your
4 face or -- after you went to the hospital, did they
5 bandage you or just sutured you?

6 A They sutured and put bandages over
7 this side of my face (indicating).

8 Q Meaning your right --

9 A My right -- my right eye. Yeah.

10 Q Did you also have swelling of your
11 face?

12 A Yes.

13 Q And -- and was the face swollen --
14 well, could you describe the swelling --

15 A Beyond --

16 Q -- in your face.

17 A My face was swollen beyond
18 recognition. Uh, it was indicated, uh, when my
19 fiancee first saw me, she didn't recognize me.

20 Actually, prior -- even prior to that,
21 when the other parties, uh, members of the robbery,
22 saw me, they didn't recognize me, you know. Um, I
23 was used as a -- as a, um -- what would you call
24 it -- example. And the comments was made, before

1 it's over, you're going to look just like puff face
2 here.

3 Q Um-hum. Did you hear them make those
4 comments or --

5 A Yeah. I mean, well, even during the
6 course of the beating, you know, that's where it
7 originated, that, hey, don't he kind of look like
8 puff face now, you know, stuff like that, you know.
9 So that became a -- you know --

10 Q So they referred to you in your
11 presence as "Tony Puff Face?"

12 A Yes.

13 Q All right. And so your entire face
14 was blown up out of -- so that you weren't even
15 recognizable to people who knew you; is that right?

16 A Correct.

17 Q And your face certainly didn't look
18 like that directly after your arrest; is that right?
19 In other words --

20 A Oh --

21 Q -- before you were taken --

22 A -- no, no, no, no.

23 Q -- to Area 2, did you look like this?

24 A No. No. I mean, I was -- I

1 couldn't -- it was some, uh, bleeding from the nose
2 and mouth and stuff like that there, but my eyes
3 wasn't swollen. I was able to see quite clearly.
4 But as time progressed, it became difficult to see.

5 Q And the time progressed, meaning
6 because of the beatings and --

7 A The ordeal --

8 Q -- the torture you had at --

9 A -- that took place once I got --

10 Q -- Area 2.

11 A -- to Area 2. Yeah.

12 Q So anyone who says that you received
13 these -- these injuries and became "Tony Puff Face"
14 directly after being arrested and apprehended at the
15 scene, that's not accurate or true; is that right?

16 A No. Definitely not. No.

17 Q All right. Now, after the beating and
18 the electric shocking that -- that took place at Area
19 2 in the evening and night hours of September 28th
20 and September 29th, did they have an occasion to take
21 you to a different police station to be locked up?

22 A I went -- after -- after -- everybody
23 was pretty much apprehended. We was all in a, uh,
24 holding cell downstairs at Area 2. At that point,

1 um, I was taken out apart from everyone else, out the
2 back door to, uh, a waiting vehicle that transported
3 me to Cook County jail.

4 Q Okay. So they took you to Cook County
5 jail?

6 A Um-hum.

7 Q They didn't take you to a lockup at
8 85th and Green, like --

9 A I --

10 Q -- the Gresham District?

11 A After? I was there initially. That's
12 where Burge and them initially picked me up from --

13 Q I see.

14 A -- from 85th and Green. But, no, I
15 didn't return to 85th and Green after that. After I
16 left Burge and them, my next destination was Cook
17 County jail.

18 Q All right. And were there pictures
19 taken of you at Cook County jail?

20 A Ironically, no one seems to know. Uh,
21 yes, but, I mean, one cannot be, uh, admitted into a
22 facility like Cook County jail without there being a
23 mug shot taken and fingerprints and a DOC number, uh,
24 being issued to you.

1 Q But nobody's ever been able to obtain
2 that picture of you?

3 A No. According to them, they -- they
4 got misconstrued somewhere or lost somewhere or
5 something to that effect. No one actually knows.

6 But the, uh -- a part that took place
7 that is baffling is that this was public knowledge,
8 this whole ordeal that took place, from the shooting
9 all the way to, you know, when they made the arrests
10 on, um, the other individuals. So the media was
11 there.

12 And the media or the news depicted or
13 showed everybody but me. So -- and they're coming in
14 after it was announced, yeah, well, we got the guys
15 and blah-blah-blah, they -- the media was there as
16 they was bringing them into the police station.

17 And parting and leaving, the media was
18 there and they showed everybody going -- these guys
19 are going, however they termed it, to Cook County
20 jail, and, yes, they have been apprehended and
21 blah-blah-blah-blah-blah. Everybody but me.

22 It came out later the reasoning why
23 that was, why I was so privy to being escorted and
24 left alone out of the side door, the back door,

1 because the media was up there. And they couldn't --
2 they couldn't afford to have me seen in the condition
3 that I was in.

4 Q So you remember that there was a
5 picture taken of you at Cook County jail?

6 A There had to be. Yes.

7 Q And -- but did you have a lawyer later
8 in the case?

9 A I did.

10 Q Did he try to get that picture for
11 you?

12 A Um, the lawyer was not pur -- my
13 lawyer was not pursuing this in a manner that I don't
14 think required him to have that type of information.
15 If he did, I didn't know anything about it.

16 Q Now, you never had a motion to
17 suppress in court in your case, did you?

18 A No.

19 Q And you never got to testify about
20 what happened to you, right?

21 A No.

22 Q And why was that?

23 A Um, a plea agreement was made, as they
24 call it, um, which also was -- was an ultimatum. I

1 was -- I was in lieu of being relegated as the
2 ringleader; so, therefore, I was offered a 20-year
3 sentence right here and now. And if I don't take the
4 20-year sentence, I'll go to trial and he was going
5 to ask for 60 to life.

6 And being that they had me dead to
7 right, I mean, I would have been -- it would have
8 been slam dunk.

9 Q Um-hum.

10 A So --

11 Q So you had given some kind of
12 confession to the crime, right --

13 A Um-hum.

14 Q -- even though it was under duress,
15 right?

16 A Yes.

17 Q You had been caught near the scene of
18 the crime, right?

19 A Correct.

20 Q And there was some physical evidence
21 against you as well, guns or something?

22 A Yes. They found weapons in -- in the
23 car. Yes.

24 Q And this was a -- a robbery that went

1 bad, right?

2 A Yes.

3 Q And, as a result, police officers had
4 come on the scene while you and your codefendants
5 were in the sce -- in the area, right?

6 A Yes.

7 Q And police officers had been shot at?
8 There was evidence of that too?

9 A Yes.

10 Q And was -- were they -- had they got
11 you to admit to being the person who shot at the
12 police officers?

13 A Yes.

14 Q All right. So that's what you mean by
15 being the ringleader, right?

16 A Yes.

17 Q So it was a very serious crime and had
18 gathered a lot of attention in the city, right?

19 A Yes.

20 Q And did Burge and his people seem to
21 be angry at the fact that you were the ringleader of
22 a case where their fellow police officers had been
23 shot?

24 A Yes. Extensively. Yes.

1 Q And did you get the sense that the
2 kind of abuse that you were getting was because you
3 had not only been involved in the robbery but were
4 supposedly the guy who shot at some cops?

5 A Not only that. And being, uh, the
6 African-American descent, as the term is now.

7 Q Um-hum.

8 A And, uh, just the fact of -- of just
9 blatant disrespect of authority. Yeah. So he found
10 that to be just totally obnoxious.

11 Q Now, you told us about the racial --
12 there were just flat-out racist things that Burge
13 said when they -- during the first beating, and you
14 told us about him referring to the black box as the
15 "Nigger Box."

16 During the second session, that being
17 the one where you were electric shocked and slapped
18 around and knocked out of the chair, was there any --
19 did Burge or Gorman or any other -- the third guy in
20 the room make any other racial comments other than
21 what you've already mentioned?

22 A Nothing that I could repeat at this --
23 at this time. I mean, I would think so, but nothing
24 that -- that comes, you know, more to mind other than

1 the comments that I already stated.

2 Q Were there racial comments going on
3 during the electric shocking session --

4 A Yeah.

5 Q -- is what I'm asking.

6 A Definitely. I mean, it didn't -- that
7 primarily never stopped, you know, as, like I say,
8 going and coming and conscious and unconscious.
9 Yeah. You know, it was primarily there.

10 Q Now, you didn't get to -- to testify
11 in court because you took what -- what appeared to be
12 the best deal you could get in the case, right?

13 A Yeah.

14 Q And -- and did you have an occasion to
15 tell anybody about the fact that you'd been electric
16 shocked?

17 And -- and I imagine it was pretty
18 obvious you had been seriously beaten, but did you
19 tell your lawyer or any family members or any --
20 anyone that you had been electric shocked by Burge,
21 you know, after it happened to you?

22 A I told -- yeah. Um, I went over it
23 with my lawyer and I told him about the treatment
24 that took place. And, um, when I did get out, you

1 know, I talked to my fiancée at the time about some
2 of the stuff that took place. Embarrassed as -- so I
3 don't think I went into any graphic detail, you know.
4 But, yeah, I, uh, can recall, yeah, I told some
5 people about it.

6 Q Okay. So you actually got out of --
7 you were able to bond out on this case --

8 A I had a --

9 Q -- that you know?

10 A Yeah. Yeah.

11 Q And -- but then they took you right
12 back in on some other robbery?

13 A They, um -- in fact, I bond -- if
14 memory serves me correctly, I bonded out twice,
15 because one time they came to the house and got me,
16 then I bonded out again.

17 And the next time they came and got
18 me, I was -- it was during a court session. I was
19 appearing to court for arraignment, uh, or a
20 pretrial, on all of which. And as I was leaving,
21 they was on the outside of -- of the court room
22 waiting.

23 Q "They," meaning?

24 A Burge and Gorman and a couple of

1 uniforms, uh, were there. And they took me and gave
2 me some additional charges.

3 And at that point I didn't bond out
4 again because I had a primary restriction of no bond
5 or basically what we would call a ransom, you know,
6 over several hundred thousand dollars, you know, and
7 they wasn't able to get me out.

8 Q Now, what happened to the other cases
9 that they arrested you on? Did those go to trial or
10 were those thrown out or --

11 A It was -- everything was ran
12 concurrent. I made a plea of guilty to it all, uh,
13 rather than -- I stayed in -- in Cook County jail for
14 all of this over a period of two years.

15 So each case started to, you know,
16 dissipate, and the others, I kind of -- yeah, okay,
17 put them in there, because everything was running
18 concurrent anyway. The time would not supersede the
19 time that they had already agreed upon. So that was
20 a part of the agreement, in other words.

21 Q Okay. And so you did get a 20-year
22 sentence on this case --

23 A Right.

24 Q -- on these cases?

1 A That's correct.

2 Q And how much time did you serve?

3 A Uh, ten and three.

4 Q So you basically served half the
5 sentence because you -- of good time?

6 A Yes.

7 Q Okay. So you had no major problems
8 while you were in the penitentiary, did you --

9 A No.

10 Q -- in terms of disciplinary problems?

11 A Through the administration?

12 Q What I mean is you were a good
13 prisoner, as they say.

14 A There is no such thing as a good
15 prisoner. I learned the system --

16 Q Um-hum.

17 A -- and I worked it to my advantage for
18 the time I was there as far as making things as
19 comfortable for myself as possible, yeah, you know.
20 But there is no such thing as a good prisoner. You
21 know what I mean? You put a animal in the zoo, the
22 animal ain't good.

23 Q Right.

24 A And if you think he's a good animal,

1 get your ass in the cage with him and you'll find
2 out. So, you know -- but on the outside he looks
3 like a good -- that's a good tiger --

4 Q Um-hum. Um-hum.

5 A -- you know.

6 Q Did you take classes or --

7 A I --

8 Q -- get job training or --

9 A I, um, advanced my, uh, education
10 while I was there, one of the things, as I said. I
11 manipulated my time well. I pursued my GED, I had
12 two and a half years of college. I took computer
13 classes, psychological classes, 101, 102, 103; I have
14 a degree, a associate's degree. Yeah.

15 So, yeah, I was able to -- as time,
16 uh, started to wind down, I focused more on, you
17 know, reacclimating into society and some of the
18 things I wanted to have as tools that I would be able
19 to use in my -- to my advantage once I reintegrated
20 into society, the fact being at this point coming
21 out, I was 32 years old.

22 Q I was going to ask you that. So you
23 were --

24 A And going in --

1 Q Um-hum.

2 A -- I entered the system, penal system,
3 at the turning of 21.

4 Q Um-hum. Now, was your -- you were not
5 a -- were you a member of any street gang at the time
6 you were arrested?

7 A I was affiliated with an organization.
8 Yeah.

9 Q Okay. And when you came out, did you
10 pur -- you didn't pursue -- did you continue to be in
11 a street gang or --

12 A When I came out, I, um, had different
13 aspirations, and that didn't fit into the objectives
14 and the goals that I wanted to accomplish, so I
15 excommunicated myself or disassociated myself.

16 But there is one common fact, and I
17 would not bullshit you or anybody else. Once you are
18 a part of something, you are always a part of it
19 regardless. You have that -- you have those
20 connections, you have those affiliations, rather than
21 being actively involved. That's a totally different
22 thing.

23 It's like the police department.
24 Though Burge is retired, he still have influences, he

1 still have associations. He have individuals that do
2 not know him personally on the police force but know
3 of him.

4 My situation is no different. I am
5 not actively involved, but there are those that have
6 become members after me that know of me --

7 Q Um-hum.

8 A -- through word of mouth. So to
9 answer your question, uh, actively, no. But
10 always --

11 Q Okay.

12 A -- I have those individuals that --
13 that would be of assistance if I need so at any point
14 in time. And that's -- that's just a wise thing for
15 anybody. You know, knowing what you may encounter or
16 may not encounter, you know, you need to know that
17 there are people that will be there for you.

18 Q Now, subsequent to coming out, when
19 did you actually come out of -- of prison on these
20 charges? Was that in '89 or '90, in that time
21 period?

22 A It was '89 of May.

23 Q And have you been --

24 A May of '89.

1 Q -- arrested for any felonies since
2 then?

3 A I have a, uh, drug paraphernalia
4 charge that I was, uh, arrested for.

5 Q Were you convicted of that?

6 A Yeah.

7 Q Okay. And did you do time?

8 A Six months, I think it was.

9 Q Six months?

10 A Yeah. Seven months.

11 Q And what year was that?

12 A '94.

13 Q Other than that one charge and
14 conviction, have you had any other --

15 A No.

16 Q And have you been basically working
17 from the time that you got released from the
18 penitentiary to the present?

19 A Yes.

20 Q Okay. And do you have a particular
21 line of work that you do?

22 A Currently?

23 Q Yeah.

24 A Yes.

1 Q And what kind of work do you do
2 generally?

3 A I'm assistant facilitator of a, um,
4 fleet of -- a fleet of unit -- a unit of, uh,
5 vehicles for a company I will not divulge at this
6 point.

7 Q Um-hum.

8 A Uh, I am assistant manager of product
9 of -- of, uh, material, uh, warehouse assistant
10 manager. My -- my functions entails in a variety
11 capacity, parts distributor, parts pickup, parts
12 order, inventory, et cetera, et cetera.

13 Q Okay. And have you been doing this
14 line of work for some period of time?

15 A Coming up on a year in April.

16 Q Okay. And prior to that, did you do
17 similar kind of work or did you have different kind
18 of jobs that you --

19 A Prior to that, I did forklift
20 operating, a thing of that nature. Uh, I worked with
21 various other places, um, all in a supervisor
22 capacity, you know, computer, um -- something that
23 was computer literate or computer savvy.

24 Q Okay.

1 A Warehouse, stuff like that.

2 Q And did you move from Chicago after
3 you were released from the penitentiary?

4 A Shortly thereafter. Yes.

5 Q Okay. And you've been living out here
6 in the west for how long?

7 A Coming up on a year. I moved
8 initially to Minnesota.

9 Q Okay. So you spent most of the time
10 that -- from the time you were released from the
11 penitentiary to the present living in Minnesota? Is
12 that --

13 A Yes.

14 Q -- fair? And did the drug
15 paraphernalia case arise in Minnesota or in Illinois?

16 A In Phoenix.

17 Q Okay.

18 A In Phoenix.

19 Q All right. But that was before you
20 started living here?

21 A That's before I -- yeah. I just came
22 as in, uh, I came to Phoenix, Nevada, I went to
23 California. So I was just moving about at that
24 point.

1 Q Okay. Now, do you remember the name
2 of your lawyer?

3 A Yes.

4 Q What was his name?

5 A Mandell, Jeffry Mandell.

6 Q Okay. Do you know whether he's still
7 around or not?

8 A He is.

9 MR. TAYLOR: All right. Let me -- let's go
10 off the record for a minute.

11 MR. BORGMAN: We are stopping the tape at
12 11:46.

13 (WHEREUPON, the Parties agreed to
14 go off the record.)

15 The tape is running again at 11:50.

16 MR. TAYLOR: Okay. I just have a couple final
17 questions here.

18 BY MR. TAYLOR:

19 Q There were several other people that
20 were subsequently arrested after you were for this
21 robbery and shooting at police officers, right?

22 A Um-hum.

23 Q You've got to say "yes" or "no."

24 A Yes.

1 Q And just so the record's clear. No
2 officer was hit. This was, like, an attempted murder
3 charge because none of the officers were actually hit
4 with any of the shots that were fired; is that right?

5 A Correct.

6 Q Now, among the people that were
7 arrested was your brother, Timothy Thompson; is that
8 right?

9 A Correct.

10 Q And at some time after -- early, early
11 in the morning of the next day, he was brought into
12 the station; is that right?

13 A Correct.

14 Q And there was another fellow by the
15 name of Willie Porch that was arrested for the same
16 crime; is that right?

17 A Also.

18 Q And at some time he was brought into
19 Area 2 as well; is that right?

20 A Correct.

21 Q And there was someone named Raymond
22 Golden; is that right?

23 A Correct.

24 Q And he was also brought into Area 2

1 sometime in the night hours after you were; is that
2 right?

3 A Yes.

4 Q Now, as far as you know, is Willie
5 Porch still alive?

6 A Yes.

7 Q Do you know where he is?

8 A In the Chicago area. Pacifically, no.

9 Q Okay. And your brother's still alive?

10 A Yes.

11 Q Okay. And Raymond Golden, do you
12 know -- Golden, do you know what happened to him?

13 A He's dead.

14 Q How long has he been dead for?

15 A Um, eight -- between eight to ten
16 years, I would say.

17 Q Now --

18 A I didn't find out about it until a
19 long time.

20 Q Did you ever hear from those guys or
21 from anyone else whether Burge had beaten them or --
22 or abused them as well?

23 A Yeah. I mean, they beat each one of
24 them.

1 Q Um-hum. And, specifically, with
2 regard to Raymond Golden, do you know whether he was
3 beaten or -- or abused by Burge and Gorman?

4 A He was.

5 Q And did he tell you that?

6 A Yes.

7 Q All right. And that's before he died,
8 I take it.

9 Obviously. Strike that question.
10 That's one of those that they put in a book of
11 lawyers asking stupid questions.

12 Did he tell you that around the --
13 right after you had been arrested, that he had been
14 abused?

15 A Yes.

16 MR. TAYLOR: Okay. Now I have no further
17 questions.

18 MR. BORGMAN: This marks the end of the tape.
19 We're off the record at 11:53.

20

21 (Which concluded the sworn
22 statement of Mr. Tony Thompson,
23 March 5, 2004.)

24

1 STATE OF ILLINOIS)
2) ss:
3 COUNTY OF C O O K)
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 transcribed the foregoing proceedings
10 of said sworn statement from a videotape and
11 audiotape of sworn statement so given.

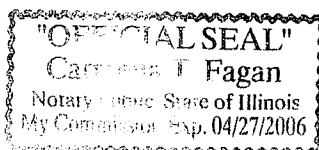
12 I further certify that the foregoing
13 is a true and correct transcription and contains all
14 of the proceedings had on said videotape and
15 audiotape of sworn statement.

16 In testimony whereof, I have hereunto
17 set my hand and affixed my notarial seal this 8th
18 day of March, 2005.

19
20 Carmella T Fagan

21 Carmella T. Fagan, C.S.R., R.P.R.
22

23 My notary expires:

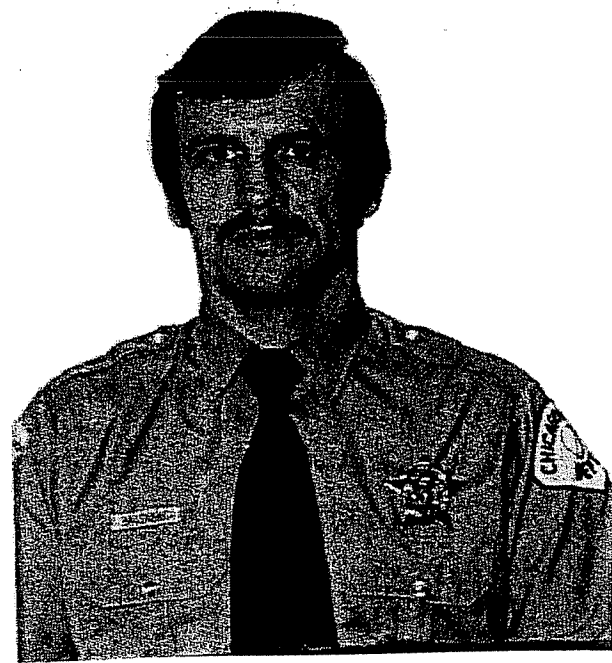


April 27, 2006











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