

What Makes an Ideal Reparations Package?



A Typological Examination of Reparations for Jon Burge Torture Survivors

MADELINE ANDERSON, AB'18

Introduction

On May 6, 2015, in response to decades of activism, the Chicago City Council formally recognized and apologized for Chicago's history of police torture under Detective Jon Burge and his associates by passing legislation that provided reparations to the survivors of police torture in Chicago. The reparations package included a \$5.5 million fund for torture survivors; a Chicago Torture Justice Center (CTJC) was opened in May 2017; the Chicago Public Schools agreed to teach all eighth- and tenth-graders about Burge's torture and brutality; and the Chicago Torture Justice Memorials organization is designing a memorial for the survivors. Finally, the reparations package included a slew of services for survivors and their families (health, education, legal, etc.).¹ This legislation was historic:

1. City of Chicago, Burge Resolution, May 6, 2015, www.chicago.gov/content/dam/city/depts/dol/supp_info/Burge-Reparations-Information-Center/BurgeRESOLUTION.pdf; City of Chicago, Reparations for Burge Torture Victims Ordinance, May 6, 2015, www.cityofchicago.org/content/dam/city/depts/dol/supp_info/Burge-Reparations-Information-Center/ORDINANCE.pdf.

although the City of Chicago has paid settlements to survivors of police torture in the past, it was the first city to make reparations.²

The fact that the reparations package was historic means little if it has not been effective. In this paper I investigate as much: how effective is the Burge reparations package in improving the plight of torture survivors and their families? To answer this question, I first defined reparations and then analyzed the Burge reparations package in the context of reparations packages more broadly. I established a set of criteria by which to judge the effectiveness of reparations packages by their scope, completeness, comprehensiveness, complexity, continuity, measure of moral awakening, and valuation of suffering. I then judged four case studies according to these criteria: the US Civil Liberties Act for Japanese Americans (1988), Florida's Rosewood Claims Bill (1994), Chile's National Commission on Political Imprisonment and Torture (2005), and Germany's Holocaust Reparations (1952–present). I chose these four case studies because they represent reparations packages that are differently focused: on education, on compensation/restoration of property, on health, and multi-area, respectively. I created a typology with my criteria (scope, completeness, comprehensiveness, etc.) on one axis and the foci (education, compensation/restoration, etc.) on the other axis and placed the case studies within it.

Having explored reparations packages more broadly, I then turned to the Burge reparations package. I studied the archival history of the Burge scandal, the movement that culminated in the establishment of the reparations package, and the designers and implementers of the package itself. I analyzed the Burge reparations package according to each criterion for effectiveness of my typology and in reference to the other case studies. To do this, I used data I gathered from in-depth interviews with torture survivors, the mothers of torture survivors, and the organizers of the reparations package. I also judged where the Burge reparations package fits within the typology. Finally, I made policy recommendations about

2. Adeel Hassan and Jack Healy, "America Has Tried Reparations Before. Here Is How It Went," *New York Times*, June 19, 2019.

what work should still be done to improve the plight of torture survivors and their families.

Ultimately, I have made a multipart argument. I contend that the Burge reparations package is lacking in scope. It is adequate in completeness for the class of torture survivors included, but it is inadequate in completeness for the entire universe of police torture survivors in Chicago. It is impressive in complexity. It is comprehensive in nonmonetary aspects but incomprehensive in monetary aspects. It has little to no valuation of suffering. It addresses abuse that is continuous. Finally, it evoked a moral awakening in some populations but not for most. In order to make up for what the reparations package lacks, I recommend that organizers should 1) advocate for expanded funding for investigations of police officers linked to torture, 2) advocate for expanded funding to CTJC and for health-care services, and 3) rethink certain aspects of CTJC services, the memorial, and the education services offered to make them more inclusive for all survivors and their family members.

Methodology

I collected data for this study in two main ways. First, I did extensive research using books, official city documents, verifiable websites, newspapers, and academic papers to write the introduction, literature review, and historical background.

Second, I conducted comprehensive interviews with torture survivors and the mothers of torture survivors, as well as the designers and implementers of the Burge reparations package. To find the contact information of torture survivors and the mothers of torture survivors, I started by collecting a few names from my advisers at the Invisible Institute, Jamie Kalven and Alison Flowers.³ I then made dozens of phone calls until I

3. "The Invisible Institute is a journalism production company on the South Side of Chicago. Our mission is to enhance the capacity of citizens to hold public institutions accountable." "About," Invisible Institute, invisible.institute/about.

was able to arrange a few interviews, which lead to snowball sampling: the torture survivors and the mothers of torture survivors are a well-connected community. Ultimately, I interviewed four torture survivors and five mothers of torture survivors. It is important to note that this is not a large or representative sample of survivors.

Contacting the designers and implementers of the Burge reparations package proved more difficult. I sent many emails to lawyers at the People's Law Office, staff at the Chicago Torture Justice Center, members of the Chicago Torture Justice Memorials (CTJM), journalists, etc., but at first no one responded. Then, on February 3, 2018, I attended a For the People Artists Collective discussion that featured two CTJM leaders, Mariame Kaba and Sarah Ross. At that event, I approached and scheduled interviews with Joey Mogul (People's Law Office lawyer) and Sarah Ross (CTJM organizer and School of the Art Institute of Chicago educator). From there, again, I was able to snowball sample to complete more interviews. A couple of individuals whom I initially emailed responded after I persisted in following up several times. Ultimately, I interviewed Mogul, Ross, G. Flint Taylor (People's Law Office lawyer), John Conroy (journalist), and Cindy Eigler (Chicago Torture Justice Center policy director). In addition, I attended a community meeting at Wildwood Elementary School about implementation of the Chicago Public Schools' Reparations Won curriculum and talked to the school's principal and parents.

The interviews with torture survivors and the mothers of torture survivors occurred wherever the interviewees suggested worked best for them; these tended to be in their homes or in local cafes. Interviews with authors and implementers of the Burge reparations package occurred at the People's Law Office, Northwestern University Pritzker School of Law, the *In These Times* office, and the Chicago Torture Justice Center.

The interviews lasted between thirty minutes and 210 minutes (see appendix 1). I began by asking participants to consent verbally to being interviewed (see appendix 2). I then asked them if I could audio record them. All of them agreed, and I recorded the interviews using my iPhone. I asked if they wanted me to use a pseudonym for their names, which

none did. I asked that they not provide any information about criminal activity that had not yet been prosecuted and to be aware that while I would attempt to maintain all confidentiality, there was always a chance of subpoena. During the interviews, if it seemed that they were beginning to reveal information about themselves or others that could have legal ramifications, I reminded them that they should not reveal anything that had not yet been prosecuted. Finally, I informed them that they could stop the interview at any time for any reason.

In terms of risks and benefits for participants, there were minimal risks associated with my study. The only discomfort interviewees experienced was sadness while discussing difficult experiences, but none wished to stop the interview. For most interview subjects, the interviews seemed to be therapeutic. They enjoyed sharing their stories with a very engaged listener. Most talked about experiences beyond the scope of my study and for much longer amounts of time than I had originally anticipated.

At the end of each interview, I transferred the audio recordings from my phone onto my computer and then uploaded them onto the transcription software Trint. I then transferred the audio files into UChicago Box and removed them from my phone and computer.⁴ I scanned handwritten notes immediately, transferred them into UChicago Box, and destroyed the original notes.

Definition of Reparations

In order to define “reparations,” one must define “human injustice.” Article 55C of the United Nations Charter reads, “the United Nations shall promote . . . universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language

4. UChicago Box is a cloud-based storage service available to University of Chicago students, staff, and faculty, uchicago.service-now.com/it?id=kb_article&kb=KB00015980.

or religion.”⁵ Various multilateral and bilateral conventions, resolutions, treaties, and covenants define the rights of all humans and provide for their enforcement. A “human injustice” is the violation or suppression of human rights or fundamental freedoms recognized by international law.⁶

Harvard University law professor Mari Matsuda lists five prerequisites for a human rights redress claim: 1) a human injustice was committed, 2) it was well-documented, 3) the victims are identifiable as a distinct group, 4) the current members of the group continue to suffer harm, and 5) such harm is causally connected to the past injustice.⁷ Once redress claims are verifiable by these prerequisites, they can, according to University of San Diego law professor Roy Brooks, be divided into settlements and reparations.⁸ A *settlement* is a form of redress in which the perpetrator does not express atonement. Settlements are often used in US law: a defendant settles a dispute with a consent decree in which the defendant agrees to pay the plaintiff(s) a certain sum of money, but does not concede wrongdoing. A *reparations* is a form of redress in which a government expresses atonement. Often atonement, in the form of an apology and an acknowledgement of wrongdoing, means more to survivors than anything else. Beyond atonement, reparations can be subdivided into monetary and nonmonetary responses. Nonmonetary responses include amnesty, affirmative action, and services. These types of reparations can be more effective than cash in responding to survivors’ individual or collective current needs.⁹

5. United Nations, *Charter of the United Nations and Statute of the International Court of Justice*, chapter IX, article 55 (New York: United Nations, June 26, 1945).

6. Roy L. Brooks, *When Sorry Isn't Enough: The Controversy Over Apologies and Reparations for Injustice* (New York: New York University Press, 1999).

7. Mari J. Matsuda, “Looking to the Bottom: Critical Legal Studies and Reparations,” *Harvard Civil Rights–Civil Liberties Law Review* 22 (1987): 323–400.

8. Brooks, *When Sorry Isn't Enough*.

9. *Ibid.*

Typology of Reparations

I developed a typology to compare the Burges reparations to other reparations and to analyze its effectiveness. On one axis, the typology measures criteria for judging the effectiveness of a reparations package: scope, completeness, comprehensiveness, complexity, continuity, valuation of suffering, and moral awakening. On the other axis, the typology divides reparations packages into four types: education-focused reparations, health-focused reparations, compensation/restoration of property-focused reparations, and “octopus” reparations.

Criteria for Judging the Effectiveness of a Reparations Package

Scope: Reparations can have greater or lesser scope according to the number of survivors they reach. This is simply a judgment of whether the number of survivors reached is large or small.¹⁰

Completeness: Completeness is the reparations package attempt to cover the whole universe of survivors. In other words, was every survivor included in the reparations package, or only some? No reparations package is ever fully complete, partly because of the difficulty determining the full set of survivors.¹¹

Comprehensiveness: A comprehensive reparations package provides redress for as many facets of the human rights violation as is feasible, and it generally includes both monetary and nonmonetary redress.¹²

Complexity: A reparations package that includes compensation, memorials,

10. Pablo De Greiff, *The Handbook of Reparations* (Cambridge: Oxford University Press, 2006).

11. Ibid.

12. Ibid.

education, health services, and reintegration services is more complex than a package that only includes compensation.¹³

Continuity: This is a measure of whether or not the conflict or human rights violations that inspired the reparations package is continuous or not. Sometimes human rights violations can be continuous in ways not identical to, but related to the human rights violations that inspired the reparations package.

Valuation of Suffering: A reparations package that has no valuation of suffering gives every survivor the same monetary and nonmonetary compensation no matter what types and durations of suffering they endured. A reparations package with a valuation of suffering is often perceived as unfair: all survivors suffered yet some receive more than others because their suffering was deemed more worthy of redress than others'.

Moral Awakening: For a moral awakening to occur, individuals must acknowledge that human injustices were committed and must acknowledge them as wrong; must experience a change of consciousness; and must change their actions. If a moral awakening has occurs, the human injustices that were committed is not continuous. Moral awakening is rarely experienced by a population fully or evenly. Discerning moral awakening is difficult and highly subjective. It is very hard to tell whether someone has undergone an inner shift in consciousness. One can only analyze their words (or lack of words) and actions, and others may disagree with that analysis. Therefore, I separated the row in my typology dedicated to moral awakening from the rest of the typology to indicate that this more subjective criterion is different from the other more factual criteria.

13. Ibid.

Four Types of Reparations Packages

Education-Focused Reparations: Education-focused reparations are comprehensive and complex with regards to educational programming (curriculums and projects aimed at teaching the public about the human injustices that occurred, funding for survivors' college education, etc.) but may or may not be comprehensive and complex with regards to other services. They evoke at least a partial moral awakening in at least some people thus educated. Scope, completeness, valuation of suffering, and continuity will vary.

Health-Focused Reparations: Health-focused reparations are comprehensive and complex with regard to health programming (health care, medication, therapy, counseling, etc.), but may or may not be comprehensive and complex with regards to other services. They may or may not evoke at least a partial moral awakening. Scope, completeness, valuation of suffering, and continuity will vary.

Compensation/Restoration of Property-Focused Reparations: Compensation/ restoration of property-focused reparations are not especially comprehensive or complex. These reparations packages likely do not evoke a partial moral awakening. They are often less effective than other types of reparations packages. Scope, completeness, valuation of suffering, and continuity will vary.

Octopus Reparations: Octopus-reparations packages can be considered the most successful type. They are very comprehensive and complex; they offer a variety of very well-developed services, which likely evoke a significant moral awakening because of their heightened comprehensiveness; they are more likely than other packages to be nearly complete or working toward completeness; and they are less likely than other packages to respond to abuse that is continuous. Scope and valuation of suffering will vary.

Four Case Studies

I selected the four case studies to ensure diversity along a variety of measures, including geographical location, the degree of socioeconomic development, the number of beneficiaries, and the type of conflict to which the programs responded. They do not serve as perfect examples of each of the four types of reparations packages, but rather as loose examples (see table 1).

Education-Focused Reparations: Civil Liberties Act of 1988 for Japanese Americans (United States)

Following the Japanese bombing of Pearl Harbor in 1941, President Franklin D. Roosevelt signed an executive order mandating that all Japanese Americans evacuate the West Coast. Approximately 120,000 people, many of whom were American citizens, were relocated to ten internment camps located in the western United States. The camps were often nothing more than makeshift barracks, with families and children cramped together behind barbed wires. Some Japanese American citizens were allowed to return to the West Coast beginning in 1945, and the last camp closed in March 1946.¹⁴

Decades later, inspired by the civil rights movement, the Japanese American Citizens League launched a campaign for reparations led by John Tateishi.¹⁵ The campaign culminated in 1988 when President Ronald Reagan signed the Civil Liberties Act, which authorized a presidential apology, the payment of \$1.2 billion in individual reparations claims to Japanese Americans, and a Civil Liberties Public Education Fund

14. "Japanese Relocation during World War II," National Archives, last modified Apr. 10, 2017, www.archives.gov/education/lessons/japanese-relocation.

15. Bilal Qureshi, "From Wrong to Right: A U.S. Apology for Japanese Internment," *All Things Considered*, National Public Radio, Aug. 9, 2013.

(CLPEF) Board funded with \$50 million.¹⁶ Additionally, monuments have been created in Washington, DC, and California.

Most noteworthy is the CLPEF Board. Its mission is to “sponsor research and public educational activities, and to publish and distribute the hearings, findings, and recommendations of the Commission.” The board has given 132 individuals grants, ranged from \$2,000 to \$100,000, totaling \$3.3 million, including nineteen national fellowships. The board funded seven categories of projects: curriculum, landmarks and institutions, community development, arts and media, research, national fellowships, and research resources. The projects included development of internment curriculum for elementary and high school students, oral histories of internment artists, development of materials and a book for teaching law and the internment, books and documentaries on internment camp life, psychological studies on the effects of the internment, and numerous others.¹⁷

The reparations package is large in scope. Over eleven years, 82,250 survivor each received \$20,000 in compensation.¹⁸ However, the scope is lacking relative to the total number of 120,000 survivors. Consequently, the reparations package is significantly incomplete. The package is very comprehensive and complex with regard to educational projects, but this is at the cost of comprehensiveness and complexity in terms of health services or compensation. The package has no valuation of suffering: all beneficiaries received \$20,000. US government abuse of Japanese Americans is discontinuous; however, one could also argue that the abuse is continuous in that the government still abuses other minorities, such as Muslim Americans, Mexican Americans, Native Americans, African Americans, etc. By the same token, it is hard to say that government

16. De Greiff, *Handbook of Reparations*.

17. Ibid.

18. Civil Liberties Act of 1987, H.R. 442, 100th Cong. (1987). Only Japanese American citizens or legal permanent residents could make reparations claims.

officials have undergone moral awakening, given the continued abuse of minorities. However, it is very likely that many Americans experienced moral awakening as a result of the reparations package's extensive education campaign.

Compensation/Restoration of Property–Focused Reparations: Rosewood Claims Bill (Florida)

In January 1923, a white mob destroyed and burned every home and building of the black community of Rosewood, Florida, after a fruitless search for a black man accused of assaulting a white woman. At least six black people and two white people were killed. The state did not respond at the time of the incident. It was largely forgotten until the 1980s, when the few survivors of the 120 original residents of Rosewood began speaking out.¹⁹ Florida investigated their egregious claims, released a 1993 report, and passed reparations legislation in 1994, which offered an official apology and a \$2.1 million compensation plan. The nine elderly victims received \$150,000 each, \$500,000 was divided among descendants of people who lost property in Rosewood, and a scholarship fund was created.²⁰

This reparations package is small in scope: just nine survivors and the families of deceased victims. The package is semi-complete: although it reaches all nine living survivors, it very likely does not reach all descendants of deceased victims; even those it does reach receive little (one descendant received \$3,000). Moreover, 111 other survivors died before reparations were made in 1993. The reparations package's few types of

19. Jessica Glenza, "Rosewood Massacre a Harrowing Tale of Racism and the Road toward Reparations," *Manchester Guardian*, Jan. 3, 2016.

20. C. Jeanne Bassett, "House Bill 591: Florida Compensates Rosewood Victims and Their Families for a Seventy-One-Year-Old Injury." *Florida State University Law Review* 22, no. 2 (Winter 1994): 503–23.

compensation lack complexity and comprehensiveness. Valuation of suffering exists to some degree: compensation went evenly to the nine survivors but unequally to descendants of deceased victims. The human injustice that survivors endured is discontinuous because government officials today generally prevent large scale race riots; however, racial violence in other forms, such as racially motivated police brutality, continues. Partly for this reason, it is hard to believe that moral awakening occurred for Florida state officials. Indeed, state officials have since established or defended racist laws, such as Stand Your Ground, which the American Bar Association says, “result in racial disparities in the criminal justice system.”²¹ The reparations package had no educational program, which might have evoked a moral awakening in everyday Floridians.

Health-Focused Reparations: National Commission on Political Imprisonment and Torture (Chile)

After a 1973 military coup, General Augusto Pinochet’s politically repressive rule in Chile led to political killings, “disappearances,” the imprisonment or exile of countless Chileans, and the widespread use of torture. The Pinochet dictatorship ended in 1989 when Pinochet lost the presidential election to Patricio Aylwin. Aylwin restored democracy and established the National Commission on Political Imprisonment and Torture in 1990. At first, the commission only investigated crimes resulting in death or disappearance, and its report determined that 2,298 persons had died between September 11, 1973, and March 11, 1990: 979 disappeared detainees, 1,061 people killed by security forces in detention or in other circumstances, 168 victims of political violence, and 90 members of leftist groups killed by civilians. The commission could not

21. “National Task Force on Stand Your Ground Laws: Report and Recommendations,” American Bar Association, Sept. 2015, www.americanbar.org/groups/diversity/racial_ethnic_justice/projects/SYG/.

with satisfaction determine a political cause in 630 cases. In 1991, another 899 new cases qualified for reparations.²²

Soon after, activists pushed Chile to acknowledge human rights violations, such as torture and unlawful detention, that did not result in death. President Ricardo Lagos ordered a second investigation.²³ In 2005, the Chilean government committed to providing 28,459 registered survivors of torture and imprisonment under Pinochet (or their relatives) with lifelong governmental compensation of between approximately US\$2,300 and US\$2,600 for survivors. Children born in prison or detained with their parents would receive a lump-sum payment of approximately US\$6,800. Survivors also receive free education, housing, and health care.²⁴ The Chilean government constructed dozens of memorials, including the Museo de la Memoria y los Derechos Humanos in Santiago.²⁵

The health-care component, PRAIS, is the largest part of the Chilean reparations package.²⁶ Through PRAIS, mental-health teams not only assist victims and their families directly but also draw public attention to the lingering psychosocial and psychological consequences of human rights violations. By the end of 2002, the PRAIS program had expanded beyond the care of torture survivors with 93,272 registered beneficiaries of PRAIS throughout the country; by June 2003, this number had risen to 132,000.²⁷ Although the Chilean reparations package comprises many

22. United States Institute of Peace, *Report of the Chilean National Commission on Truth and Reconciliation* (Washington, DC: USIP Library, Oct. 4, 2002), www.usip.org/sites/default/files/resources/collections/truth_commissions/Chile90-Report/Chile90-Report.pdf.

23. *Ibid.*

24. De Greiff, *Handbook of Reparations*.

25. United States Institute of Peace, *Report*.

26. De Greiff, *Handbook of Reparations*. PRAIS stands for the Programa de Reparación y Atención Integral de Salud.

27. Ruben Carranza, *The Series of Reparations Programs in Chile* (New York: Inter-

parts, I categorized it as health-care focused because of this extensive and effective health-care piece.

The Chilean reparations package includes a valuation of suffering because the compensation given to survivors and their family members varied. It is comprehensive and complex because it provides redress in a variety of tailored ways and its unique health-care services are simply superior. Its scope is relatively large: 28,459 individuals (and many more if we count those served by PRAIS). However, it is incomplete: the total number of officially recognized survivors from the period between 1973 and 1990 is 41,470 (3,216 disappeared or killed and 38,254 former political prisoners). The commission failed to reach 19,011 individuals.²⁸ Also, many families struggled to provide the extensive evidence of abuse that was required, and the application process was extremely lengthy and involved. It is likely that many survivors did not complete the process.²⁹

Although the Pinochet regime is over, human injustice in Chile is somewhat continuous. According to Human Rights Watch, the Chilean national police (Carabineros) continue to use excessive force, particularly against protesters, students, and indigenous communities, and some officers have allegedly sexually harassed women and girls at protests. According to the Public Ministry, complaints of torture, genocide, ill-treatment, and crimes against humanity increased 193 percent in the first nine months of 2016, compared with the same period in 2015, with most cases allegedly involving Carabineros.³⁰

national Center for Transitional Justice, Dec. 2008), <http://pmg-assets.s3-website-eu-west-1.amazonaws.com/docs/110331ictj.pdf>.

28. "Chile: 40 years on from Pinochet's coup, impunity must end," Amnesty International, last updated Sept. 10, 2013, www.amnesty.org/en/latest/news/2013/09/chile-years-pinochet-s-coup-impunity-must-end/.

29. United States Institute of Peace, *Report*.

30. "Chile: Events of 2016," Human Rights Watch, last updated 2017, www.hrw.org/world-report/2017/country-chapters/chile.

In terms of moral awakening, government officials appear in their report to be genuine in their apology:

We trust that whoever reads this report will appreciate even more the expression, “Never again!” It must be never again, for we cannot return to a situation in which Chileans will again be facing the vile absurdity of resolving political problems through murder, torture, and hatred. Such a “never again” therefore also means not doing to others what has been done to oneself. Legally and politically, that is tantamount to saying that respect for the rights of every human being must come into play as the basis for our common life.³¹

It is dubious that the moral awakening continues in today’s politicians who allow abuse under the Carabineros. Many everyday Chileans, however, may have experienced a moral awakening through the package’s education programs.

Octopus Reparations: Holocaust Reparations (Germany)

According to the United States Holocaust Memorial Museum, the Holocaust

was the systematic, bureaucratic, state-sponsored persecution and murder of six million Jews by the Nazi regime and its collaborators. Holocaust is a word of Greek origin meaning “sacrifice by fire.” The Nazis, who came to power in Germany in January 1933, believed that Germans were “racially superior” and that the Jews, deemed “inferior,” were an alien threat to the so-called German racial community.... To concentrate and monitor the Jewish population as well as to facilitate later deportation of the Jews, the Germans and their collaborators created ghettos, transit camps, and forced-labor

31. United States Institute of Peace, *Report*.

camps for Jews during the war years. The German authorities also established numerous forced-labor camps, both in the so-called Greater German Reich and in German-occupied territory, for non-Jews whose labor the Germans sought to exploit... Between 1941 and 1944, Nazi German authorities deported millions of Jews from Germany, from occupied territories, and from the countries of many of its Axis allies to ghettos and to killing centers, often called extermination camps, where they were murdered in specially developed gassing facilities.³²

In 1952, when West Germany began the process of making reparations for the Holocaust, it did so under difficult conditions. Very few Germans believed that Jews were entitled to anything: only 5 percent of West Germans felt guilty about the Holocaust and only 29 percent believed that Jews were owed restitution from the German people.³³ Jews in Israel also did not want a reparations and protested widely. Menachem Begin, the future prime minister, said, “today you arrested hundreds. Tomorrow you may arrest thousands. No matter, they will go, they will sit in prison. We will sit there with them. If necessary, we will be killed with them. But there will be no ‘reparations’ from Germany.” Protesting Israeli Jews did not think money could make up for all they had lost; in fact, they had a taste for revenge. “My soul would be at rest if I knew there would be six million German dead to match the six million Jews,” said Meir Dworzecki, a survivor of Estonian concentration camps.³⁴

Still, in September 1952, Germany and Israel reached the Luxembourg Agreement. Germany agreed to repay Israel for “resettling so great a number of uprooted and destitute Jewish refugees” after the war and would

32. “Introduction to the Holocaust,” United States Holocaust Memorial Museum, www.ushmm.org/wlc/en/article.php?ModuleId=10005143.

33. Tony Judt, *Postwar: A History of Europe Since 1945* (New York, Penguin, 2005), 271.

34. Ta-Nehisi Coates, “The Case for Reparations,” *Atlantic*, June 2014.

compensate individual Jews via the Conference on Jewish Material Claims against Germany. In 1952, Germany paid Israel \$7 billion in today's dollars, which tripled Israel's GNP.³⁵ From 1952 until today, Germany has paid more than \$78.4 billion in reparations and compensation for survivors of Nazi persecution: more than \$70 billion was paid to more than 800,000 Holocaust survivors around the world; of these, 130,000 survivors in forty-seven countries received direct compensation as well as assistance with home care, food, medicine, health care, transportation, legal aid, and socialization.³⁶ In addition, Germany erected dozens of memorials to the Holocaust including the Holocaust Tower, the Jewish Museum in Berlin, and the Memorial to the Murdered Jews of Europe in Berlin.

The scope of the German reparations package was the largest of any reparations package: 800,000 Holocaust survivors and the entire state of Israel. It is very comprehensive and complex: direct compensation, home care, food, medicine, health care, transportation, legal aid, and dozens of memorials. Its completeness is lacking, however. Julius Berman, chairman of the claims conference, has said that as many as 50,000 survivors have not received compensation in any form.³⁷ The average age of an Israeli Holocaust survivor in 2018 was 87; it has been estimated that by 2025, all survivors will have died unless the claims conference reaches them with haste.³⁸ In 2006, a New York State's Attorney report revealed serious financial mismanagement by Rabbi Israel Singer, president of the claims conference at the time; in 2013, the US Attorney's

35. Ibid.

36. Yardena Schwartz, "How the State of Israel Abuses Holocaust Survivors," *Tablet Magazine*, Jan. 25, 2017.

37. Melissa Eddy, "For 60th Year, Germany Honors Duty to Pay Holocaust Victims," *New York Times*, Nov. 17, 2012.

38. Schwartz, "How the State of Israel Abuses Holocaust Survivors," *Tablet Magazine*.

Office convicted ten claims conference employees for “the theft of \$57 million dollars intended to benefit victims of the Nazi genocide.”³⁹ It is unclear that the claims conference will reach the remaining survivors under these circumstances.

Germany’s valuation of suffering is inconclusive: survivors receive different amounts of reparations depending on what year and where the reparations package reached them. In Israel, 67,000 survivors receive monthly financial aid of about \$700 per month, as well as free medical care from the Israeli governments; an additional 130,000 survivors in Israel do not receive monthly financial aid but do receive about \$800 a year in free medical care; and other survivors outside of Israel who were reached later receive entirely different reparations.

Regarding moral awakening, it is worth emphasizing that, after paying \$89 billion in compensation over six decades, German government officials still meet regularly to revise and expand the guidelines for qualification.⁴⁰ Asked whether over sixty years of payments to survivors was enough, Werner Gatzert, who leads the negotiations for the German, said “we will have done enough when no more survivors remain.”⁴¹ Further, everyday German citizens have been extensively educated about the wrong Germany committed through the Holocaust, and Germany is littered with remembrances of the Holocaust.

However, anti-Semitism continues in Germany. In 2017, authorities documented more than 1,400 cases, part of a rising trend of anti-Semitism across Europe, which has caused thousands of Jews to leave the continent. Also in 2017, the Alternative for Germany, an anti-Muslim and anti-Semitic party, was the third largest party elected to the German

39. Ibid.

40. Eddy, “Germany Honors Duty,” *New York Times*.

41. Ibid.

Parliament.⁴² That being the case, not all German government officials or all German citizens have experienced a moral awakening. Even though Germany’s moral awakening is incomplete—a full moral awakening can never occur—its efforts towards making a complete reparations package is exemplary. The journalist Ta-Nehisi Coates points to Germany as an example of moral awakening: “Reparations could not make up for the murder perpetrated by the Nazis. But [Germans] did launch Germany’s reckoning with itself, and perhaps provided a road map for how a great civilization might make itself worthy of the name.”⁴³

Typography of Four Case Studies

Table 1 summarizes the details of the case studies. The four columns represent the case studies by type of reparation, group affected, and country/state. Each row summarizes how a case study met the seven criteria for effectiveness.

Burge Tortures: History and Path to Reparations

Jon Burge, a Chicago Police Department detective and commander, and his “midnight crew” of other detectives, tortured mostly African American but also Latinx men who were interrogated at various locations on the South and West Sides of Chicago. Officially, the tortures extending from 1972 to 1991 and involved 120 men.⁴⁴ According to many of my interview subjects, the period of torture was much longer and involved

42. Melissa Eddy, “Alternative for Germany: Who Are They, and What Do They Want?” *New York Times*, Sept. 25, 2017.

43. Coates, “The Case for Reparations,” *Atlantic*.

44. City of Chicago, Burge Resolution.

Table 1: Summary of the Typography of Four Case Studies

	Education	Compensation / Restoration of Property	Health	Octopus
Group Affected	Japanese Americans	African Americans	Pinochet Survivors	Holocaust Jewish Survivors
Country/State	United States	State of Florida	Chile	Germany
Scope	Large: 82,250 survivors	Small: 9 survivors and uncounted descendants	Large: 28,459 survivors and 3,000 descendants	Large & ongoing: 800,000 survivors and the state of Israel
Completeness	INCOMPLETE: 37,750 survivors did not receive reparation	SEMI-COMPLETE: Uncounted descendants	INCOMPLETE: 19,011 survivors did not receive reparations.	INCOMPLETE: 50,000 survivors did not receive reparations
Comprehensiveness	Mixed	Limited	Very good	Excellent
Complexity	Mixed	Limited	Very good	Excellent
Continuity	SEMI-CONTINUOUS: Persistent racism	SEMI-CONTINUOUS: Persistent racial violence	SEMI-CONTINUOUS: Torture and abuse by Carabineros	MOSTLY DISCONTINUOUS: Holocaust is over, but recent rise of the right wing in Germany
Valuation of Suffering	No: All internees received the same reparation.	Yes: Survivors received more than descendants	Yes: Survivors received more than descendants	Inconclusive: It appears that compensation varied for administrative reasons.
Measure of Moral Awakening	GOV'T OFFICIALS: Not likely, due to continued abuse of minority populations.	GOV'T OFFICIALS: Not likely, due to racist laws.	GOV'T OFFICIALS: Mixed, due to a genuine apology, but continued abuse by the Carabineros.	GOV'T OFFICIALS: Very likely, due to 60 years of attention, but rise of right-wing political parties.
	AMERICANS: Very likely, due to education program and memorials.	FLORIDIANS: Not likely, due to no education program.	CHILEANS: Very likely, due to education program and memorials.	GERMANS: Very likely, due to Holocaust education in schools and memorials, but some Germans still anti-Semitic.

more than five hundred men.⁴⁵ The torture comprised punching, kicking, hitting, attacks to the genitals, threats to cut off toes, electric shocks, suffocation, and mock executions, often accompanied by racial epithets. The police used torture in order to coerce false confessions that led to wrongful convictions and long sentences, including at least ten death sentences.⁴⁶

The scandal came to light because of the persistence of the torture survivors and their mothers, families, and friends. In addition, journalist John Conroy publicized the scandal in a series of articles published by the *Chicago Reader* over almost twenty years, from 1990 to 2009.⁴⁷ Finally, the People's Law Office and other law firms represented the survivors in hundreds of civil trials that cost Chicago taxpayers an estimated \$100 million in settlements, judgments, and other legal costs.

The first torture survivor to come forward was Andrew Wilson. On February 9, 1982, Officers Richard O'Brien and William Fahey stopped Andrew Wilson and his brother Jackie Wilson for outstanding warrants. Andrew shot and killed the two officers. The Wilsons hide for five days, but Burge and his crew found them and took them to the Area 2 police station at 11th and State Streets. On February 14, Andrew Wilson was tortured for fifteen hours by as many as eleven officers until he confessed.⁴⁸ The lock-up keeper refused to remand Andrew to jail and sent him to Mercy

45. Mark Clements, Cindy Eigler, Bertha Escamilla, Sarah Ross, and Vincent Wade Robinson.

46. G. Flint Taylor, "The Long Path to Reparations for the Survivors of Chicago Police Torture," *Northwestern Journal of Law and Social Policy* 11, no. 3 (Spring 2016): 330–53.

47. John Conroy, "Police Torture in Chicago: An Archive of Articles by John Conroy on Police Torture, Jon Burge, and Related Issues," *Chicago Reader*, Oct. 8, 2009, www.chicagoreader.com/chicago/police-torture-in-chicago-jon-burge-scandal-articles-by-john-conroy/Content?oid=1210030.

48. John Conroy, "The Persistence of Andrew Wilson," *Chicago Reader*, Nov. 29, 2007.

Hospital for treatment of his injuries.⁴⁹ The next day, Andrew told public defender Dale Coventry that he had been burned by a radiator, suffocated with a plastic bag, kicked in the eye, beaten, shocked in the head with a hand-cranked electrical device in a black box, and shocked on his genitals and back with a second device that resembled a curling iron.⁵⁰

The Wilson brothers were convicted of murder, and Andrew was sentenced to death. In 1986, Andrew Wilson filed and lost a pro se complaint for deprivation of rights in federal court, seeking damages for his torture.⁵¹ Wilson testified six times over ten years before he finally prevailed in 1996 when the Illinois Supreme Court reversed Andrew Wilson's conviction, based in part on the Mercy Hospital documents that his confession was involuntary.⁵² The court remanded Andrew Wilson's case to a new trial, and he was convicted of the murders and sentenced to life in prison.⁵³

Andrew Wilson's cases were crucial. First, he proved that he had been tortured; second, Burge was fired from the police force in 1993 after John Conroy had begun reporting Andrew's story in the *Chicago Reader*;⁵⁴ and, third, the cases led to the public exposure of a broad torture ring.⁵⁵

In February 1989, during the first civil trial, someone began sending anonymous letters to the People's Law Office in police department envelopes, listing the names of "Burge's Ass-kickers" at Area 2 and the names

49. John Conroy calls the lock-up keeper's actions one of the miracles of the path to reparations. The hospital's documentation of injuries was later crucial to the Illinois Supreme Court's decision to vacate Andrew's conviction. John Conroy, interview with the author, Feb. 12, 2018.

50. Conroy, "The Persistence of Andrew Wilson," *Chicago Reader*.

51. *Ibid.*

52. *People v. Wilson*, 116 Ill. 2d 29 (1987).

53. Conroy, "The Persistence of Andrew Wilson," *Chicago Reader*.

54. Conroy, "Police Torture in Chicago: An Archive," *Chicago Reader*.

55. Conroy, "The Persistence of Andrew Wilson," *Chicago Reader*.

of other torture survivors. The letters expressed that “the torture was not necessary,” that “your client was beat after he confessed because Burge and company were showing off,” that “the machines and the plastic bags” belonged to Burge, and that Burge encouraged their use. John Conroy calls these letters another miracle in the path to reparations.⁵⁶ The tips opened a series of new investigations, including investigations into the cases of Melvin Jones and Darrel Cannon.⁵⁷

Around the same time, in the mid- to late nineties, several death-row torture survivors—Madison Hogley, Stanley Howard, Ronald Kitchen, Leroy Orange, and Aaron Patterson—banded together to seek justice.⁵⁸ Jones’s, Cannon’s, and the death row prisoners’ cases were extraordinarily hard for public defenders to win. First, many of the torture survivors had committed serious crimes and had gang affiliations. Second, no elected official or judge from the criminal courts at 26th and California or from the Illinois Supreme Court was willing to acknowledge that a torture ring operated at Area 2 (much less the broader South and West Sides), even though the judges dealt with a series of cases naming the same officers, the same locations, and the same techniques. The Illinois Supreme Court established three hurdles for Area 2 victims: a defendant must present another man’s testimony of torture by the same police officers that occurred 1) within a relatively short period of time to the defendant’s torture, 2) with the same methods, and 3) with the result of demonstrable physical injury.⁵⁹

In 1999, three *Chicago Tribune* reporters investigated the death penalty

56. Conroy, interview.

57. Conroy, “Police Torture in Chicago: An Archive,” *Chicago Reader*.

58. *People v. Hogley*, 159 Ill. 2d 272 (1994); *People v. Howard*, 147 Ill. 2d 103 (1991); *People v. Kitchen*, 189 Ill. 2d 424 (1999); *People v. Orange*, 121 Ill. 2d 364 (1988); *People v. Patterson*, 154 Ill. 2d 414 (1992).

59. Conroy, “Police Torture in Chicago: An Archive,” *Chicago Reader*.

and, more specifically, torture in Chicago.⁶⁰ In 2003, in large part because of this series, Governor George Ryan ordered three of the inmates—Aaron Patterson, Madison Hobley, and Leroy Orange—released from prison, against the wishes of State’s Attorney Richard Devine. Stanley Howard was moved off death row but remained behind bars to complete a sentence for another crime.⁶¹ Ronald Kitchen remained on death row. John Conroy identifies Governor Ryan’s action as the third miracle of the path to reparations.

Inigorated, in 2005, activists and lawyers brought the issue of Chicago police torture to the United Nations Convention against Torture (UNCAT) in Geneva, Switzerland.⁶² The group’s letter outlined the systemic nature of the torture, the government’s failure to properly investigate or prosecute Burge and his associates, and the numerous men still imprisoned as a result of coerced confessions.⁶³ In 2006, Joey Mogul of the People’s Law Office argued before UNCAT that “for the past 30 years, the United States has failed to comply with Article 2 of the Convention against Torture.”⁶⁴ UNCAT issued a report that strongly affirmed the Chicago advocates’ position.⁶⁵ Mogul recalls the UN’s affirmation as “refreshing” compared to “hostile” officials in Illinois:

60. Ken Armstrong, Steve Mills, and Maurice Possley, “The Failure of the Death Penalty in Illinois: A Tribune Investigative Series on Problems Plaguing the Capital Punishment System in the State,” *Chicago Tribune*, Nov. 16–18, 1999.

61. “Ryan Pardons 4,” *Chicago Tribune*, Jan. 10, 2003.

62. Taylor, “The Long Path to Reparations.”

63. *Ibid.*

64. Natalie Y. Moore, “Payback,” Marshall Project, Oct. 30, 2018, www.themarshallproject.org/2018/10/30/payback.

65. United Nations Committee against Torture, *Concluding Observations on the Combined Third to Fifth Periodic Reports of United States of America* (New York: United Nations, Dec. 19, 2014), undocs.org/CAT/C/USA/CO/3-5.

I had three minutes to present the Burge torture cases to the UN Committee against Torture. I had an eight-hour flight to figure out what I was going to say. And, I have to say, like, I really went off, you know, I mean I was very passionate in what I said. And, fortunately, the chairman of the UN committee heard me.... I mean, it's kind of profound. I mean, for me to be there and have the UN committee chairman name Burge by name. You know, one of the highest human rights forums in the world. It's kind of incredible, right? I think it's amazing. And it felt like these folks understood what we were talking about, while, in the US courts, you know, we [the People's Law Office] were still—at that point I was litigating Aaron Patterson's case in the Northern District of Illinois. He had been pardoned and we were suing and it still felt like we were the enemy.... We would deal with this whole line of lawyers—you know, six or seven lawyers representing various officers, the city, and the county—and we would be battling all of them in court. I mean, they were so hostile, so, you know, to go to the UN was a really refreshing and amazing experience. And I'm really proud of the work I did.⁶⁶

While fighting for justice internationally, activists were also fighting back home: “During 2006 and 2007, ... Black People against Police Torture (BPAPT), a grassroots organization, and the National Conference of Black Lawyers ... demanded that Mayor Richard M. Daley and the City of Chicago formally apologize to all Chicago police torture survivors and provide financial compensation and psychological services to them.”⁶⁷ It was at this time that the anti-torture movement developed

66. Joey Mogul, interview with the author, Apr. 4, 2018. Center on Wrongful Convictions, “Aaron Patterson,” The National Registry of Exonerations, last updated, Feb. 12, 2019, www.law.umich.edu/special/exoneration/Pages/casetail.aspx?caseid=3447.

67. Taylor, “The Long Path to Reparations,” 338.

the concept of redress through “reparations” by linking the racist brutality of slavery to the racist brutality of Chicago police torture. Since activists have long fought to obtain reparations for slavery, this link establishing a complete narrative through which torture survivors could seek redress. BPAPT’s proposed Illinois Reparations for Police Torture Victims Act called for the establishment of a center that would provide psychological and psychiatric treatment, vocational assistance, community education, and the appointment of an Innocence Inquiry Commission to review the claims of Burge-related torture survivors.⁶⁸ These demands were later brought to the United Nations Committee on the Elimination of Racial Discrimination.⁶⁹

In October 2008, a federal grand jury in Chicago—largely based on the testimony of Melvin Jones and Anthony Holmes—indicted Jon Burge for lying under oath.⁷⁰ (In 2006, a Cook County special prosecutor had ruled that the statute of limitations prevented Burge or his associates from being charged with torture.⁷¹) Directly after the indictment, activists called on Mayor Richard M. Daley to make a public apology. In response to a *Chicago Sun-Times* editorial, Daley issued a mock apology that the newspaper called “sarcastic”:

I apologize to everybody [for] whatever happened to anybody in the city of Chicago . . . So, I apologize to everybody. Whatever happened to them in the city of Chicago in the past, I apologize. I didn’t do it, but somebody else did it. Your editorial was bad. I apologize. Your article about the mayor, I apologize. I need an apology from you

68. *Ibid.*, 338–39.

69. *Ibid.*, 339.

70. *US v. Burge*, 08 CR 846 (N.D. Ill. Jul. 29, 2009); Steve Mills and Jeff Coen, “Feds Catch Up with Burge,” *Chicago Tribune*, Oct. 22, 2008.

71. Jodi Rudoren, “Report on Chicago Police Torture Is Released,” *New York Times*, July 19, 2006.

because you wrote a bad editorial. [I] was not the mayor. I was not the police chief. I did not promote [Burge]. You know that. But you've never written that, and you're afraid to. I understand.⁷²

In January 2011, Burge was convicted of perjury and obstruction of justice and sentenced to four and a half years.⁷³ Mark Clements, a torture survivor, said of the sentence, "it's outrageous; it's not justice."⁷⁴

Like his predecessor, when Mayor Rahm Emanuel was asked about an apology, he also refused. He thought that the city's monetary settlements to survivors were sufficient and that it was time to move forward: "I am focused on the future of the city, not just about the past . . . I wanted to settle this, which is what we have done. I also wanted to see this dark chapter in the city's history brought to a close. I think we are achieving it. And to learn the lessons from this moment so we can build a future for the city."⁷⁵

Following Burge's sentencing, a group of educators, lawyers, artists, and other activists created the Chicago Torture Justice Memorials (CTJM). The mission of CTJM was to imagine how to honor and bring justice to Burge torture survivors, as well as to memorialize the Burge torture cases. According to CTJM organizer Sarah Ross, CTJM started by comparing memorials around the world that responded to state violence and sending out a call for memorial proposals.⁷⁶ Throughout 2012, CTJM conducted workshops, readings, roundtables, performances, film festivals, and other

72. Fran Spielman, "Daley Issues Sarcastic Apology for Torture," *Chicago Sun-Times*, Oct. 23, 2008.

73. "Ex-Chicago Cop Gets 4 1/2 Years in Torture Case," *CBS News*, Jan. 21, 2011.

74. *Ibid.*

75. John Byrne, "Emanuel: It's Time to Close Chapter on Burge Scandal," *Chicago Tribune*, July 25, 2012.

76. Sarah Ross, interview with the author, Feb. 10, 2018.

educational events—most notably, *Opening the Black Box, the Charge is Torture*, at the School of the Art Institute, which displayed seventy-five proposed memorials.⁷⁷ Sarah Ross recalls the exhibition as “really special. Survivors were really moved. They showed up and their story was on the walls downtown after decades of people not believing them.”⁷⁸

Joey Mogul participated in the exhibition with “a mock-up of an official city ordinance mandating reparations to the torture victims,” which caught the attention of CTJM.⁷⁹ It decided to further research reparations and introduce an ordinance to the Chicago City Council.⁸⁰ Given the need to underscore that racism was central to the ordinance, CTJM included “reparations” in the title at the risk of alienating some politicians.⁸¹ CTJM found momentum to push forward after Ronald Kitchen—who had been tortured by a Burge associate in 1988 and who had been on death row since 1990—was exonerated in September 2013.⁸²

At this point, Emanuel did make a lackluster apology, using much of the same language as he had in 2012 to suggest that monetary compensation and time heals all wounds:

77. Sarah Ji, “*Opening the Black Box: The Charge is Torture* Opening Night,” Nov. 9, 2012, Flickr, www.flickr.com/photos/sierraromeo/sets/72157631833347318/; John Eding, “*Opening the Black Box: The Charge is Torture* among Trio of SAIC Exhibitions on Local and US Justice Systems,” School of the Art Institute, [Nov. 2012], accessed on July 20, 2019, through the Internet Archive, www.saic.edu/media/saic/pdfs/press/2012/Sullivan-Galleries-Exhibitions.pdf.

78. Ross, interview.

79. Moore, “Payback,” Marshall Project; “About,” Chicago Torture Justice Memorials, accessed July 20, 2019, www.chicagotorture.org/?page_id=97.

80. Ibid.

81. Sandhya Somashekhar, “Why Chicago Used the Word ‘Reparations,’” *Washington Post*, May 8, 2015.

82. Center on Wrongful Convictions, “Ronald Kitchen,” The National Registry of Exonerations, last updated Nov. 3, 2016, www.law.umich.edu/special/exoneration/Pages/casedetail.aspx?caseid=3355.

I am sorry this happened. Let us all now move on. This is a dark chapter in the history of the city of Chicago. I want to build a future for the city.... But, we have to close the books on this. We have to reconcile our past.... Yes, there has been a settlement. And I do believe that this is a way of saying all of us are sorry about what happened ... and closing that stain on the city's reputation.... That is not who we are.⁸³

Kitchen's lawyers called on Emanuel to establish a \$20 million fund to compensate the survivors who had no legal recourse because of the official cover-up.⁸⁴ This amount was equal to the attorneys' fees paid by the city to defend Burge and his subordinates. The city rejected the demand for compensation.⁸⁵

CTJM continued to revise the reparations ordinance to include further input from torture survivors and their families. Mogul and CTJM also looked to international reparations models for inspiration, including adopted models in Chile (discussed earlier in this paper) Argentina, and Kenya.⁸⁶ In its final form the ordinance, entitled Reparations for the Chicago Police Torture Survivors, called for an official apology and a fund of at least \$20 million to finance a number of types of reparations, such as compensation to the survivors; tuition-free education at the City Colleges of Chicago for all torture survivors and their families; a center on the South Side of Chicago for psychological counseling, health-care services, and vocational training for survivors; a curriculum about the tortures for

83. Fran Spielman and Tina Sfondeles, "Rahm: 'Sorry' for Burge Torture," *Chicago Sun-Times*, Sept. 12, 2013.

84. *Ibid.*

85. Fran Spielman, "Rahm's Settlement Plan: Pay Now, Hope to Save Later," *Chicago Sun-Times*, Sept. 24, 2013.

86. G. Flint Taylor and Joey L. Mogul, "'Sorry' Not Good Enough for Chicago Torture Survivors," *In These Times*, Jan. 6, 2014.

Chicago Public School students; and city-sponsored public memorials for torture victims.⁸⁷ Aldermen Joe Moreno and Howard Brookins introduced the ordinance to the city council on October 16, 2013, and began a nearly nineteen-month process of shepherding it to a vote.⁸⁸

In October 2014, Chicago activists again traveled to Geneva, Switzerland. Both CTJM and We Charge Genocide sought to bring attention to the police violence in Chicago before the UN Committee against Torture.⁸⁹ When US government representatives denied the existence of racist police violence in the United States, We Charge Genocide raised their fists and staged a silent protest.⁹⁰ Mogul credits We Charge Genocide with energizing and inspiring CTJM:

They were phenomenal, because they were like “look we understand what this mechanism is: it’s a naming, blaming, shaming mechanism. Nothing that’s said in this report is going to matter more than what we do with it.”... There’s no way I could have done what they did. I mean, sending a delegation of youth of color over to the UN and having them live tweeting, live streaming, and doing

87. “Ordinance Seeks Reparations for Chicago Police Torture Survivors,” Chicago Torture Justice Memorials, chicagotorture.org/articles/ordinance-seeks-reparations-chicago-police-torture-survivors/.

88. G. Flint Taylor, “How Activists Won Reparations for the Survivors of Chicago Police Department Torture,” *In These Times*, June 26, 2015.

89. At the time, the two groups were not officially allied: CTJM focused on the Burge tortures and We Charge Genocide focused on police violence generally.

90. Protestors wore “Justice For Damo” shirts; Chicago police killed Dominique Franklin Jr. with a Taser on May 20, 2014. “We Charge Genocide Holds Historic Protest inside the United Nations during UNCAT Review of US Torture,” press release, We Charge Genocide, Nov. 4, 2014, wechargegenocide.org/we-charge-genocide-holds-historic-protest-inside-the-united-nations-during-uncat-review-of-us-torture/; Mitch Smith and Adam Sege, “Father Remembers Son Who Died after Police Used Taser,” *Chicago Tribune*, June 6, 2014.

videos and basically bringing the communities with them to say “you know what, there’s police violence against youth of color in Chicago and we are not going to be silent about it.” Incredible. They walked out of one of the earlier hearings, and then, at the last hearing, while the US government was speaking basically denying the racist reality that exists in the United States, they all stood up holding their hands together in a silent protest. I mean, it’s amazing. And then to come back and share the results with the community? I mean, they inspired us all.⁹¹

Back in Chicago, CTJM and We Charge Genocide held a “UN Action Teach-In” for more than two hundred people. Activist Mariame Kaba’s closing remarks emphasized that CTJM was forming new partnerships to get the ordinance passed. We Charge Genocide and Project NIA joined the coalition. At the same time, aldermanic support continued to grow, and, in October 2014, Karen Lewis, the president of the Chicago Teachers Union, announced her support.⁹² In December 2014, UNCAT again formally recognized Chicago police torture under Burge and the necessity for at least compensation for the survivors.⁹³

In the midst of these victories Jon Burge was released from prison in October 2014 to a Florida halfway house.⁹⁴ In response to the release, CTJM held a press conference at which angry and hurt torture survivors,

91. Mogul, interview.

92. James Thindwa, “Karen Lewis Has Already Redefined Chicago Politics,” *In These Times*, Oct. 18, 2014.

93. United Nations Committee against Torture, *Concluding Observations*.

94. Burge remained in Florida as a retiree, collecting a \$4,000-per-month pension until his death in 2018. Jeremy Goner, “Former Chicago Police Cmdr. Jon Burge Released from Home Confinement,” *Chicago Tribune*, Feb. 13, 2015; Sam Roberts, “Jon Burge, 70, Ex-Commander in Chicago Police Torture Cases, Dies,” *New York Times*, Sept. 20, 2018.

their lawyers, and other CTJM members called for the city council's Finance Committee to finally hold a hearing on the ordinance.⁹⁵

On February 14, 2015, the expanded reparations coalition organized a large, dynamic protest to coincide with Burge's release from the halfway house, and only a week after Burge had evoked the Fifth Amendment during a tense deposition with a lawyer representing a torture survivor.⁹⁶ Coalition members drilled home the message that they needed reparations *now*. They organized a light show in front of the mayor's house that spelled out "Reparations Now," a sing-in at city hall, church presentations, community teach-ins, and demonstrations throughout the city. On February 17, the City of Chicago's Corporation Counsel Steve Patton suggested a meeting with CTJM representatives to discuss the ordinance.⁹⁷ Over the next month, CTJM's Joey Mogul and G. Flint Taylor haggled with Patton over money. CTJM wanted \$20 million and the city only wanted to give \$2 million. The city agreed to \$5.5 million and CTJM made the difficult decision to exclude deceased survivors from the reparations package and remained faithful to its bottom line of \$100,000 per survivor.⁹⁸

Meanwhile, support for the ordinance kept building. In April 2014, Amnesty International joined the reparations coalition and took the lead in organizing a protest in downtown Chicago during its national convention. Each protestor carried a black flag designed by CTJM with the name of a Burge torture survivor and the date of his torture. Survivors' names

95. Jason Meisner, "Ex-Cop Burge Leaves Prison, but Torture Victim is Left Seeking Reparations," *Chicago Tribune*, Oct. 2, 2014.

96. "History of the Campaign," Chicago Torture Justice Memorials, accessed July 20, 2019, www.chicagotorture.org/?page_id=615; G. Flint Taylor, "To Catch a Torturer: One Attorney's 28-Year Pursuit of Racist Chicago Police Commander Jon Burge," *In These Times*, Apr. 8, 2015.

97. Steve Mills, "Burge Reparations Deal a Product of Long Negotiations," *Chicago Tribune*, May 6, 2015.

98. *Ibid.*

were read aloud at the end of the rally, and corresponding flags were displayed facing city hall.⁹⁹

On May 6, 2015, Alderman Moreno presented the Resolution and Reparations for Burge Victims Ordinance to the city council.¹⁰⁰ Mayor Emanuel then took the stage and officially apologized on behalf of the City of Chicago:

This is another step but an essential step in righting a wrong, removing a stain on the reputation of this great city. Chicago finally will confront its past and come to terms with it and recognize when something wrong was done and be able to be strong enough to say something was wrong. [Addressing the torture survivors and their families.] I want to thank you for your persistence. I want to thank you for never giving in and never giving up and allowing the city to join you on that journey to come face-to-face with the past and be honest enough and strong enough to say when we are wrong and try to make right what we've done wrong. This stain cannot be removed from the history of our city. But it can be used as a lesson of what not to do and the responsibility that all of us have.¹⁰¹

Together with the \$5.5 million monetary reparations fund, the package included many services for survivors and their families: legal services, free tuition at the City Colleges of Chicago, and prioritized access to city support programs (such as health, housing, job training, food, and

99. Jasmine Heiss, "Introducing Amnesty's New Global Campaign against Torture," *Human Rights Now* (blog), Amnesty International, May 12, 2014.

100. Fran Spielman, "City Council Committee Approves \$5.5 Million in Reparations for Burge Torture Victims," *Chicago Sun-Times*, May 5, 2015; Hal Dardick and John Byrne, "Mayor: Approval of Burge Victims Fund a Step toward 'Removing a Stain,'" *Chicago Tribune*, May 6, 2015.

101. Flint Taylor, *The Torture Machine: Racism and Police Violence in Chicago* (Chicago: Haymarket Books, 2019).

transportation services).¹⁰² Chicago Public Schools agreed to teach all eighth- and tenth-graders about the Burge's tortures.¹⁰³ The curriculum was unveiled in January 2017 and is now being implemented. The Chicago Torture Justice Center opened in May 2017.¹⁰⁴

Analysis of Reparations Package for Burge Torture Survivors

As soon as I began scheduling interviews, it quickly became clear to me that fewer of the Burge torture survivors were out of prison than I thought would be, and, by the same token, that few had been helped by the Burge reparations package than I thought had been. I initially thought I would interview ten torture survivors. Instead, I interviewed four torture survivors, Darrell Cannon, Mark Clements, Jaime Hauad, and Vincent Wade Robinson; and five mothers of torture survivors, Rose Cade (mother of Antonio Porter), Bertha Escamilla (mother of Nick Escamilla), Anabel Perez (mother of Jaime Hauad), Jeanette Plummer (mother of Johnny Plummer), and Armanda Shackelford (mother of Gerald Reed). I also interviewed four reparations organizers (Cindy Eigler, Joey Mogul, Sarah Ross, G. Flint Taylor) and a journalist (John Conroy).

As I listened to these inspiring individuals' stories, hundreds of questions sprung into my head. The questions I puzzled over most during the first interviews were: Why weren't Gerald Reed and Antonio Porter offered reparations? Why was Johnny Plummer offered reparations while Reed and Porter were not? Was valuation of suffering employed? Armanda

102. City of Chicago, Reparations Ordinance.

103. Chicago Public Schools, "Reparations Won: A Case Study in Police Torture, Racism, and the Movement for Justice in Chicago" (US history curriculum for tenth grade, 2017), www.scribd.com/document/358713213/Burge-Torture-Lesson-Plan#download&from_embed.

104. "Our Funders," Chicago Torture Justice Center, accessed July 20, 2019, chicagotorturejustice.org/about-us/our-funders/.

Shackelford, Rose Cade, and Jeanette Plummer did not know the answers to these questions. What's more, Cade and Shackelford felt wronged and used by CTJM and by the terms of the terms of the ordinance:

They didn't help us. They used us ... I didn't get none of that. My son didn't get none of that ... I mean I wasn't looking for it. But I mean we're not the ones that sitting in prison. If it should have went to anybody it should have went to them. Because they was going through a lot.¹⁰⁵

For the reparations, they just used us to get it ... they used me. Had me going down there protesting and speaking and marching and going on.¹⁰⁶

Scope

The official reparations ordinance reads:

As used in this Ordinance, the following definitions shall apply: "Burge victim" or "victim" means any individual with a credible claim of torture or physical abuse by Jon Burge or one the officers under his command at Area 2 or Area 3 Police Headquarters between May 1, 1972 and November 30, 1991. "Credible claim" means a credible claim of torture or physical abuse by Jon Burge or one of the officers under his command at Area 2 or Area 3 Police Headquarters between May 1, 1972 and November 30, 1991.¹⁰⁷

105. Rose Cade, interview with the author, Jan. 21, 2018.

106. Jeanette Plummer, interview with the author, Jan. 23, 2018.

107. City of Chicago, Reparations Ordinance.

These qualifications limited the scope of the reparations package compared to the number of broad universe of torture survivors. According to many interview subjects, there are approximately five hundred survivors rather than the 120 recognized by the reparations package and the fifty or sixty living survivors who benefited from the reparations package. The package does not cover anyone tortured before 1972 or after 1991, like Nick Escamilla who says he was tortured in 1993.¹⁰⁸ It does not cover anyone tortured outside of Area 2 or Area 3. According to Mark Clements, if torture happened “at a different police station, unfortunately, you were not considered as a torture survivor under this package.... All of the torture survivors should have been included.... Oh man, this was widespread. But for money purposes the attorneys only wanted to make it appear as if it was isolated.”¹⁰⁹ Finally, by covering only living survivors, the package fails to reach the families and descendants of torture survivors who have died.

Completeness

According to journalist John Conroy the reparations package is complete for the torture survivors it sought to address, even if it is not complete for the broader universe of torture survivors:

The package was complete for that set. I mean, it didn't reach everybody in that set. But, you know, a fair number of men got something for their horrific experience.... I would urge you to consider the idea that there was a group of torturers who were active in that period, and they were, you know, you could identify them,

108. Sarah Macaraeg and Yana Kunichoff, “‘Nothing Happens to the Police’: Forced Confessions Go Unpunished in Chicago,” *Manchester Guardian*, Jan. 28, 2016.

109. Mark Clements, interview with the author, Jan. 27, 2018.

and then some people who were active [in Areas 2] in that period went down to Area 1, and later Area 3, and they achieved the same number, and even greater numbers of false confessions without what many people would call torture. So if you look at the false confessions from the Englewood Four, for instance, or the false confessions from, you know, we represented a guy named Jerry Gillespie when I was over at DePaul legal clinic. He was slapped; he had a chair kicked out from under him; he was detained for many hours. And he signed a confession for a crime he didn't commit. He hasn't been exonerated. Now, in the UN definition of torture, that would be torture: getting slapped or psychological pressure being brought to bear. But it's in some ways a different kettle of fish—and when you're trying to convince somebody about a group of people who were abused, and you say electric shock, plastic bags over your head, typewriter covers, people get that. But people don't get “they told you to sign something and you could go home, and you signed it?” as torture, you know. So it's sort of torture lite. In some ways, it's much more insidious, because [police] get away with it, you know. I think that you will find, when all is said and done, twenty years from now, that the people who tortured Nick Escamilla will have tortured many more people than group one. But, nonetheless, that's not to discount what benefits were won for the victims of group one.¹¹⁰

Mogul and G. Taylor Flint focused on reparations for torture by Burge and his subordinates, since Burge had just been convicted; they did not seek reparations for the broader universe of torture survivors and believed they would not have been successful if they had tried:

110. Conroy, interview. The “Englewood Four” were four teenagers convicted in 1994 of rape and murder, based on false confessions. See, “‘Englewood Four’ Sue Over Wrongful Conviction For 1994 Rape, Murder,” CBS News, Nov. 15, 2012.

We chose Burge survivors because we were focused on Burge. We weren't really at that point looking into torture in general. We were looking primarily at cases that fit the UN's definition of torture. We were really focused a lot on electric shock, on the suffocation, on the mock executions, on the racist nature of the brutality. It wasn't that we were trying to exclude other people necessarily but it would have been too difficult to try to get reparations also for [Burge subordinates] Boudreau, Halloran, etc., in some circumstances. In other circumstances, though, like if a survivor was tortured while Boudreau was at Area 3—that survivor got reparations. But, as a whole, the city also was focused on and responsive to Burge because Burge had been convicted by the time we were doing reparations. So there was a clear reason for the city to accept reparations by people directly victimized by Burge. I'm pretty sure they wouldn't have accepted a broader definition.¹¹¹

So we picked the Burge torture cases because there has been so much work to document and unearth the evidence that there was this racist pattern of torture. And the fact that Burge had then been convicted in June 2010 meant that there was really no way for the city to deny that folks had been tortured. So we had—post-Burge's conviction—brought a class action in the criminal courts seeking relief, evidentiary hearings for all of the individuals who had been tortured under Burge's command. And, you know, so the fact is there is a continual dispute whether someone in fact was tortured, or physically abused, or coerced, but there was really no dispute to claim that someone didn't have a credible claim that they were tortured under Burge's command.... So that's why the class of people was created. I mean, honestly, it's upsetting and disappointing because there are other people who were tortured. You know,

111. G. Flint Taylor, interview with the author, Mar. 2, 2018.

I think a lot of people are upset. Like, what, you didn't get reparations for everybody? But we never said we were trying to get reparations for everybody. What we did was establish a precedent for giving reparations to people, and people should use our precedent and try to get reparations for others.¹¹²

The intentionally designed reparations package is quite complete for a subset of torture survivors; it remains true, however, that when one considers the broad universe of torture survivors the reparations package appears far less complete. Unfortunately, some survivors of police torture in Chicago and some of the general public do not understand this, because the media did not publicize the specific qualifications adequately.

I reviewed reports in the *Nation*, DNAinfo, the *Washington Post*, the *Guardian*, NPR, the *Chicago Tribune*, *In These Times*, Vice, and the *Chicago Sun-Times*.¹¹³ Except for the *Sun-Times*, all either misreported facts or failed to report the specific qualifications in the ordinance. The *Sun-Times* did pay attention to the language of the ordinance and explained the package's criteria carefully:

112. Mogul, interview.

113. Zach Stafford, "Chicago Is About to Offer the Nation's First Reparations Program for Victims of Police Violence," *Nation*, Apr. 22, 2015; Ted Cox, "Chicago Kids to Be Taught about Burge Torture as Part of Reparations Deal," DNAinfo, Apr. 14, 2015; Michael E. Miller, "Cop Accused of Brutally Torturing Black Suspects Costs Chicago \$5.5 Million," *Washington Post*, Apr. 15, 2015; "Chicago Offers \$5.5M Reparations Package to Victims of Police Torture," *Manchester Guardian*, Apr. 14, 2015; David Schaper, "Chicago Creates Reparations Fund for Victims of Police Torture," *The Two-Way*, NPR, May 6, 2015; Mills, "Burge Reparations Deal," *Chicago Tribune*; Taylor, "How Activists Won," *In These Times*, June 26, 2015; Alison Flowers, "As Part of a Reparations Deal, Chicago Teens Will Learn about Police Brutality in School," *Vice Magazine*, May 6, 2015; Spielman, "City Council Committee Approves \$5.5 Million," *Chicago Sun-Times*.

The ordinance now on track for final approval by the full city council on Wednesday includes a \$100,000 cap on individual awards. If the \$5.5 million fund is insufficient to pay all claims, it will be divided evenly among the victims. It defines victims as “any individual with a credible claim of torture or physical abuse by Jon Burge or one of the officers under his command at Area 2 or 3 between May 1, 1972, and Nov. 30, 1991. Criteria to be considered in determining whether a claim is credible include: “when and under what circumstances the claim of torture or physical abuse was first made or reported to someone; the consistency of the claim over time and any credible affirmative proof rebutting the claim” other than denials by Burge and cohorts who have repeatedly invoked their Fifth Amendment rights to avoid being questioned. “Using these criteria, if an individual is deemed to have a credible claim, he or she shall be entitled to financial reparations.... The nature and severity of the torture or physical abuse and the claimant’s guilt or innocence of the underlying crime shall not be considered when determining either eligibility for or the amount of financial reparations,” the ordinance states.¹¹⁴

The other news outlets were less successful. *Nation* wrote that “the city and the negotiating team agreed to lower that number based on an estimate that just 50 to 65 people will be eligible to apply, rather than the initial estimate of more than 100,” but the article does not explain what makes a survivor eligible to apply.¹¹⁵ The *Washington Post* reported that the reparations package is for “as many as 120 African-American men on Chicago’s South Side who were allegedly tortured by Burge between 1972 and 1991,” which neglects that the men were not *just* African-American, that the reparations package did not reach 120 men, that

114. Spielman, “City Council Committee Approves \$5.5 Million,” *Chicago Sun-Times*.

115. Stafford, “Chicago Is About to Offer,” *Nation*.

torture occur on both the West and the South Sides, and that not only Burge, but his specific subordinates were torturers.¹¹⁶ Even the politically progressive *In These Times* report did not explain how the pool of survivors was determined beyond that it excludes those who had died:

Based on an estimated pool of 120 potential survivors, CTJM adjusted its demand to \$12 million. The city responded with an offer of \$2–3 million. Shortly before the hearing, the negotiating team re-evaluated the size of the pool, reluctantly decided to remove the deceased survivors from eligibility for financial compensation, and calculated that in all likelihood the actual compensation pool would be more in the neighborhood of 50 to 60 people, making the \$100,000 per survivor realizable at \$5–6 million.¹¹⁷

Valuation of Suffering

Many do not understand why only some torture survivors received reparations and think that the designers of the reparations package deemed some survivors more worthy of reparations than others. Even after extensive reading, this was my perception until deep into my interviews. More importantly, as mentioned, the mothers of torture survivors, Shackelford, Cade, and Plummer, remain confused and hurt. Shackelford even cried that Plummer was the most deserving and that Plummer's son, of everyone, should have received reparations.¹¹⁸

In reality, as recorded in the ordinance, the qualifications were related to where torture occurred, who inflicted it, and when it was inflicted—it was not related to how much or how little survivors suffered. Conroy and Taylor both mentioned that Burge and his subordinates used harsher forms of torture than other detectives. Perhaps the designers of the reparations

116. Miller, "Cop Accused of Brutally Torturing Black Suspects," *Washington Post*.

117. Taylor, "How Activists Won," *In These Times*.

118. Armanda Shackelford, interview by the author, Jan. 19, 2018.

package subconsciously evaluated who suffered more while drafting the ordinance, but, in the official ordinance, the qualifications are not related to valuation of suffering. What's more, once survivors were deemed eligible, they all received the same monetary and nonmonetary benefits.¹¹⁹

Comprehensiveness and Complexity

The compensation of \$100,000 per torture survivor is very low relative to what the survivors experienced. Most torture survivors served a few decades in prison. If a torture survivor served twenty-seven years for a crime he did not commit, one could argue that he should be compensated as much as he would have made (\$407,160) if he were working for the national minimum wage (\$7.25 per hour). Arguably, he deserves even more.

However, the amount for the Burge reparations package is unsurprising when compared to my four case studies. While municipalities and states do have budget constraints to consider, Chicago, fought especially hard to keep monetary reparations as low as possible.

Survivors instructed Mogul and Taylor that they were only interested in a reparations package that included the top dollar offer; otherwise they would instead sue the city upon release from prison. Mogul explained:

I reached out to every single Burge survivor I could find in prison. And I actually set up phone calls with them and asked them, “do you want us to take this deal or not?” We tried to contact every single person. Could we get every single one? No we could not. But I think we talked to at least twenty people and they all universally said, “take whatever top dollar offer you can get.” And so we did.... But then, let me also be clear: you didn't have to take reparations. You know, John Plummer didn't. I flew down to Menard [Correctional Center], and I went and discussed with him whether he wanted that or not. And he made his decision. This was not forced on anyone. If someone thinks that they're entitled to more and they

119. City of Chicago, Reparations Ordinance.

have a legal means for going to get it, they can, but if you took the reparations package, you were saying “I’m never going to sue the city of Chicago again.”... And that’s because why would the city of Chicago agree to pay all this money to people and then be able to face a lawsuit at a later date? To be honest, I thought that was a fair tenet.¹²⁰

The three torture survivors I spoke with who received monetary compensation, Darrell Cannon, Mark Clements, Vincent Wade Robinson, expressed commonly that the money was inadequate compared to how much they suffered but that it was still helpful (see appendix 3).¹²¹ They also said that they cared less about the money and more about the many survivors still in prison.¹²² Cannon, the most positive of the three, did not dwell on unsatisfactory parts of the package but on the work yet to be done:

The reparations we received are something that black people in the United States have never been awarded until today. If you ask me am I totally satisfied? No I am not... When we started the fight, the glass was empty. The glass is now half full because of the hard work of so many people. We still have another half to fill before the glass can be totally full. And that other half is getting the other men who are still in prison back with new trials and new hearings. That mission is ongoing until at least thirty-five men who are still in prisons receive their hearings. We still have a ways to go.¹²³

120. Mogul, interview.

121. Darrell Cannon, telephone interview, Apr. 3, 2018; Clements, interview; and Vincent Wade Robinson, interview with the author, Mar. 10, 2018.

122. Ibid.

123. Cannon, interview.

Ultimately, the monetary portion of the reparations package was inadequate but unavoidably so.

The broad array of other provisions, which rival the Chilean or German packages, help increase the Burge reparations package's overall comprehensiveness and complexity. In fact, CTJM seemed to stress the need for a range of services. Mariame Kaba, a CTJM organizer, described CTJM's vision as "imagining a new way, perhaps through art":

The focus of abolition is addressing needs of people most affected. We were looking for an abolitionist revival—that's why we included all these services in the ordinance. I will go *all in* to fight for that vision. I will fight to the death for that vision. But not for prosecuting cops. I will never fight to the death for prosecuting cops. Because it is not enough. It will never be enough. Services that provide those affected what they need are where we must focus our attention.¹²⁴

Given the importance of nonmonetary reparations to the organizers and some of the survivors, I chose to analyze each major service for how well it has (or will) meet the needs of survivors.

Memorial

In 2011, the Chicago Torture Justice Memorials started doing charettes, or presentations, about memorials around the world that responded to state violence. At that time, hundreds of artists responded to CTJM's call for proposals. Ross explain that "there's a lot of process involved. At least that's how we're handling it. We hope to commission five or six really good artists to come up with ideas but even then we don't know where it will go."¹²⁵

124. Mariame Kaba, "The Aesthetics of Abolition in the 21st Century" (discussion sponsored by the For the People Artist Collective at Hairpin Arts Center, Chicago, IL, Feb. 3, 2018).

125. Ross, interview.

During CTJM interviews, survivors said that having their names included in the memorial is important to them, which rules out a Chicago Park District site. (The district does not permit memorials to living people.) Ross explained:

We've been thinking of just buying private land and having it on private land so we can say what we want. Otherwise [there] will be a huge battle with the city or park district or whatever. All of the memorials in the city are super whitewashed. That is not our vision. This whole thing is to try to force the city to be accountable.¹²⁶

In spring 2019, the University of Chicago's Arts Incubator Gallery exhibited design images and maquettes by six finalists for the memorial. CTJM selected the artists "based on their experience making monumental public art works and their history of connecting art with social justice struggles." A jury of survivors, their families, community organizers, architects, and others will select the winning design soon, and "the next step will be finding a site and raising the several hundred thousand dollars needed for the creation of the monument."¹²⁷

CTJM has been extremely thoughtful and intentional about working to meet the comprehensive needs of survivors in the construction of the memorial. Isis Ferguson of CTJM described the memorial's collaborative process as taking the time to "build consensus and authentic relationships."¹²⁸ Organizers should to be just as thoughtful in finding and including the many torture survivors who were left out of the

126. Ibid.

127. Maya Dukmasova, "Chicago Torture Justice Memorials Is Pushing Ahead to Create a Site of Remembrance for Burge Victims," *Chicago Reader*, Mar. 13, 2019.

128. Ibid.

reparations package.¹²⁹ Anabel Perez, the mother of Jaime Hauad, expressed how she was hurt that her son's name was not included in an earlier art-based protest: "They were putting the names of all the ones that were [tortured by] Burge on the floor. And I was like, my son's name should be there because my son was tortured. I don't remember but I think I put my son's name there anyway."¹³⁰

Chicago Torture Justice Center

The city provides free space for a Chicago Torture Justice Center (CTJC) in the Englewood Health Center that is small, relatively unwelcoming, and has no windows. The building has limited hours (9 am–5 pm weekdays, one Saturday each month for shorter hours), but it is close to train and bus lines and CTJC offers survivors transportation passes. CTJC is working with local architect Monica Chadha of Civic Projects to design a larger, welcoming, and comfortable space, which will remain in the South Side with easy access to transportation.¹³¹

CTJC offers a range of services. Its staff prioritizes individual services to Burge torture survivors and their families, but they have recently open the center to anybody affected by police violence.¹³² Services include therapy and holistic casework (reintegration services, job training, help locating housing and health services, etc.) at CTJC or survivors' homes. CTJC consistently sends letters and cards to imprisoned survivors. CTJC also offers support groups for survivors of torture, for family members of survivors, and for anybody affected by police violence. CTJC is working to build partnerships with other organizations in the community such as

129. The *Reader* article only mentions "125 African American" Burge survivors. See, *ibid.*

130. Anabel Perez, interview with the author, Feb. 17, 2018.

131. Cindy Eigler, interview with the author, Feb. 28, 2018.

132. "Our Work," Chicago Torture Justice Center, 2019, chicagotorturejustice.org/programs-and-services/.

Bridge to Freedom, a halfway house; CTJC plans to host support groups there and in at least three other locations in the community. CTJC cannot meet survivors' every need, and these partnerships will help CTJC refer survivors to other community providers.¹³³

CTJC's advisory council, Realizing and Implementing Strategies to End Police Violence (RISE), is comprising of seven survivors and family members. For limited compensation, RISE members inform the majority of center initiatives, lead monthly community meetings (CTJC has held seven to date), and hold other community events such as film screenings, discussions on policing, parties, and art events. A speakers bureau trains survivors and family members to tell their stories, which educates audiences and proves therapeutic for the speakers.¹³⁴

Cindy Eigler, CTJC director of policy and strategic initiatives, says that

healing services are our foremost focus since not many organizations provide that. And we recognize that healing can look a lot of different ways and try to provide every venue for healing possible: therapy, restorative justice, support groups, events, political work. We believe healing work can be deeply political and political work can be deeply healing.¹³⁵

After 2018, the city's initial three years of funding CTJC ends. In the latest round of funding, CTJC asked the city for \$400,000, but received only \$287,000 (transferred from the Public Health Violence Prevention Budget). Fund-raising and grant applications covered the remaining 40 percent of the operating budget. The loss of city funding and the cost of a new center would need to be met by other sources.

133. Eigler, interview.

134. Ibid.

135. Ibid.

Despite valiant outreach efforts, CTJC has failed to reach and serve some of the torture survivors and family members with whom I spoke. Cannon, Clements, and Robinson, who are RISE advisory council members, were the only survivors who use CTJC's resources regularly. CTJC did reach Shackelford, but not Cade, Escamilla, and Plummer. Plummer emotionally conveyed her sense of hurt:

I didn't know they had opened up this torture center.... I had to hear [about it] from somebody else.... I think they gave us a dirty deal. Had us marching and pushing for this and then they didn't even tell me it had opened. That's wrong.¹³⁶

CTJC's services are uniquely inclusive in that they are geared toward all survivors, even those not included in the reparations package. CTJC should expand their outreach efforts and their home-visit services to meet the critical needs of more survivors and their families.

Chicago Public Schools Curriculum

The American Bar Foundation, Black People against Police Torture, Chicago Public Schools Department of Social and Emotional Learning and Office of Safety and Security, the Chicago Teachers Union and its foundation, the Chicago Torture Justice Center, Chicago Torture Justice Memorials, and the Constitutional Rights Foundation Chicago created the historic Reparations Won curriculum. Every Chicago Public School is mandated to teach the curriculum.

The 116-page curriculum comprises six parts and a unit assessment, spanning about fifteen class periods. Part 1: Unit Launch uses a "talking circle" to introduce the curriculum and begin building a safe environment for the discussion of difficult issues. Part 2: *What Is the Burge Torture Scandal?* introduces basic facts. Part 3: *How Did the Burge Torture Scandal Affect Survivors?* asks students to read testimonies from torture

136. Plummer, interview.

survivors and their families, including Darrell Cannon, Anthony Holmes, and Mary Johnson, and to use words from the testimonies to create found poetry. Part 4: *How Did This Happen?* examines institutional racism, individual racism, concerns about crime, the tension between the Chicago Police Department and communities of color, and the role of political leaders. Part 5: *How Did the Community Respond?* examines the role of activists, torture survivors, lawyers, journalists, and groups beyond Chicago, who organized to seek justice. Part 6: *Reparations and Reflections* asks students to read the reparations agreement and to reflect on what they have learned. The unit assessment asks students to develop a plan for a memorial that will educate the public about the Burge scandal.¹³⁷

The curriculum is being successfully taught in majority African American and/or Latinx communities but has been delayed in majority white communities where parents, many with ties to the Chicago Police Department, are extremely resistant to the curriculum.¹³⁸ Taylor noted:

Once it was announced, you had the forces of the FOP [Fraternal Order of Police], and, in particular in the Northwest and Southwest Sides, the parents being resistant. So you had to fight all of the internal political forces to work out the curriculum, and then you had the resistance. I don't know if it's going down in the white communities where the parents, some of them are cops. But I know I went to Pilsen.... In the communities of color there's a tremendous interest and acceptance and the teachers are very up for it.¹³⁹

I attended a meeting at Wildwood Elementary on the Northwest Side where 65 percent of students are white. The administration was holding

137. Chicago Public Schools, "Reparations Won."

138. Alex Nitkin, "Teaching Kids about Burge 'Deplorable,' Parents in Police-Heavy 'Hood Say," DNAinfo, Sept. 14, 2017.

139. Taylor, interview.

a series of community forums to try to ease tension regarding the curriculum. The forum I attended included Norman White, Chicago commissioner on human relations, William Looney, the local police commander, the chair of Wildwood's Department of Social Studies, the chief of schools for the Northwest District, and Wildwood's principal. All panelists discussed the benefits of the curriculum and said it would not disrespect police officers; however, most were interrupted by audience members shouting complaints, even though the principal made clear that complaints should be in writing and not spoken. Parents called the curriculum "insane," lamented that they had "to be here to hear this garbage," and screamed that the police were the true victims while the survivors were criminals "with rap sheets as long as this table." They discussed pulling their kids from school on the days the curriculum would be taught. Some wrote statements, like "Burge never convicted of torture—yet a monument to alleged victims will be erected! How does that teach kids that crime doesn't pay?!! These alleged victims were criminals" and "Why isn't the background of the 'alleged' victims *included* in the curriculum?"¹⁴⁰

For his part, Darrell Cannon, whom teachers frequently invite into their classrooms to speak, is confident that white parents' resistance will subside. Moreover, he believes that he can change such parents' minds simply by engaging in conversation with them:

Well, eventually issues will be ironed out. I've been into a couple of schools where some of the students' parents were police and they were very concerned about me coming in to speak about the curriculum. I have had teachers whose husbands or wives were police officers. And I taught the curriculum to them. And they came in very narrow minded and then once they heard me speak they gave me a hug and said "hey, this is alright here." So I said "hey, thank

140. "Reparations Won Forum" (community forum at Wildwood Elementary School, Apr. 2, 2018).

you.”... And I have offered to come to any PTA meeting—North Side, suburbs, wherever—where they have a group of parents who have police members of their family. I have offered to come to their PTA to give them a crash course in what I teach in schools, and I’m willing to do that at any given time.¹⁴¹

Darrell is so committed to changing minds about the curriculum in part because visiting schools to talk about his experiences has been incredibly rewarding and healing for him:

As far as I’m concerned, the most potent part of all of this is when we got the right to have the curriculum taught in public schools. That is something that has never been done in America.... It is beautiful. I have already seen personally over 125 letters. And every one of them was positive, upbeat—the whole works. Every time I go into a school to speak to children, I am honored by being able to do so, because their teachers are allowing me to come in and put just a little taste of something in their minds for them to think about and review and that is an awesome responsibility that I do not take lightly at all. And every school that I have been in has been more than receptive to me. It has been fantastic. I’ve had students that ask me can they hug me? And I tell them yes. I’ve had students that ask me can I autograph their forehead, write something on their arm, write something on their book bag. I mean they have made me feel like I’m a star.... I left there feeling as if I was on top of the world.¹⁴²

All told, the Reparations Won curriculum is impressive in its depth and comprehensiveness, and its honesty about harsh realities like torture and institutional racism. Because the curriculum is mandated in ever

141. Cannon, interview.

142. *Ibid.*

CPS school, even students with resistant parents will learn about these harsh realities and, hopefully, be more conscious. Importantly, survivors receive the gratification of knowing that a large population of young people in Chicago acknowledge their suffering and are learning what they went through, after decades of no one believing them. Almost all of the survivors communicated to me how miraculous, validating, and healing they found the CPS curriculum.

Higher Education and Health Services

The city provides free education at the City Colleges of Chicago for torture survivors, their family members, and their descendants. The torture survivors I spoke with had earned the equivalent of community college degrees while they were in prison. Upon reentering society, they were either seeking employment or higher education. Robinson, for instance, left prison seeking an arts degree and was rejected by several colleges, before being accepted by Northeastern Illinois University, which is not a city college. Robinson was frustrated by this oversight in the reparations package:

They had a portion there talking about community college. Y'all couldn't have thought this out? Why y'all automatically assume that none of us were taking advantage of the academic programs while we was incarcerated? We were able to get Pell Grants. They didn't think it out. Now [my tuition has] got to come out of pocket. So, no, its not helping me none.¹⁴³

The city provision of health services is also lacking. Torture survivors and their families can only jump to the front of health-care wait lists, but the package does not cover their health-care expenses. Cade, Escamilla, Plummer, and Shackelford all have health ailments that are not covered by the package. Escamilla was especially moved by Plummer's plight:

143. Robinson, interview.

They didn't give her no therapy... I talked to her yesterday and it was a couple of weeks ago she told me they finally approved her to get therapy at Rush... But if anybody deserves something from the reparations ... they don't even call her. And they used her. It hurts. [sobbing] ... They could have done something toward her. Not toward me. I don't want it. I want you to help somebody who really could use the help.¹⁴⁴

Ultimately, health and education services are the least comprehensive in the whole package, failing to meet survivors' and their family members' needs in major ways.

Continuity

The individuals I interviewed believe that members of the Chicago Police Department remain abusive. Cade and Plummer separately decided that when their sons are freed, they will move out of Chicago. Cade said to me,

Chicago police is so corrupted that they take people, they put murders on them, they put drugs on them, they put guns on them. They do what they want to do. Because they can get away with it. Code of silence, they call it... [When my son comes home,] I'm probably going to sell my house and move to another city. A city that's not so corrupt... Torture and police misconduct is not in the past. It continues every day. Every day. And it's sad. I know every city is corrupted and they do things under the rug and stuff, but, I mean, Chicago is just really corrupted. Really.¹⁴⁵

Plummer fears for her son's safety: "[Johnny] probably can't stay in Chicago. He's gonna have to move. Because the police won't leave him

144. Shackelford, interview.

145. Cade, interview.

alone.”¹⁴⁶ And, for their part, Both Clements and Escamilla moved to the suburbs in order to feel safer; Clement said, “really I should save myself. . . . I got to get on up out . . . so I wouldn’t be a statistic.”¹⁴⁷

It is unsurprising that the survivors and family members share this conception. The US Department of Justice’s 2017 special investigation condemned the Chicago Police Department as excessively violent in a lengthy report,¹⁴⁸ which

found reasonable cause to believe that the Chicago Police Department (CPD) engages in a pattern or practice of using force, including deadly force, in violation of the Fourth Amendment of the Constitution. The department found that CPD officers’ practices unnecessarily endanger themselves and result in unnecessary and avoidable uses of force. The pattern or practice results from systemic deficiencies in training and accountability, including the failure to train officers in de-escalation and the failure to conduct meaningful investigations of uses of force.¹⁴⁹

The report noted that the “egregious uses of deadly force” by CPD officers largely went unpunished due to a lack of accountability: “The City received over 30,000 complaints of police misconduct during the five years preceding our investigation, but fewer than 2 percent were sustained,

146. Plummer, interview.

147. Clements, interview.

148. US Department of Justice Civil Rights Division and the US Attorney’s Office Northern District of Illinois, *Investigation of the Chicago Police Department* (Washington, DC: Department of Justice, Jan. 13, 2017), www.justice.gov/opa/file/925846/download.

149. US Department of Justice, “Justice Department Announces Findings of Investigation into Chicago Police Department,” press release no. 17-057, Jan. 13, 2017, www.justice.gov/opa/pr/justice-department-announces-findings-investigation-chicago-police-department.

resulting in no discipline in 98 percent of these complaints.”¹⁵⁰ One recent example of CPD’s continuing abuse is Homan Square. Over the past decade, “police used punches, knee strikes, elbow strikes, slaps, wrist twists, baton blows and Tasers” on at least fourteen men.¹⁵¹ Despite extensive documentation, CPD denies wrongdoing at Homan Square, where the mayor says police “follow all the rules.”¹⁵²

In conclusion, CPD abuse is continuous, but there is some hope: survivors agreed that CPD abuse is less pervasive now. Anabel Perez, mother of Jaime Hauad, commented on how Kim Foxx, the new Cook County state’s attorney, is doing important work and righting the wrongs of her predecessor:

I’m super grateful for Kim Foxx for what she’s doing not only for me but what she’s doing for a lot of people.... In these thirteen months she did more than Anita Alvarez did in eight years. So its just a blessing to see that she’s truly looking out. She’s bringing justice. She’s trying to do the right thing. Police abuse has slowed down: we’re not exactly where we used to be. But there’s still definitely a lot of room for it to be fixed.¹⁵³

150. *Ibid.*, 7.

151. Spencer Ackerman, “‘I Was Struck with Multiple Blows’: Inside the Secret Violence of Homan Square,” *Manchester Guardian*, Apr. 11, 2016.

152. Curtis Black, “Mayor Sticks to Script on Reports about West Side Police Facility,” *Chicago Reporter*, Mar. 3, 2015.

153. Perez, interview. Anita Alvarez delayed releasing evidence and charging a CPD officer for the murder of Laquan McDonald, which led to Alvarez losing reelection to Kim Foxx. See, Monica Davey, “Prosecutor Criticized Over Laquan McDonald Case Is Defeated in Primary,” *New York Times*, Mar. 16, 2016.

Moral Awakening

In the case of the Burge reparations package, I believe it is fair to say that progressive Chicagoans and young Chicagoans experienced a moral awakening due to the media coverage of the reparations package and the Chicago Public Schools curriculum, respectively. I believe less progressive Chicagoans (congregated in majority white neighborhoods) did not experience a moral awakening, as evidenced by the parents at Wildwood Elementary. They either do not believe torture occurred, think that the torture survivors deserved tortured because some were “criminals,” or turn a blind eye to CPD’s transgressions based on loyalty to the police. The journalist John Conroy said “I don’t know that if you went to different neighborhoods if you would find that there was any kind of moral awakening.... If you went to Beverly or the far Northwest Side where a lot of cops live I don’t know that there’d be a great moral awakening.”¹⁵⁴

I do not believe the Chicago Police Department as a whole has experienced a moral awakening. Certainly, some officers are good, nonviolent, acknowledge CPD’s past and present abuse, and try to change CPD from the inside. However, racially motivated violence and a lack of accountability continues in the force. The US Department of Justice’s investigation of CPD, conducted in early 2016, found that “some Chicago police officers expressed discriminatory views and intolerance with regard to race, religion, gender, and national origin in public social media forums, and that CPD takes insufficient steps to prevent or appropriately respond to this animus. As CPD works to restore trust, ... it must recognize the extent to which this type of misconduct contributes to a culture that facilitates unreasonable force and corrodes community trust.”¹⁵⁵

Within city government, officials refused to acknowledge, stop, or apologize for the Burge tortures for decades. Only in 2015, as mandated by the reparations package, did city officials, most notably, Emanuel, offer

154. Conroy, interview.

155. US Department of Justice, *Investigation*, 15

an adequate and sincere apology. According to Sarah Ross, the apology “felt really genuine” and “people felt really moved.”¹⁵⁶ Conroy commented that there was “a moral awakening among members of the Emanuel administration.”¹⁵⁷ Taylor offered the most nuanced argument that city officials experience a change of consciousness:

I think there was a change of mind.... I think it was a gradual thing. And, you know, we were able to get certain progressive alder-people on our side back in the early 2000s and even back in the late eighties.... We had certain people within city council that supported us, ... and it reached a critical mass around the time just before Burge was indicted and then more people accepted it.... I think you could see incrementally more politicians became either believers that the torture happened and that these men were victimized by torture, that it was a racist operation. But, you know, politicians are opportunists as well.... It became more and more obvious and the media became more and more on our side, so to speak (although that’s a little bit strong) you know, but it became an issue that the media was interested in, was editorializing about, putting on the front pages, you know, things like that. And it became more comfortable for politicians to be on the side of the tortured rather than on the side of the torturers. So, yeah, that’s a progression.... We’re now reached a point that ... for a lot of politicians, that they really do believe that these men were tortured and that it was wrong and that they deserve to be recognized and compensated. So, that’s kind of a seismic shift from back in the eighties when we started to get involved.¹⁵⁸

156. Ross, interview.

157. Conroy, interview.

158. Taylor, interview.

Emanuel apologized in May 2015, in the most seemingly genuine way he could muster, because the activist movement had reached a head—it would have been deeply unpopular at that point for him not to apologize. Moreover, he hoped to relegate CPD abuse to the past by “closing this dark chapter in the history of the City of Chicago.” However, a month prior to this apology, the city’s “dark chapter” was not closed. In April 2015, the city settled with the Laquan McDonald’s family for \$5 million, nearly the same amount as the Burge reparations package; and in February 2015, the mayor denied recent torture allegations against police in Homan Square.¹⁵⁹ I am, therefore, not convinced that the mayor or other city officials, who resisted reparations for so long, truly experienced a moral awakening.

More importantly, almost all of the torture survivors and their family members do not believe the city’s apology was sincere. With words I believe most of the torture survivors and their family members would agree with, Bertha Escamilla, mother of Nick Escamilla, said that the city’s apologies remain worthless to her; instead, she wants action: “Everybody knows about these police officers, and nobody did anything. The state’s attorney didn’t do anything. The mayor didn’t do anything... You know what I want? Put those cops in jail. That would make me feel better. I don’t want your apology.”¹⁶⁰

159. Monica Davey, “Chicago Pays \$5 Million to Family of Black Teenager Killed by Officer,” *New York Times*, Apr. 15, 2015; Black, “Mayor Sticks to Script,” *Chicago Reporter*.

160. Escamilla, interview.

Conclusions and Policy Recommendations

The question that began my research was simple: how effective is the Burge reparations package? After extensive data collection and complex analysis, my multipart argument is that the reparations package 1) is lacking in scope; 2) is adequate in completeness for the defined class of torture survivors but inadequate in completeness for the entire universe of police torture survivors in Chicago; 3) is impressive in its complexity; 4) is comprehensive in nonmonetary aspects but incomprehensive in monetary aspects; 5) has little to no valuation of suffering; 6) addresses abuse that is continuous; and 7) evoked a moral awakening for some individuals but not for most government officials or the Chicago Police Department.

In terms of typology the Burge reparations package was an attempt at an octopus package, but was not entirely successful. A successful octopus package is complete or still working toward completeness, the abuse it responds to is not continuous, and it evokes a widespread moral awakening. None of this is true for the Burge reparations package. The Burge reparations package could be considered a mix of a health-focused and an education-focused reparations package. However, its health-care services are not as comprehensive and complex as those of a reparations package that is distinctly health focused, like Chile's for the Pinochet Regime, and its education services are not as comprehensive and complex as those of a reparations package that is distinctly education focused, like the United States' after the Japanese internment. Perhaps the Burge reparations package warrants its own subcategory. In keeping with the deep-sea theme of the octopus reparations package, we could call the Burge reparations package a five-armed starfish reparations package: not quite as effective as an eight-armed sea creature.

Is it possible for organizers to make up for these metaphorical missing arms? I asked survivors for recommendations to improve the plight of

torture survivors and their families. Based on their responses, I recommend improving the Burge reparations package in the following ways: organizers should 1) advocate for expanded funding for independent investigations of police officers linked to torture; 2) advocate for expanded funding to CTJC and for health-care services; 3) rethink certain aspects of CTJC services, the memorial, and education services to make them more inclusive for all survivors and their family members.

Recommendation I: Independent Investigations of Police Officers

This recommendation offers a feasible way to remove abusive police officers from the CPD and to exonerate survivors. In 2009, the Illinois Torture Inquiry and Relief Commission was established to investigate tortures by Burge and his officers; in 2016, the commission expanded to include officers not connected to Burge.¹⁶¹ The commission is underfunded, has a backlog of over four hundred cases, and must rely on private attorneys working pro bono on its multiyear investigations.¹⁶²

Organizers should press the State of Illinois for adequate funding for the commission. At its current rate of investigation, the commission “would need more than 23 years to make it through the cases currently before them.”¹⁶³ This is unacceptable for the torture survivors still in prison and for the young people of color in Chicago who might have the misfortune of being interrogated by a police officer whose past tortures went undisclosed for lack of funding. Numerous torture survivors have

161. “Mission and Procedures Statement,” Illinois Torture Inquiry and Relief Commission, 2019, <https://www2.illinois.gov/sites/tirc/Pages/default.aspx>.

162. Duaa Eldeib, “Claims Overwhelm Commission Investigating Burge Torture,” *Chicago Tribune*, Apr. 17, 2017.

163. Ibid.

successfully sued detectives—several have already retired with pensions before ever being investigated by the commission.¹⁶⁴

The city should establish an independent review committee of civil rights lawyers to investigate any detective who has been sued for torture. If the investigation finds that a detective has a patterns of civilian complaints, this information should be shared with the state’s commission, which could prioritize investigations involving that detective. A truly independent committee would go a long way towards building trust between communities of color and the police. It would also be in the best interest of the city, by avoiding future lawsuits, and in the best interest of the police department, by removing “bad apples” who lower the morale and morality of the force. A low percentage (1–10 percent) of Chicago’s more than 12,000 police officers receive multiple civilian complaints; and, of all complaints, 20 percent involve the First Amendment or illegal arrests.¹⁶⁵ The city should thoroughly investigating and remove officers from the force who repeatedly violate civil rights. Investigations should be as transparent as possible and decisions shared with other police officers. These types of actions will begin to develop a culture of high standards, supervision, and accountability.

It is worth noting that, according to attorney Joey Mogul, it is easier to remove an officer from the CPD than to pursue an exhaustive and futile indictment or be stymied by the statute of limitations (as was the case with Burge). Mogul has fought to remove the statute of limitations on torture without success:

A long time ago, I drafted, or helped draft, legislation seeking a new federal crime of torture with no statute of limitations.... There’s no way [it’s] going to pass through a Jeff Sessions DOJ or

164. Andy Grimm, “Retired Detective Accused of Abusing Suspects Testifies in George Anderson Case,” *Chicago Sun-Times*, Feb. 4, 2019.

165. Rob Arthur, “How to Predict Bad Cops in Chicago,” *FiveThirtyEight*, Dec. 15, 2015.

under the Trump administration and where you have Blue Lives Matter bills out there. I think that's unlikely. I think the same with the state legislation. But, I also have to say that I'm not quite clear I think prosecutions of police officers are really effective means, and I think, personally, more time and energy has been thrown into trying to prosecute police officers and often with no results whatsoever ... in the last four or five years which cops have been successfully prosecuted, let alone indicted?... I think we should be asking for their removals before their prosecutions. Like the campaign right now should be why aren't we demanding that Boudreau and Halloran [Burge associates] be removed from the CPD?¹⁶⁶

Recommendation II: Expanded Funding to CTJC and Health-Care Services

This recommendation responds to CTJC's severe lack of funds for health-care services.

Organizer should urge the city to continue funding CTJC beyond the promised first three years. Perhaps a matching program can be established in which the city guarantees a certain budget based on a level of money raised by the center itself. Such a matching grant might encourage donations to support CTJC's new center.

The reparations package only gives survivors and their family prioritized access to health-care services ("jumping the line"), but does not fund the services themselves. Organizers should advocate for funds from the city devoted to giving survivors and their family members the same basic health-care services that city employees receive.

166. Mogul, interview.

Recommendation III: Inclusivity of CTJC Services, the Memorial, and Education Services

This recommendation stems from survivors and their family members experiences with CTJC services, the memorial, and education services that they found unhelpful or hurtful.

Some survivors and family members of survivors told me that CTJC's services do not reach them, either because CTJC never contacted them, CTJC is too far from their homes, or their health prevents them from travelling to CTJC. I recommend that CTJC improve outreach efforts and make more home visits. Regarding education services, many survivors have already studied at the community-college level while in prison; they cannot take advantage of the package's free tuition at a Chicago City College without repeating coursework. I recommend that the city give survivors and their families a subsidy equal to their city college tuition, which they can use at a college or university of their choice.

Regarding the memorial, survivors or family members who were not covered by the Burge reparations package lamented that they were left out of Chicago Torture Justice Memorials' art projects to date and worry that they will not be represented in the official memorial. The Chicago Torture Justice Center has already extended its services to all torture survivors, I recommend that Chicago Torture Justice Memorials do the same. ○

Appendix 1

Verbal Recruitment and Consent Forms

Form 1: Non-Torture Survivor

University of Chicago:

Verbal Recruitment and Consent Form for Research

Study Title: Jon Burge Torture Survivors Reparations (IRB17-1714)

Principle Investigator: Forrest Stuart, Associate Professor of Sociology

I am a student at the University of Chicago in the Department of Public Policy Studies. I am planning to conduct a research study, which I invite you to take part in. This form has important information about the reason for doing this study, what I will ask you to do if you decide to be in this study, and the way I would like to use information about you if you choose to be in this study.

Why are you doing this study? The purpose of this study is to understand your opinions about and experiences in designing the Jon Burge reparations package. I especially want to study how you perceive the reparations package to be unsatisfactory or satisfactory.

What will you do if you choose to be in this study? If you choose to be in this study, we will begin with an interview. You don't have to answer any questions you don't want to.

Study time: Interviews will last between 30 and 90 minutes.

Study location: All study procedures will take place at a location of your choice. I would like to take an audio recording of this interview so as to make sure that I remember all the information you provide. I will keep these audio records, my notes regarding the interview, and my

transcriptions of the interviews on a thumb drive that will only be used by me and will normally be stored in a locked safe box. If audio recording this interview makes you uncomfortable, I can take handwritten notes.

What are the possible risks or discomforts? The only risk I anticipate is your possible discomfort in discussing difficult experiences you may have had.

What are the possible benefits for you or others? You are not likely to have much of a direct benefit from being in this research study. Ultimately, the study results are to be used to help other people in the future via propelling the creation of more effective reparations packages.

How will I protect the information I collect about you, and how will that information be shared? Results of the study may be used in publications and presentations. Your study data will be handled as confidentially as possible.

Again, if you give me permission, I will record the interviews using my iPhone and then transcribe the interview using Trint on my laptop. If not given permission, I will take notes using Word on my laptop. I will then transfer the audio and Word files into UChicago Box. Having transferred them UChicago Box, I will remove them from my phone and computer. Any handwritten notes will be immediately scanned and transferred into UChicago Box and the papers will be destroyed.

When I correspond by email or by phone with you, I will encrypt the emails and phone conversations.

Finally, you will decide if you would like me to use a pseudonym for your name or not. If you would like to me to use a pseudonym, I will use a pseudonym for your name even as I am originally recording and transcribing the interviews. The key revealing your true name will be stored in UChicago Box in a separate password protected document from the data.

I ask that you not provide any information about criminal activity that has not yet been prosecuted, and to be aware that while I will attempt to

maintain all confidentiality, there is always a chance of subpoena. During the interview, if it seems that you are beginning to reveal information about yourself or others that could have legal importance, I will remind you that you should not reveal anything that has not yet been prosecuted.

Please let me know now if you would like me to use a pseudonym for your name or not.

Financial information: Participation in this study will involve no cost to you. If you want us to conduct the interview at a café or restaurant, I will offer to buy you a meal up to twenty dollars in cost.

What are your rights as a research participant? Participation in this study is voluntary. If at any time and for any reason you would prefer not to participate in this study, please feel free not to. We can take a break, continue at a later date, or stop altogether. You may withdraw from this study at any time, and you will not be penalized in any way for deciding to stop participation. If you decide to withdraw from this study, I will ask you if the information already collected from you can be used.

Who can you contact if you have questions or concerns about this research study? If you have questions, you are free to ask them now. If you have questions later, you may contact me at (312) 206-8715, email me at madelinea@uchicago.edu, or write me at 5328 S. Kimbark Avenue, Chicago, IL 60615.

If you have any questions about your rights as a participant in this research, you can contact the following office at the University of Chicago: Social and Behavioral Sciences Institutional Review Board; 1155 E. 60th Street, Room 414; Chicago, IL 60637; Phone: (773) 834-7835; Email: sbs-irb@uchicago.edu

If you agree to participate, please say so.

Form 2: Torture Survivor

University of Chicago: Verbal Recruitment and Consent Form for Research (Torture Survivor)

Study Title: Jon Burge Torture Survivors Reparations (IRB17-1714)

Principle Investigator: Forrest Stuart, Associate Professor of Sociology

I am a student at the University of Chicago in the Department of Public Policy Studies. I am planning to conduct a research study, which I invite you to take part in. This form has important information about the reason for doing this study, what I will ask you to do if you decide to be in this study, and the way I would like to use information about you if you choose to be in this study.

Why are you doing this study? The purpose of this study is to understand your opinions about and experiences as a beneficiary of the Burge reparations package. I especially want to study how you perceive the reparations package to have directly benefited you, and the ways you've experienced the reparations package to be unsatisfactory or satisfactory.

What will you do if you choose to be in this study? If you choose to be in this study, we will begin with an interview. You don't have to answer any questions you don't want to.

Study time: Interviews will last between 30 and 90 minutes.

Study location: All study procedures will take place at a location of your choice. I would like to take an audio recording of this interview so as to make sure that I remember all the information you provide I will keep these audio records, my notes regarding the interview, and my transcriptions of the interviews on a thumb drive that will only be used by me and will normally be stored in a locked safe box. If audio recording this interview makes you uncomfortable, I can take handwritten notes.

What are the possible risks or discomforts? The only risk I anticipate is your possible discomfort in discussing traumatic experiences.

What are the possible benefits for you or others? You are not likely to have much of a direct benefit from being in this research study. However, you may find talking about your difficult experiences to an engaged listener therapeutic, and you may relish having your story spread to the broader public. Still, ultimately, the study results are to be used to help other people in the future via propelling the creation of more effective reparations packages.

How will I protect the information I collect about you, and how will that information be shared? Results of the study may be used in publications and presentations. Your study data will be handled as confidentially as possible.

Again, if you give me permission, I will record the interviews using my iPhone and then transcribe the interview using Trint on my laptop. If not given permission, I will take notes using Word on my laptop. I will then transfer the audio and Word files into UChicago Box. Having transferred them UChicago Box, I will remove them from my phone and computer. Any handwritten notes will be immediately scanned and transferred into UChicago Box and the papers will be destroyed.

When I correspond by email or by phone with you, I will encrypt the emails and phone conversations.

Finally, you will decide if you would like me to use a pseudonym for your name or not. If you would like to me to use a pseudonym, I will use a pseudonym for your name even as I am originally recording and transcribing the interviews. The key revealing your true name will be stored in UChicago Box in a separate password protected document from the data.

I ask that you not provide any information about criminal activity that has not yet been prosecuted, and to be aware that while I will attempt to

maintain all confidentiality, there is always a chance of subpoena. During the interview, if it seems that you are beginning to reveal information about yourself or others that could have legal importance, I will remind you that you should not reveal anything that has not yet been prosecuted.

Please let me know now if you would like me to use a pseudonym for your name or not.

Financial information: Participation in this study will involve no cost to you. If you want us to conduct the interview at a café or restaurant, I will offer to buy you a meal up to twenty dollars in cost.

What are your rights as a research participant? Participation in this study is voluntary. If at any time and for any reason you would prefer not to participate in this study, please feel free not to. We can take a break, continue at a later date, or stop altogether. You may withdraw from this study at any time, and you will not be penalized in any way for deciding to stop participation. If you decide to withdraw from this study, I will ask you if the information already collected from you can be used.

Who can you contact if you have questions or concerns about this research study? If you have questions, you are free to ask them now. If you have questions later, you may contact me at (312) 206-8715, email me at madelinea@uchicago.edu, or write me at 5328 S. Kimbark Avenue, Chicago IL 60615.

If you have any questions about your rights as a participant in this research, you can contact the following office at the University of Chicago: Social and Behavioral Sciences Institutional Review Board; 1155 E. 60th Street, Room 414; Chicago, IL 60637; Phone: (773) 834-7835; Email: sbs-irb@uchicago.edu

If you agree to participate, please say so.

Appendix 2: Interview Questions

For Torture Survivors

- How long were you in prison for and when did your sentence begin?
- Sharing as much or as little as you feel comfortable sharing, what happened that led you to be in prison for that period of time?
- Sharing as much or as little as you feel comfortable sharing, what did you feel like you lost as a result of these experiences?
- What have you personally received as a result of the reparations package?
- Do you feel that the reparations package made up for much of what you lost through your experiences?

For Authors and Implementers of the Reparations Package

- In what ways were you involved in authoring or implementing the 2015 reparations package for survivors of torture by Jon Burge? Can you tell me some stories from these experiences?
- Why did you get involved in authoring or implementing the reparations package? Why was it an important project for you?

For Both

- How satisfied are you with how the Burge reparations package turned out? Tell me about particular moments when you felt satisfied with the process.
- In your estimation, how complete is the reparations package in terms of scope? In other words, do you feel that the reparations package reached *all* who were deserving of reparations? Please give me some examples.
- In your opinion, how comprehensive and complex is the reparations package? In other words, do you feel like the reparations package

provided as many different types of redress as it should have and that those types of redress were satisfactory (i.e., was compensation that was offered enough)? Please give me some examples.

- In your estimation, did the reparations package take into account valuation of suffering? In other words, did torture survivors who underwent certain types and durations of suffering receive more reparations? Please give me some examples.
- In your opinion, did the City of Chicago and all of its actors, truly feel sorry for the Burge torture era and did they truly wrestle with their past in a way that resulted in a moral reckoning and consequent change of ways? Please give me some examples.
- On a similar note, in your estimation, are practices of police brutality and torture over within the Chicago Police Department? Is the Burge torture era entirely a chapter in our city's past? Please give me some examples.

Appendix 3: Portraits of Torture Survivors and Mothers of Torture Survivors



Rose Cade

Rose Cade's son, Antonio Porter, has been in prison for seventeen years after being charged with murder in 2002 when he was twenty-seven. Police officers arrested Porter for a traffic violation, took him to the Area 5 police station, and charged him for a murder that had been committed on 74th and Dorchester. They kept Porter three days, cursed at him, threatened him, and prevented him from reaching his mother. He confessed. Porter had inadequate representation and was convicted. Porter is not eligible for reparations because the torture occurred outside of Area 2 or 3 and outside the timeframe (1972–1991) of the reparations ordinance.¹

Attorney Kathleen Zellner has taken Porter's case pro bono. Based on the lack of DNA evidence linking Porter to the crime and the recanted testimony of witnesses, Zellner submitted a request for Porter's exoneration to the Cook County Integrity Unit. To date, prosecutors say that there is "insufficient new evidence to demonstrate that he is probably innocent of the crime."²

1. Rose Cade, interview with the author, Jan. 21, 2018.

2. Gregory Pratt, Cook County Prosecutors Rebuff Inmate's Innocence Claim, *Chicago Tribune*, Apr. 17, 2018.



Darrell Cannon

At fifteen, Darrell Cannon, then a member of the Blackstone Rangers street gang, shot and wounded two rival gang members and received juvenile detention. Soon after leaving detention, at the age of twenty, in 1971, he was convicted of killing a storeowner and was released on parole in 1983. While on parole, he witnessed a fellow gang member kill a drug dealer and dispose of the body. Sergeant John Byrne and Detectives Peter Dignan and Charles Grunhard, all Burge subordinates, arrested Cannon on November 2, 1983, for murder. Using racial slurs and pointing a gun at him, the detectives took him to an isolated area in Area 2 and tortured him. They beat him with a flashlight, suffocated him with a plastic bag, shocked his testicles and mouth with a cattle prod, and placed a shotgun in his mouth—repeating this mock execution three times. Cannon confessed. The judge refused to allow the submission of the torture evidence, including Cannon's drawing of the torture site. (The judge, Thomas Maloney, was later convicted of fixing murder cases around the time Cannon appeared before him.³) Based on the tortured confession, and no other evidence, Cannon was convicted to natural life in prison. He was thirty-three and served twenty-four years.

3. John Conroy, "Poison in the System," *Chicago Reader*, June 24, 1999.

After decades of litigation, which included a minor settlement from the city of \$3,000, the Cook County State's Attorney's Office dismissed his criminal charge in 2004. Unfortunately, the parole board, after twenty-one years, charged him for violating his parole in 1983; he remained in prison until 2007. Veronica Messenger, an investigator with the Chicago Police Office of Professional Standards, sustained allegations of the torture of Cannon against Byrne, Dignan, and Grunhard.⁴

After prison, Cannon work for Ceasefire Chicago, a nonprofit that teaches gang members alternatives to violence. He turned down a multimillion dollar settlement from the City of Chicago:

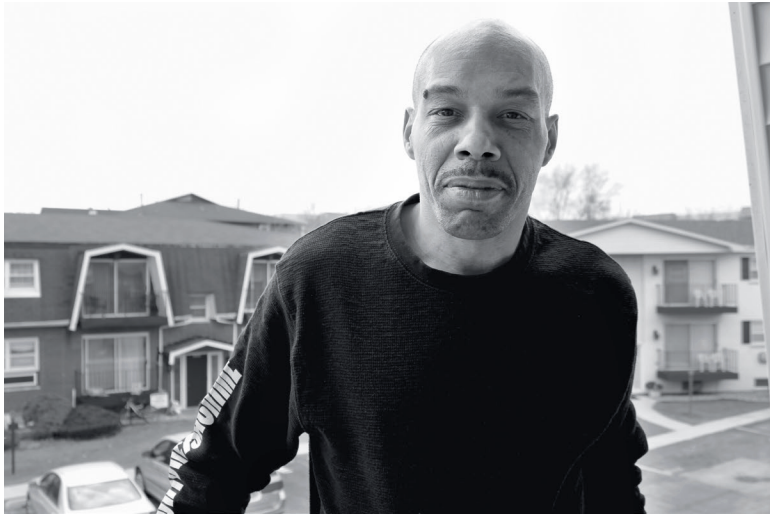
I refused it because it's a matter of principle. I have to look at me everyday in the mirror and I don't ever want to see a man who allows money to silence him from speaking about the ugly chapter involving black people. Therefore I made the decision right away not to accept the money because I had people in prison, other black men, depending on me to remain strong and help them get another hearing in front of the judge.⁵

Cannon's refusal of the settlement and freedom to speak helped organizers design and articulate the reparations package. Cannon received \$100,000 in reparations. He used part of the money to pay for his brother's burial in 2016, to support his daughters, and to buy a car for himself and his wife. Cannon is a member of the RISE Advisory Council of the Chicago Torture Justice Center and Chicago Torture Justice Memorials. He speaks to students at dozens of CPS schools as part of the Reparations Won curriculum.⁶

4. Darrell Cannon v. Illinois Prisoner Review Board et al., Circuit Court of Cook County (Oct. 19, 2004).

5. Darrell Cannon, telephone interview with the author, Apr. 3, 2018.

6. Ibid.



Mark Clements

Mark Clements was in prison for twenty-eight years after being charged with setting a fire that killed four people in 1981 when he was sixteen. In order to collection a \$10,000 award, a teenager falsely accused three men, Clements, Kenneth Miner, and James Robinson, of setting the fire. Clements was taken to the Area 3 police station where Detectives Daniel McWeeny, James Higgins, and John McCann, who were openly drinking, spent over an hour kicking and punching him, hitting him with telephones, and squeezing his genitals. Clements, who was functionally illiterate, signed a confession that he could not read. Robinson and Miner passed lie detector tests and were not charged, even though Clements's false confession implicated them. Clements received four life sentences without the possibility of parole. While in prison, Mark learned to read, received high school and college degrees, and studied the law.

In 2007, Bernadine Dohrn, clinical associate professor of law at Northwestern University, interviewed Clements and connected him with Skadden Arps, a New York law firm, which represented him pro bono.

In August 2009, Mark was released after twenty-eight years in prison. The state agreed to vacate the four convictions if Clements plead guilty to one count of murder and received time served.⁷ Clements says he accepted the plea deal on advice of counsel and maintains his innocence. Clements received \$100,000 in reparations. He now works as an activist fighting against police torture and for term limits for convicted minors. He is a member of the RISE Advisory Council for the Chicago Torture Justice Center and Chicago Torture Justice Memorials.⁸

7. Steve Bogira, "A Convict's Odyssey," *Chicago Reader*, May 5, 2011.

8. Mark Clements, interview with author, Jan. 27, 2018.



Bertha Escamilla

Bertha Escamilla's son, Nick Escamilla, was in prison for over fourteen years after being charged for his role in a 1993 murder when he was twenty years old. Detectives Kenneth Boudreau, John Halloran, and James O'Brien arrested Escamilla, Miguel Morales, and Tyrone Reyna for the murder of Hector Olague, a rival gang member. At the Area 1 police station, the detectives separately interrogated each man, told each to confess to the murder, and beat them when they refused. Escamilla confessed after fifteen hours of interrogation in which the detectives threatened to send his pregnant wife to jail and take away his baby girl. The men received inadequate representation and were convicted. Escamilla was paroled in 2008. He did not qualify for reparation because he was not tortured in Area 2 or 3. His mother is working to get Boudreau, Halloran, and O'Brien indicted, so that Escamilla can file a civil suit.⁹

9. Bertha Escamilla, interview with author, Jan. 27, 2018.



Jaime Hauad and Anabel Perez

Jaime Hauad was charged with a double murder in 1997 when he was seventeen and served twenty-one years. A member of a street gang, Hauad was arrested for the murders, which resulted from a gang rivalry in a bar. Prior to his arrest, Hauad was harassed at his house by a police officer who threatened to lock him up when he turned seventeen. Jaime was tortured at the Area 5 police station. Police cut off the tips of his sneakers with a paper cutter and threatened to cut off his toes. He refused to confess. Hauad's lawyer did not introduce the shoes into evidence, called no witnesses, and did not introduce the bar's security camera video, which showed that Hauad wasn't present. Hauad is suing for ineffective representation.¹⁰

The Illinois Torture Justice Commission ruled that Hauad had been tortured, based in part on police lineup photographs showing the damaged sneakers. Hauad had obtained the photographs through a Freedom of Information Act request. Hauad's sentence was reduced to time served,

10. Jaime Hauad and Anabel Perez, interview with author, Feb. 17, 2018.

and he was released in 2018. Haud reluctantly agreed to this deal:

I didn't want to have to take time served in order to come home. I always told my family that I was going to fight and prove my innocence.... [But] my daughter was nine months pregnant and ... a whole bunch of things is going on, so it kind of forced my hand. It's kind of bittersweet. It's bitter because I was forced to do that ... and its sweet because now that I'm home I don't regret it at all.¹¹

Hauad is not eligible for reparations because torture occurred outside of Area 2 or 3 and outside the timeframe (1972–1991) of the reparations ordinance. Hauad and Northwestern University's Bluhm Legal Clinic are currently seeking a full exoneration.¹²

11. Jaime Hauad, interview with author, Feb. 17, 2018.

12. Annie Sweeney, "After 21 Years, Inmate Who Says He Was Abused by Police Goes Free," *Chicago Tribune*, Jan. 21, 2018.



Jeanette Plummer

Jeanette Plummer's son, Johnny Plummer, has been in prison for twenty-seven years after being charged with a murder in 1991 when he was just fifteen. At the Area 3 police station, after Plummer refused to sign an incriminating statement, Detectives Michael Kill and Kenneth Boudreau stripped Plummer naked and beat him with a flashlight on the face, stomach, side, and back until he confessed to murder. Plummer was offered \$100,000 in reparations, but he rejected the monetary offer as insufficient. He has accepted legal help from the People's Law Office and is still fighting his conviction.¹³

13. Jeanette Plummer, interview with author, Jan. 23, 2018.



Vincent Wade Robinson

Vincent Wade Robinson was convicted of four natural life sentences for armed robbery, home invasions, and murder in 1984 when he was twenty-one. He served thirty-one years. Robinson was in a street gang, and fellow gang members committed the crimes for which he was arrested. Unable to find the true criminals, one of John Burge's subordinates brought Robinson to the Area 1 police station, tortured him, and broke his nose. Robinson confessed. In prison, he learned art from fellow inmates and Mark Merritt of the Pace Art Program in the Cook County Jail. Robinson sold paintings and greeting cards to other prisoners to keep himself afloat financially. He received a culinary arts degree and studied the law. He sued the prisons in which he was held a number of times.

Robinson received \$100,000 in reparations and was released in August 2015. He is on the RISE Advisory Council at the Chicago Torture Justice Center and is a student at Northeastern Illinois University, starting as a sophomore with college credits earned in prison. Robinson used part of his reparations money to buy tattoo equipment; his dream is to open a

combined tattoo parlor, art gallery, and restaurant in Nevada.¹⁴ Robinson is a member of Chicago Torture Justice Memorials and received a 2019 Artist as Activist residential fellowship from the Robert Rauschenberg Foundation.¹⁵

14. Vincent Wade Robinson, interview with author, Mar. 10, 2018.

15. "Past Residents," Robert Rauschenberg Foundation, accessed July 30, 2019, www.rauschenbergfoundation.org/residency/past-residents.



Armanda Shackelford

Armanda Shackelford's son, Gerald Reed, has been in prison for twenty-seven years after being charged with two counts of murder in October 1990 when he was twenty-seven. A man's body was found in an apartment on 68th Street and Perry Avenue, and a woman's body was found under a nearby viaduct. Reed and David Turner were separately, and seemingly randomly, arrested for the crime. When Reed was arrested, Area 3 Detectives Michael Kill and Victor Breska gave him a typed confession to sign. Reed refused. The detectives tortured him for three nights. The first night, they beat him. The second night, they drove him far from the station and told him to run; knowing he would be killed if he ran, Reed stayed in the car; the detectives held a gun to his head and told him to confess. The third night, they handcuffed Reed to a chair and beat him until a rod in his leg from a prior injury broke, causing a permanent hip injury. The detectives threatened to kill his mother. Finally, Reed confessed.¹⁶

16. Armanda Shackelford, interview by author, Jan. 19, 2018.

In 2012, the Illinois Torture Inquiry and Relief Commission found Reed's allegations credible.¹⁷ In December 2018, a judge granted Reed a new trial. As of July 2019, his retrial is ongoing.¹⁸ Reed has yet to receive the reparations package.

17. G. Flint Taylor, "Illinois Torture Inquiry and Relief Commission—Defunded but Not Forgotten, Huffington Post, Nov. 25, 2012.

18. Rosemary Sobol, "Alleged Victim of Jon Burge's 'Midnight Crew' Must Wait a Little Longer for Possible Taste of Freedom, *Chicago Tribune*, July 12, 2019.

Bibliography

Interviews

- Cade, Rose, mother of torture survivor Antonio Porter.
 Cannon, Darrell, torture survivor.
 Clements, Mark, torture survivor.
 Conroy, John, journalist, *Chicago Reader*.
 Eigler, Cindy, policy director, Chicago Torture Justice Center.
 Escamilla, Bertha, mother of torture survivor Nick Escamilla.
 Hauad, Jaime, torture survivor.
 Mogul, Joey, lawyer, People's Law Office.
 Perez, Anabel, mother of torture survivor Jaime Hauad.
 Plummer, Jeanette, mother of torture survivor Johnny Plummer.
 Robinson, Vincent Wade, torture survivor.
 Ross, Sarah, organizer, Chicago Torture Justice Memorials; educator, School of the Art Institute of Chicago.
 Shackelford, Armanda, mother of torture survivor Gerald Reed.
 Taylor, G. Flint, lawyer, People's Law Office.

Media

- Atlantic, 2014
 CBS News, 2011–12
Chicago Reader, 1999, 2007, 2009, 2011, 2019
Chicago Reporter, 2015
Chicago Sun-Times, 2008, 2013, 2015, 2019
Chicago Tribune, 1999, 2003, 2008, 2012, 2014–15, 2017–19
 DNAInfo, 2015, 2017
 FiveThirtyEight, 2015
 Huffington Post, 2012
In These Times, 2014–15
Manchester Guardian, 2015–16
Nation, 2015

National Public Radio, 2013
New York Times, 2006, 2012, 2015–19
 Tablet Magazine, 2017
 Vice Magazine, 2015
Washington Post, 2015

Other Sources

Bassett, C. Jeanne. “House Bill 591: Florida Compensates Rosewood Victims and Their Families for a Seventy-One-Year-Old Injury.” *Florida State University Law Review* 22, no. 2 (Winter 1994): 503–23.

Brooks, Roy L. *When Sorry Isn't Enough: The Controversy Over Apologies and Reparations for Injustice*. New York: New York University Press, 1999.

Carranza, Ruben. *The Series of Reparations Programs in Chile*. New York: International Center for Transitional Justice, Dec. 2008.

Chicago Public Schools. “Reparations Won: A Case Study in Police Torture, Racism, and the Movement for Justice in Chicago.” US history curriculum for tenth grade, 2017. www.scribd.com/document/358713213/Burge-Torture-Lesson-Plan#download&from_embed.

City of Chicago. Reparations for Burge Torture Victims Ordinance. May 6, 2015. www.cityofchicago.org/content/dam/city/depts/dol/supp_info/Burge-Reparations-Information-Center/ORDINANCE.pdf.

———. Burge Resolution. May 6, 2015. www.chicago.gov/content/dam/city/depts/dol/supp_info/Burge-Reparations-Information-Center/BurgeRESOLUTION.pdf.

Conroy, John. “Police Torture in Chicago: An Archive of Articles by John Conroy on Police Torture, Jon Burge, and Related Issues.” *Chicago Reader*. Oct. 8, 2009. www.chicagoreader.com/chicago/police-torture-in-chicago-jon-burge-scandal-articles-by-john-conroy/Content?oid=1210030.

De Greiff, Pablo. *The Handbook of Reparations*. Cambridge: Oxford University Press, 2006.

Judt, Tony. *Postwar: A History of Europe Since 1945*. New York, Penguin, 2005.

Kaba, Mariame. "The Aesthetics of Abolition in the 21st Century." Discussion sponsored by the For the People Artist Collective at Hairpin Arts Center, Chicago, IL, Feb. 3, 2018.

Matsuda, Mari J. "Looking to the Bottom: Critical Legal Studies and Reparations." *Harvard Civil Rights—Civil Liberties Law Review* 22 (1987): 323–400.

"Reparations Won Forum." Community forum at Wildwood Elementary School, Apr. 2, 2018.

Taylor, Flint. *The Torture Machine: Racism and Police Violence in Chicago*. Chicago: Haymarket Books, 2019.

———, G. Flint. "The Long Path to Reparations for the Survivors of Chicago Police Torture." *Northwestern Journal of Law and Social Policy* 11, no. 3 (Spring 2016): 330–53.

United Nations. Committee against Torture. *Concluding Observations on the Combined Third to Fifth Periodic Reports of United States of America*. New York: United Nations, Dec. 19, 2014. undocs.org/CAT/C/USA/CO/3-5.

United Nations. *Charter of the United Nations and Statute of the International Court of Justice*. New York: United Nations, June 26, 1945.

US Department of Justice Civil Rights Division and the US Attorney's Office Northern District of Illinois. *Investigation of the Chicago Police Department*. Washington, DC: Department of Justice, Jan. 13, 2017. www.justice.gov/opa/file/925846/download.

United States Institute of Peace. *Report of the Chilean National Commission on Truth and Reconciliation*. Washington, DC: USIP Library, Oct. 4, 2002. www.usip.org/sites/default/files/resources/collections/truth_commissions/Chile90-Report/Chile90-Report.pdf.

