

# Details Emerge In Wrongful Death Suit Against Chicago Police

by David Smallwood  
March 19, 2007

A wrongful death lawsuit that goes to trial April 16 contends that South Side musician Fred Grady died after being beaten by police while incarcerated in the Monroe Street lockup on April 9, 2003.

The Cook County Medical Examiner's Office determined that Grady died from natural causes -- a heart attack -- but could not explain abrasions to his head and a severely lacerated hand that were not apparently present when Grady was locked up.

Named in the suit are: Chicago Police Captain Raymond Miller, Sergeant Dennis Boyle, Officer Donald Tuleja (who may have since left the force), and Civilian Detention Aides Joseph Palmson and Demetrius Williamson.

More details have begun to emerge about the incidents that led to this trial, which will be heard in the federal courtroom of Judge Ruben Castillo at 219 S. Dearborn Street.

## A Fateful Evening

Grady had been doing carpentry work before being involved in a traffic accident at 18th and Clark at 6 p.m. April 8, 2003.

After the accident, his van was towed to a private auto pound. Grady was arrested at the pound two hours later and charged with criminal trespassing for attempting to retrieve the carpentry tools from his vehicle.

He was booked at the Monroe Street station at 100 S. Racine, and processed into lockup at 10:30 p.m. Grady was found dead in his jail cell three hours later.

Berve Power Jr. of Power & Dixon P.C., a 55-year-old Black law firm in Chicago, represents the family.

Power says, "According to Chicago Police Department personnel, records, and documents, at 10:30 p.m. on April 8, 2003, Mr. Grady entered the 12th District police station lockup with no injuries, but was 'found' at 1:30 a.m. the next morning, April 9, with horrific and unexplained injuries, including multiple gashes and abrasions to his head; a large bruise on his neck; and a severely lacerated right hand.

"The Cook County Medical Examiner, who conducted an autopsy at 9 a.m. April 9, and concluded that Mr. Grady died of natural causes, but could not explain what caused his injuries. Mr. Grady was 'found' bleeding from the head, nose, and hand, yet there was only one small drop of blood found in his cell.

"Every investigator assigned to this case determined that there was no police wrongdoing involved," Power says, "but not one investigator identified how Mr. Grady got the head abrasions, what split his hand wide open, and why there was only one drop of blood found in his cell."

According to Power, Grady's mug shot at the time of his arrest (which the Defender has obtained exclusively) shows no injuries.

He adds that during their deposition, the detention aides who booked Grady into custody did not recall seeing -- much less fingerprinting -- a severely injured hand when they processed Grady for lockup.

Power says that a paper trail, photos, questionable timelines, and a string of widely divergent testimonies by defendants and members of various other governmental organizations during deposition, indicate that Grady's death was caused by something more sinister than a heart attack.

Power adds that it took putting a significant amount of legal pressure on the city's attorneys and officials at other agencies to obtain often contradictory and conceivably altered documents that seem to suggest subsequent collusion between governmental organizations to hide the reality of Fred Grady's death.

The city's lead attorney representing the police defendants is Assistant Corporation Counsel Liza Franklin.

She also represented the city in the defense of Chicago policemen accused in the 1999 fatal shooting of Northwestern University football player Robert Russ. The city lost that case in 2003 and was ordered to pay Russ's then 4-year-old son \$9 million.

Last Thursday, the Defender contacted Jennifer Hoyle, public information officer for the city's law department, for official comment. Hoyle said she would talk to the attorneys involved in the suit on the city's side and get back to us, but has yet to call.

The Grady case is another potential black-eye for the Chicago Police Department. This latest debacle comes after last summer's Jon Burge Report, which indicated that nearly 200 Black men were tortured in the 1980s into making false confessions under former Police Lt. Jon Burge and some officers under his command.

Just last month, Mayor Richard Daley was ordered by a federal judge to answer questions under oath in the civil lawsuit of Madison Hobley, who alleges that police tortured him into confessing to murder.

Hobley was arrested in 1987, convicted, and sentenced to death for setting a fire that killed seven people, including his wife and young son. He spent 13 years on Death Row before eventually being pardoned by former Gov. George Ryan after it was shown that the evidence against him was trumped up.

#### Follow The Case On The Net

In a novel, new-age technology move, Power has put all the public information on the Grady case onto his law firm's website, PowerandDixon.com, so that the public can follow the legal proceedings.

Logging onto the site and hitting the "litigation" tab reveals motions filed by both sides in the case and subsequent rulings by Judge Castillo, photos of Grady's injuries, and a brochure explaining the case that is being distributed by an ad hoc group called the "Justice For Grady Committee."

Fred Grady, a Chicago native who grew up at 32nd and Indiana, was 49 when he died. During his 35-year music career, Grady traveled the world performing concerts with such blues legends as Buddy Guy, Otis Clay, John Lee Hooker, Charlie Musselwhite, and Pinetop Perkins, among others. He also played drums on numerous record albums and CDs.

Wednesday: Why Judge Castillo allowed the Grady case to proceed to trial.