

United States of America

Allegations of homophobic abuse by Chicago police officers

Amnesty International is calling for urgent action by the authorities, following reports that officers from the Chicago Police Department subjected two men to severe homophobic, and in one case racist, abuse and torture, in separate incidents last year. The cases are among a series of incidents involving alleged brutality or torture by Chicago police officers in recent years.

· On 19 July 2000, Frederick Mason, a 31-year-old nurse's assistant with no criminal record, was arrested following a verbal altercation with his landlord. Mason claims that, at the police station, two unidentified officers took him to an interrogation room, where he was handcuffed by the elbows, and pinned to a wall. The arresting officer is alleged to have pulled down Mason's pants, and sprayed blue cleaning liquid on a billy club before ramming the baton into Mason's rectum. As he sodomized Mason, the officer is alleged to have made remarks such as "*I'm tired of you faggot...you sick mother fucker*". A second unidentified officer is alleged to have witnessed Mason's pants being pulled down, but walked away during the assault. Witnesses can attest that Mason entered police custody in good health and when released had blood streaming from his rectum. Mason's family doctor confirmed that he had been injured in the anal area. Mason contends that he was subjected to abuse -- including racist and anti-gay names such as "*faggot ass nigger*" and "*nigger fag*"-- from the moment he was arrested.

· On 25 November 2000, Jeffrey Lyons, a 39-year-old Streets and Sanitation driver, was allegedly assaulted by a group of between eight to ten off-duty police officers after they witnessed him embrace a male friend outside a bar. The assault, initiated by one police officer shouting "*get that faggot shit away from my truck*", left Lyons with severe injuries including a broken nose, fractured cheekbone and neurological damage. Towards the end of the assault an unidentified officer reportedly taunted Lyons by saying "*Get this through your head, you faggots will never win*". After Lyons briefly lost consciousness the officers dispersed and the main perpetrator returned to the bar. According to reports, two of the cars that fled the scene -- later traced to off-duty police officers' vehicles -- attempted to run over Lyons' companion as he took notes of their license plate numbers.

Both cases are under investigation by the police department's Office of Professional Standards (OPS), the police complaints authority. However, local sources have expressed concern that the investigation may be hampered by officers' attempts to cover up the incidents. The police chief's initial reaction in Mason's case was to dismiss the allegations as completely unfounded insisting that "*even the most basic facts do not support Mr Mason's allegations*". However, Mason's supporters state that the officer (who Mason claims covered-up his badge when he committed the assault) could easily have cleaned or disposed of the weapon.

In the Lyons case there are disturbing allegations of a more concerted attempt to cover up the incident. It is alleged, for example, that police failed to follow normal procedures when first called to the scene: no steps were taken to secure the crime scene, and the responding officer prevented Lyons from making a positive identification of his alleged assailant. Identity parades were eventually arranged a full two and a half weeks after the incident - and only after the case was highlighted in the local press.

Three officers in the Lyons case, identified as owners of the fleeing cars, were initially suspended but have since returned to duty. The police have not released information on either investigation and it is unclear whether the District Attorney is conducting its own criminal investigation into the incidents.

Amnesty International believes that the persecution of persons for their sexuality is a violation of their fundamental human rights protected under international standards such as the *International Covenant on Civil and Political Rights* and the *International Covenant on Economic Social and Cultural Rights*. The treatment alleged in the above cases would also constitute a clear violation of international standards prohibiting torture or ill-treatment, including those set out under the United Nations (UN) Convention against Torture and Other Cruel, Inhuman or Degrading Treatment.

Amnesty International is calling on the Chicago city and police authorities to ensure that a thorough and impartial investigation is conducted into the above cases, with the full results made public at the earliest opportunity. It is urging the authorities to send a clear signal that torture and ill-treatment by police officers will not be tolerated, and to ensure that those found responsible for abuses are brought to justice.

Amnesty International is also calling on the police department to ensure that homophobic behaviour by its officers will not be tolerated, and that appropriate disciplinary action will be taken against any officer found to have demonstrated such behaviour. The organization is urging that the protection of the rights of lesbian, gay, bisexual and transgendered people to be free from torture and discrimination should be fully included in the training of its law enforcement personnel.

Background

The Chicago Police Department is the third largest urban police force in the USA. Allegations of systematic torture of suspects by Chicago police officers over a 20-year period came to light in the late 1980s and led to an inquiry and the firing of a police area commander. Although the department has undergone some reforms in recent years, allegations of brutality and excessive force - perpetrated mainly against racial minorities - continue to be reported. In 1998 the city of Chicago reportedly paid about \$3.7m to settle 134 lawsuits involving police misconduct. There is concern that the police department is not subject to the same detailed oversight mechanisms which have been introduced by some other major cities in recent years.

For a more detailed description of Amnesty International's concerns in Chicago see: *USA, Summary of Amnesty International's Concerns on Police Abuse in Chicago*, published in October 1999 (AI Index: AMR 51/168/99).

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