



Vanita Gupta  
Acting Assistant Attorney General  
U.S. Department of Justice  
Civil Rights Division  
950 Pennsylvania Avenue, NW  
Washington, D.C. 20530-0001

18 March 2015

Dear Madam,

Amnesty International urges you to consider undertaking an investigation into the recent allegations about Chicago Police Department practices at a facility known as Homan Square, including beatings, disappearances, and denial of counsel to detainees held at the facility.<sup>1</sup> Amnesty is also deeply concerned about allegations that many of these practices are not unique to the Homan Square facility, but potentially point to larger issues within the Chicago Police Department. In light of these allegations, we urge you to begin a prompt, thorough investigation into whether the Chicago Police Department has engaged in a pattern or practice of violations, pursuant to the Violent Crime Control and Law Enforcement Act of 1994, 42 U.S.C. § 14141, which allows for the review of the practices of law enforcement agencies that may be violating people's federal rights.

Several Chicago defense attorneys have echoed claims recently published recently in *The Guardian* newspaper that individuals who are taken to Homan Square are not formally processed as they would be if detained at a police precinct. As such, a public, searchable record with the location of witnesses, suspects or others who end up inside the facility does not appear in any database. As a result, lawyers and relatives have no method to determine their clients' and family members' whereabouts. Lawyers who have attempted to gain access to Homan Square report that they are often turned away, even as their clients remain in custody inside. It has also been alleged that some detainees at Homan Square have been held in kennel-like cells and subjected to abuses including food deprivation and beatings. While the inability to access the Homan Square facility make these claims difficult to verify, several

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<sup>1</sup> Ackerman, Spencer, *The disappeared: Chicago police detain Americans at abuse-laden 'black site'*, *The Guardian*, 24 February 2015, available at <http://www.theguardian.com/us-news/2015/feb/24/chicago-police-detain-americans-black-site>

Chicago defense attorneys suspect that people are taken to Homan in the interest of gathering information and forcing confessions. These allegations are shocking, and, if proven valid, would be in clear violation of individuals' civil and Constitutional rights as well as international human rights law and standards on the treatment of those under any form of detention.

Both the U.S. Constitution and international law strictly prohibit the use of torture, ill-treatment and enforced disappearances. In order to help prevent such violations from ever occurring, international standards require that once a person is detained, there shall be duly recorded and communicated to the detained person, or his counsel:

- (a) The reasons for the arrest;
- (b) The time of the arrest and the taking of the arrested person to a place of custody as well as that of the arrested person's first appearance before a judicial or other authority;
- (c) The identity of the law enforcement officials concerned;
- (d) Precise information concerning the place of custody.

U.S. law echoes many of these same requirements with regard to detention and arrest.

International law further obligates governments to investigate allegations of human rights violations; disclose the truth about violations; prosecute those responsible; and ensure remedy for victims, including reparations, truth and justice. In the light of the national conversation around policing, it is clear that the United States government can and must do much more to ensure policing practices both in Chicago and nationwide are brought into line with international human rights standards.

While media reports focused on the allegations tied to the Homan Square facility, Amnesty International questions whether the Chicago Police Department may deny detainees access to counsel throughout the city. A Chicago criminal defense attorney told Amnesty International that she has never received a phone call from someone arrested and processed in a Chicago Police station. Multiple attorneys confirmed that the only calls they received were from family members or arrestees who still had a cell phone on their person. Similarly, people who were not detained but simply questioned as witnesses allege that they were told that they did not need lawyers, despite feeling that they were not free to leave. Chicago-based First Defense Legal Aid filed a lawsuit on behalf of such witnesses in 2002, resulting in the City's use of a witness version of Miranda warnings.

It should also be noted that the Chicago Police Department has a troubling history regarding the treatment of suspects. The report on the Homan Square facility comes as the City of Chicago continues to fall far short in meeting its obligations under international human rights law to ensure accountability and remedy for torture and ill-treatment by Chicago Police operating under the direction of former Commander Jon Burge from 1972-1991.

In a letter issued on February 26, 2015 we asked that Chicago Mayor Emanuel: open an independent and impartial investigation into the allegations made about human rights violations at the Homan Square facility and make the results public; allow Amnesty International and other independent human and civil rights organizations and monitors full, unrestricted access to the Homan Square facility; and meet with Amnesty International to discuss additional steps the City of Chicago should take to prevent and end human rights violations, ensure accountability and bring Chicago Police practices into full conformity with international standards. To date, Amnesty International USA has yet to receive a response from the Mayor in regards to these allegations.

Amnesty International respectfully urges the Department of Justice and the Office of Civil Rights to initiate a prompt, thorough, independent and impartial investigation into these allegations surrounding the Homan Square facility and determine whether these allegations of ill-treatment and other abuses are systemic throughout the Chicago Police Department. Thank you for your time and assistance in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Steven W. Hawkins". The signature is fluid and cursive, with the first name "Steven" and last name "Hawkins" clearly legible.

Steven W. Hawkins  
Executive Director  
Amnesty International USA