

CHICAGO GAZETTE

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By Tim Weldzius

Fred Grady was involved in a car accident near 18th and Clark Streets on April 8, 2003. His van was towed to a private lot at 1913 S. Jefferson St., and Grady later was arrested for trespassing while trying to recover some tools from the vehicle.

He died in his prison cell early April 9, and Grady's family believes he was beaten to death by police personnel. The Chicago Police Department (CPD), however, contends the 49-year-old man suffered injuries earlier in the day and died of a heart attack. Grady refused medical attention at the scene of the accident, according to a report released by the CPD.

While observing prisoners, civilian detention aide Joseph Palmsone noticed Grady was lying face down on the floor of his cell, according to the report, which also notes that paramedics were notified of the situation at 1:53 a.m. Grady was then brought to Rush Medical Center

The family has filed a federal civil rights lawsuit.

In his mug shot, Grady appears to have no injuries on his face or neck. However, photographs taken from the autopsy report clearly show he had two bloody abrasions on his head.

The CPD reported the head injuries came from Grady hitting his head on the floor when he had a fatal heart attack, but a lawyer representing Grady's family contends the wounds came from a blunt object.

"He had 'an abrasion on the front of his head and on the top of his head,'" attorney Berve Power said. **"How could he have fallen twice and injured his head twice? It had to be an object that hit Grady on the top of the head."**

Eupil Choi, MD, the Cook County medical examiner who performed the initial autopsy, later told Power in a deposition, **"...either he fall down against an object or he was hit in the head on something [an] object."**

Grady's family requested that a second autopsy be performed by Michael Kaufman, MD, from the Department of Pathology at Evanston Hospital. In a separate deposition, Kaufman said he did not believe the injuries were consistent with Grady's head hitting the floor.

Grady's corpse had another serious injury on the right hand, between the base of the middle and ring fingers. The skin between those two fingers had split open, exposing blood vessels and fatty tissue. Dry blood had caked around his dead hand, autopsy photos show.

In Grady's earlier vehicle accident report, no hand injury had been reported by paramedics. Then, when Grady later was taken to the 12th District Police Station at 100 S. Racine Ave., where he was handcuffed and finger printed, but police personnel did not report any hand injuries. Still, the CPD claims Grady's hand injury had occurred before he was taken into custody.

"The lockup personnel will not under any Circumstances accept any prisoner who is bleeding, in pain, or anything of that nature," Power said. "They must be sent to a hospital, because they are a liability"

The attorney requested a copy of Grady's fingerprints from the CPD. Originally, the police sent Power a copy of Grady's prints from a minor crime he committed in 1973. Then, when Power requested the more Current Grady prints from 2003, the police gave him Grady's finger prints from the left hand, but not the right.

"I don't know why the police would take prints of [Grady's] left hand but not his right," Power said. "It's like [the police] are incriminating themselves."

From Grady's two head wounds and hand injury one drop of blood was found on the floor of his cell. Power believes the cell floor was cleaned after Grady's death and that police personnel then bandaged the man's hand to make it look like a prior injury.

The Office of Professional Standards (OPS) conducted an investigation, and CPD Assistant Deputy Superintendent Kathryn Kajari stated, "It is apparent from all facts known at this time that the lockup personnel processed and handled Mr. Grady in an appropriate fashion and further investigation is unwarranted."

According to the OPS report, filed seven days after Grady's death, "No misconduct or wrongdoing by a Department member or any other person was found to contribute to Mr. Grady's sudden natural death."

Attorney Power then hired Dennis Waller, a former Ripon, WI, police chief, to reexamine police records and act as an expert witness concerning the police procedures. According to a five-page report written last September by Waller's firm,

"The homicide/in-custody death investigation was abbreviated incomplete, superficial, and inconsistent with nationally accepted standards of law enforcement practice .Mr. Grady was either injured while in police custody; or, Mr. Grady received injuries prior to his incarceration which were not appropriately documented."

Power believes he has a case and is trying to sue the City of Chicago on behalf of Grady's family. The City corporation counsel's office is defending the lawsuit. "We have too many questions that have yet to be answered, and my family needs to discover the truth so we can have closure," said Grady's son, Fred Moore, in a written statement.

During his lifetime, Fred Grady was a blues and funk drummer who played with the band T.H.E.M. (The Higher Evolution of Music) from 1972 to 1979. He also worked as a carpenter and had been remodeling his aunt's bathroom before he was arrested.