

**EXHIBIT 4**

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

UNITED STATES OF AMERICA                    )  
  )  
  )       No. 08 CR 846  
  )       Judge Joan H. Lefkow  
  )  
vs.    )  
  )  
JON BURGE    )

**STIPULATION**

It is hereby STIPULATED and AGREED by and between the UNITED STATES OF AMERICA, by PATRICK J. FITZGERALD, United States Attorney for the Northern District of Illinois, and defendant JON BURGE, that the government's evidence would show as follows:

On September 22, 1988, defendant JON BURGE was asked the following questions, and gave the following answers under oath:

Q:     So when they're in the police station or in the area interrogating people or otherwise, you know, dealing with police investigation, they would be under close supervision, is that right?

A:     I'd say so, yes.

Q:     You would be one of those hands-on people, wouldn't you?

A:     If I were there.

Q:     And sergeants would be the other, right?

A:     That's correct.

Q:     How did you supervise interrogations of witnesses and suspects?

A:     I never really paid attention to witnesses. I would quite often when people would have seen me doing it, when a suspect was being interrogated, go over and stand immediately

outside the door to the interview room where the interrogation was going on and listen to what questions were being raised, what the questions were and going on inside. At other points in time if I had been more than directly involved in the investigation I might crack the door a couple inches and listen to what's going on.

[Beginning Bates: WIL\_015-26652; Bates Page: 26679]

STIPULATED AND AGREED THIS DATE: \_\_\_\_\_

PATRICK J. FITZGERALD  
United States Attorney

BY:

\_\_\_\_\_  
M. DAVID WEISMAN  
Assistant United States Attorney

\_\_\_\_\_  
MARC W. MARTIN  
Counsel for Jon Burge

\_\_\_\_\_  
JON BURGE  
Defendant

9/22/88

FROM  
FOOTS  
PROPOSED  
STIP  
↑

~~Q That was my question. I am glad you clarified that~~

So when they're in the police station or in the area interrogating people or otherwise, you know, dealing with police investigation, they would be under close supervision, is that right?

A I'd say so, yes.

Q You would be one of those hands-on people, wouldn't you?

A If I were there.

Q And sergeants would be the other, right?

A That's correct.

Q How did you supervise interrogations of witnesses and suspects?

A I never really paid attention to witnesses.

I would quite often when people would have seen me doing it, when a suspect was being interrogated, go over and stand immediately outside the door to the interview room where the interrogation was going on and listen to what questions were being raised, what the questions were and going on inside.

At other points in time if I had been more than directly involved in the investigation I might crack the door a couple inches and listen to what's going on.

Q Why did you do that? Why --

24

1 A I was interested in what was going on.

2 Q Were you looking for anything in particular?

3 A Yes, what the content of the conversation was was  
4 going on in the interview room.

5 Q Were you also sensitive to or the possibility of  
6 coercion or harassment or physical violence being used in  
7 those interrogations?

8 A I never had that occasion arise, but if I felt that  
9 something like that were going on, yes, I most certainly  
10 would be interested.

11 Q Well, was that something that you were shall we say  
12 vigilant for?

13 A I don't like the way you're trying to put words in  
14 my mouth, counselor.

15 I just told you that I never knew an occasion as  
16 you described it to have taken place.

17 Had something along those lines come to my attention  
18 either through my directly involving myself or attempting to  
19 overhear conversations, yes, I would have taken immediate ac-  
20 tion.

21 ~~Q Did you ever see any use of force in any of these~~

22 ~~interrogations? Did you ever see any use of force in any~~

23 ~~of these interrogations? Did you ever see any use of force in any~~

24 ~~of these interrogations? Did you ever see any use of force in any~~

**EXHIBIT 5**

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

UNITED STATES OF AMERICA	)	
	)	No. 08 CR 846
vs.	)	Judge Joan H. Lefkow
	)	
JON BURGE	)	

**STIPULATION**

It is hereby STIPULATED and AGREED by and between the UNITED STATES OF AMERICA, by PATRICK J. FITZGERALD, United States Attorney for the Northern District of Illinois, and defendant JON BURGE, that the government's evidence would show as follows:

On October 24, 1988, defendant JON BURGE was asked the following questions, and gave the following answers under oath:

Q: Who, if anyone, did you see enter the interview room that Andrew Wilson was being kept in on the – during the day of the 14<sup>th</sup> of February.

A: I don't specifically recall seeing anybody enter the room.

Q: So you, to your own knowledge, do not know whether anyone, whether no one or everyone in that building went into that room, is that right?

A: To my knowledge the only people that entered the room and spoke with Mr. Wilson were Detective O'Hara, Detective McKenna, State's Attorney Hyman, and the court reporter, whatever his name was.

Q: And that – and you base that on the fact that those were your orders, is that right?

A: I base that on the fact that I was in close proximity to the room for the majority of the time that Mr. Wilson was in Area 2.

[Beginning Bates: OFFICER\_172-01290; Bates Page: 01367]

STIPULATED AND AGREED THIS DATE: \_\_\_\_\_

PATRICK J. FITZGERALD  
United States Attorney

BY:

\_\_\_\_\_  
M. DAVID WEISMAN  
Assistant United States Attorney

\_\_\_\_\_  
MARC W. MARTIN  
Counsel for Jon Burge

\_\_\_\_\_  
JON BURGE  
Defendant

10/24/88

1 Mr. Wilson is the only person in the room.

2 [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 BY THE WITNESS:

FROM  
GOUT'S  
PROPOSED  
STIP



6 A To my knowledge the only people that entered the

7 room and spoke with Mr. Wilson were Detective O'Hara, Detec-

8 tive McKenna, State's Attorney Hyman, and the court reporter,

9 whatever his name was.

10 BY MR. TAYLOR:

11 Q And that -- and you base that on the fact that

12 those were your orders, is that right?

13 A I base that on the fact that I was in close prox-

14 imity to the room for the majority of the time that Mr. Wilson

15 was in Area 2.

16 Q Now, from 6:30 to 8:30 did you hear -- in the even-

17 ing did you hear any noise coming out of that room at any

18 time?

19 A No, sir.

20 Q And if there were somebody screaming or in pain,

21 screaming out in pain you could have heard that from your of-

22 fice, isn't that right?

23 A I would assume I could, yes.

24 Q And you heard no such noise at any time?

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A No, sir.

Q Now when was the first time you talked to the

[REDACTED] one even on February, 1988?

[REDACTED] recall, correct?

Q Did you give him any information to suppress

A [REDACTED] conversations with [REDACTED]

times of [REDACTED] attorney's [REDACTED] this [REDACTED]

[REDACTED] [REDACTED] year

[REDACTED] have seen people from felony review

[REDACTED] where?

A [REDACTED] arrest in [REDACTED]

[REDACTED] with some of the detectives at the be-

havior [REDACTED] attorney's office and I had conversations

with [REDACTED] that time

[REDACTED] and St. Louis, Missouri?

A Yes.

Q Did you go to St. Louis, Missouri?

[REDACTED] to [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] a pair of eyeglasses that were found

[REDACTED] of the [REDACTED] of the [REDACTED] to Officer

[REDACTED] in St. Louis who manufac-

[REDACTED] S.

SP 035710

**EXHIBIT 6**

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

UNITED STATES OF AMERICA	)	
	)	No. 08 CR 846
vs.	)	Judge Joan H. Lefkow
	)	
JON BURGE	)	

**STIPULATION**

It is hereby STIPULATED and AGREED by and between the UNITED STATES OF AMERICA, by PATRICK J. FITZGERALD, United States Attorney for the Northern District of Illinois, and defendant JON BURGE, that the government's evidence would show as follows:

On April 10, 1989, defendant JON BURGE was asked the following questions, and gave the following answers under oath:

Q: What time did Jones get brought into Area 2 that day?

A: I am aware of the fact he was arrested shortly after 2 o'clock in the afternoon. I don't have a present recollection if I was present when he was brought into the area or not.

Q: How long after he was brought in the area did you go into the room with him for the first time?

A: I really don't recall, counselor, but I know it was after the interview by detectives.

Q: So it was in the evening, say after 5 o'clock?

A: My, I really wouldn't hazard a guess, counselor.

Q: Well, did you go into talk to him because at that point he had not given any information to your detectives?

A: If my memory serves me correctly, the detectives had told me that he was denying any

involvement whatsoever in the Mayfield homicide.

Q: And you went in there, at least in part, to let him know that you didn't believe that, didn't you?

A: At that point in time I don't recall, counselor; as I had said, I think I went in one time to see what he looked like. Another time I went in, made statements to him, but I can't really relate to a time.

Q: And are you a pretty profane guy?

A: I can be.

Q: Did you make any profane statements to him?

A: I may have resorted to the vernacular, yes.

...

[Beginning Bates: OFFICER\_172-02420; Bates Range: 02474 - 75]

Q: Had more questioning been done by your detectives of Mr. Jones during the interim between the first time you entered and the second time?

A: I don't know if there had been more questioning or not.

Q: Had you received any additional information from your detectives that he wasn't cooperating?

A: Not that I recall.

Q: Why did you go in the second time?

A: Why did I go in the second time?

Q: Yes.

A: I believe I said that I wanted to make a statement to him.

Q: Why did you want to make that statement to him?

A: I wanted him to be aware of the fact that we looked with great disdain against what he had been accused of doing and that led him be aware of the fact that he was not going to be out running around the city wholesale murdering people and get away with it.

Q: You were pretty convinced at that time that he committed this murder, right?

A: Yes.

Q: And you were not going to be too pleased if he walked from it, were you?

A: I would have been happier if he were charged at that point in time, but he wasn't.

Q: And it was important in this case, particularly, to get a statement because you didn't have a whole lot of other evidence; isn't that right?

A: That would be reasonable to say, yes.

[Bates Range: 02507-08]

...

Q: How long were you in the room with Melvin Jones the second time?

A: I guess maybe a minute or two.

Q: All right. And were you alone, or with others?

A: I was alone.

[Bates Range: 2509-10]

STIPULATED AND AGREED THIS DATE: \_\_\_\_\_

PATRICK J. FITZGERALD  
United States Attorney

BY: \_\_\_\_\_  
M. DAVID WEISMAN  
Assistant United States Attorney

\_\_\_\_\_  
MARC W. MARTIN  
Counsel for Jon Burge

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JON BURGE  
Defendant

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~~\_\_\_\_\_~~

Q. ~~Where is Detective Hebenow?~~

A. ~~He is the commander of the vice control  
division.~~

Q. ~~And where is Detective Wagner?~~

A. ~~I believe he is a detective assigned to  
the I think they call it the asset or feature  
unit.~~

Q. ~~Where is that?~~

A. ~~I am not sure, to be honest with you I  
think they're headquartered somewhere in the  
building at 11th and State.~~

Q. Now, did you handcuff Melvin Jones behind his back or to the rings in that interview room while in that room?

A. No.

Q. Did you shock him on the foot or on the leg or on the penis?

A. No, I didn't.

Q. Did you pull his pants down to shock him?

A. No, sir.

Q. Did you on the next evening stick a gun in his face and threaten him?

1           A.       I don't believe I worked the next day at  
2 all.

3           Q.       And what makes you think that you didn't  
4 work the next day?

5           A.       I know I worked through the night of the  
6 5th and early morning hours of the 6th of February,  
7 and, to the best of my recollection, I went home  
8 before noon on the 6th of February and didn't come  
9 back into work that day.

10          Q.       Now, the 5th was the -- on that evening  
11 was the evening that Officer Doyle was shot on the  
12 bus; is that right?

13          A.       That is correct.

14          Q.       That was about -- you got word of that  
15 about 10 o'clock that evening; is that right?

16          A.       9:30 or 10:00.

17          Q.       And were you involved with Melvin Jones  
18 at the time you got that word?

19          A.       Not at that point in time, no.

20          Q.       Now, how long prior to the time you got  
21 the word about Doyle had you been in the room with  
22 Melvin Jones?

23          A.       I really couldn't relate to a time,  
24 counselor.



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1 Q. Well, was it within an hour?

2 A. It may have been, but, once again, I  
3 don't really relate to the time.

4 Q. What time did Jones get brought into the  
5 Area 2 that day?

6 A. I am aware of the fact he was arrested  
7 shortly after 2 o'clock in the afternoon. I don't  
8 have a present recollection if I was present when  
9 he was brought in the area or not.

10 Q. How long after he was brought in the  
11 area did you go into the room with him for the  
12 first time?

13 A. I really don't recall, counselor, but I  
14 know it was after the interview by detectives.

15 Q. So was it in the evening, say after  
16 5 o'clock?

17 A. My -- I really wouldn't hazard a guess,  
18 counselor.

19 Q. Well, did you go into talk to him  
20 because at that point he had not given any  
21 information to your detectives?

22 A. If my memory serves me correctly, the  
23 detectives had told me that he was denying any  
24 involvement whatsoever in the Mayfield homicide.

FROM  
GUNT'S  
PROPOSED  
STIP

4/10/89 EXCERPT 2

530

1 ~~BY MR. TAYLOR:~~

2 ~~Q. Is that right?~~

3 ~~A. I believe he was still commander at that~~  
4 ~~point, yes. NO, I didn't notify him.~~

5 ~~BY MR. TAYLOR:~~

6 Q. When you entered the room with Melvin  
7 Jones for the first time, how long were you in that  
8 room for?

9 A. I don't believe I said anything to him  
10 the first time. I believe I just walked in to see  
11 what he looked like, so I would have been in there  
12 for a few seconds.

13 ~~Q. And was the door open or closed when you~~  
14 ~~walked in?~~

15 A. ~~I don't really recall.~~

16 Q. ~~Well, where was he sitting?~~

17 A. Inside the room itself?

18 Q. Yes.

19 A. I don't really recall.

20 Q. But you said he was handcuffed to the  
21 ring on the wall?

22 A. I said I assumed he was handcuffed.  
23 There was nobody else in there with him. Normal  
24 procedure would be to have him handcuffed.

1 Q. Was it more than an hour later or more  
2 than two hours later?

3 A. I really couldn't say.

4 Q. Had more questioning been done by your  
5 detectives of Mr. Jones during the interim between  
6 the first time you entered and the second time?

7 A. I don't know if there had been more  
8 questioning or not.

9 Q. Had you received any additional  
10 information from your detectives that he wasn't  
11 cooperating?

12 A. Not that I recall.

13 Q. Why did you go in the second time?

14 A. Why did I go in the second time?

15 Q. Yes.

16 A. I believe I said that I wanted to make a  
17 statement to him.

18 Q. Why did you want to make that statement  
19 to him?

20 A. I wanted him to be aware of the fact  
21 that we looked with great distain against what he  
22 had been accused of doing and that led him be aware  
23 of the fact that he was not going to be out running  
24 around the city wholesale murdering people and get

FROM  
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PROPOSED  
STIP

1 away with it.

2 Q. You were pretty convinced at that time  
3 that he committed this murder, right?

4 A. Yes.

5 Q. And you were not going to be too pleased  
6 if he walked from it, were you?

7 A. I would have been happier if he were  
8 charged at that point in time, but he wasn't.

9 Q. And it was important in this case,  
10 particularly, to get a statement because you didn't  
11 have a whole lot of other evidence; isn't that  
12 right?

13 A. That would be reasonable to say, yes.

14 Q. And you were, you and your detectives  
15 were attempting to get a statement from him,  
16 weren't you, concerning the murder?

17 A. They were; I wasn't.

18 Q. Well, you were assisting them when you  
19 went in the room and said what you said, weren't  
20 you?

21 A. I don't believe so, no.

22 Q. This was just a kind of an unrelated  
23 statement that you just wanted to get off your  
24 chest having nothing to do with the investigation;



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1 is that right?

2 A. No, I wanted to let him know that he was  
3 not going to get away scot-free doing something  
4 like that, that we would be looking at him for  
5 however long it took.

6 Q. And you were doing that in order to aid  
7 the investigation, that you were attempting to get  
8 a statement from him?

9 A. Not really, no.

10 Q. Just did it because you wanted to send  
11 him a message; is that right?

12 A. That's a reasonable portrayal of it,  
13 yes.

14 Q. Is it reasonable to say that the other  
15 occasions when you gave similar statements to other  
16 people you had in custody, you were sending them a  
17 similar message; is that right?

18 ~~MR. KONRBE: Same objection as previously~~  
19 ~~stated and instruct the witness not to answer~~

20 BY MR. TAYLOR:

21 Q. How long were you in the room with  
22 Melvin Jones the second time?

23 A. I guess maybe a minute or two.

24 Q. All right. And were you alone or with

FROM  
GOVT'S  
PROPOSED  
STIP



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1 others?

2 A. I was alone.

3 Q. And had you had any conversation with  
4 Flood or McGuire when you went in the second time?

5 A. I may very well have, but I don't recall  
6 it now.

7 Q. But you were aware when you went in  
8 there, McGuire and Flood were handling the  
9 questioning; is that right?

10 ~~(WHETHER YOU WERE AWARE OF THE PROGRESS OF THE~~  
11 ~~QUESTIONING DURING THE DEPOSITION PROCEEDINGS.)~~

12 BY MR. TAYLOR:

13 Q. Is that right?

14 A. Yes.

15 Q. And so whatever information you had  
16 concerning the progress of questioning came from  
17 them; is that right?

18 A. I believe that is correct, yes.

19 Q. And was it light or dark out when you  
20 went in the second time?

21 A. I really don't recall, counselor.

22 Q. And how long after the first time you  
23 went in was it that you went in the second time?

24 A. I don't recall.



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1 ~~(WHEREUPON Mr. Jeffrey H. Hase~~  
2 ~~left the deposition proceedings.)~~

3 BY MR. TAYLOR:

4 Q. Was it over an hour?

5 A. It may have been, but, once again, I  
6 don't recall.

7 Q. And where was Mr. Jones the second time  
8 you went in?

9 A. He was still in the same room, but I  
10 don't recall where he was within the room.

11 Q. Was he still handcuffed?

12 A. I would only have to assume that he was  
13 because he was alone and that would be the normal  
14 procedure.

15 Q. Now, you say Mr. Jones was never -- was  
16 not charged with the murder of Mayfield until  
17 December of '82; is that right?

18 A. That's right.

19 ~~Q. Was he released at some time prior to~~  
20 ~~December of 1982?~~

21 ~~A. On this date here he was charged with a~~  
22 ~~felony UUV. I am aware of the fact that he was~~  
23 ~~subsequently found not guilty of that and he was~~  
24 ~~released from custody, per~~

1 Q. And, in fact, the State dismissed the  
2 case of UUW against him in August or September  
3 1982; isn't that right?

4 A. I don't know what the disposition of it  
5 was. I was told that he was found not guilty.

6 Q. So you weren't involved in any  
7 discussions concerning whether they should proceed  
8 with this case or not, meaning the UUW case; is  
9 that right?

10 A. Not that I recall.

11 Q. What was the UUW case; what did that  
12 involve?

13 A. To the best of my recollection, Flood  
14 and McGuire had been looking for Jones and the  
15 other individual that they had developed  
16 information was involved in Mayfield's homicide.

17 They got an address for him that nobody  
18 had been to before. They went to that address,  
19 knocked at the door, didn't get any response, did  
20 hear movement or something within the apartment.  
21 They moved away and waited down the hallway for a  
22 period of time, and subsequent to that, I don't  
23 remember if Jones supposedly came out of the  
24 apartment, opened the door, had a weapon in his

1 hand, and they entered the apartment and placed him  
2 under arrest.

3 Q. He was charged with possession of a  
4 weapon at the time of his arrest; is that correct?

5 A. He wasn't charged right at that point in  
6 time. That was one of bases for his arrest.

7 Q. In fact the UUW case against him was  
8 based on a weapon that he allegedly had in  
9 possession at the time he was arrested for the  
10 murder?

11 A. Yes.

12 Q. Was he arrested for the murder of Curtis  
13 Mayfield or was he taken into custody for  
14 questioning?

15 (WHEREUPON, Mr. Jeffrey H. Haas  
16 entered the deposition proceedings.)

17 BY THE WITNESS:

18 A. I assume he was arrested for the felony  
19 UUW at that point in time. I didn't have any  
20 discussions with the arresting officers to  
21 determine whether they thought they had probable  
22 cause to arrest him for the murder.

23 BY MR. TAYLOR:

24 Q. So they went to his house for purposes

1 of either questioning him or arresting him on the  
2 murder, and in the process of taking him into  
3 custody they determined he had possession of the  
4 weapon and arrested him for that; is that correct?

5 A. To the best of my knowledge.

6 Q. And he was not charged with the murder  
7 at that time, but he was charged with a UUV which  
8 ultimately there was a not guilty finding or  
9 dismissal, is that right, of that case?

10 A. I believe that is correct.

11 Q. And then subsequently in December of  
12 1982 he was taken into custody again for the murder  
13 of Curtis Mayfield; is that right?

14 A. It was Jeffrey Mayfield, and, no, he was  
15 not taken into custody regarding that  
16 investigation.

17 Q. Was he taken into custody in a triple  
18 murder case?

19 A. Yes, he was.

20 Q. And during the process of his being  
21 questioned on that case he made admissions  
22 allegedly concerning the Mayfield killing; is that  
23 correct?

24 A. That's correct.



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1 Q. And then he was prosecuted on the  
2 Mayfield killing on the basis of those statements;  
3 is that right?

4 A. I believe that is correct, yes.

5 Q. And he was convicted; is that right?

6 A. Yes.

7 Q. Now, hold on one second here. You  
8 say -- how long that day did you work on the 6th of  
9 February 1982?

10 A. I believe I went home around the  
11 11:00 a.m. or sometime shortly before noon.

12 Q. And was Detective McWeeney present on  
13 February 6th?

14 A. I don't think he was. I think he was  
15 working afternoon shift.

16 Q. Was he a detective at Area 2 --

17 A. Yes.

18 Q. -- at that time?

19 A. Yes.

20 Q. What is his first name?

21 A. Daniel.

22 Q. And did you have occasion to go and see  
23 Melvin Jones at any time during the early morning  
24 hours or morning hours of the 6th?



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*Chicago, Illinois • (312) 782-8087*

**EXHIBIT 7**

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

UNITED STATES OF AMERICA )  
 )  
 vs. ) No. 08 CR 846  
 ) Judge Joan H. Lefkow  
 )  
 JON BURGE )

**STIPULATION**

It is hereby STIPULATED and AGREED by and between the UNITED STATES OF AMERICA, by PATRICK J. FITZGERALD, United States Attorney for the Northern District of Illinois, and defendant JON BURGE, that the government's evidence would show as follows:

On June 28, 1989, the defendant JON BURGE was asked the following questions, and gave the following answers under oath:

Q: All right. And did you have occasion to arrest Anthony Holmes at any time?

A: Yes, I did.

Q: In the early '70's?

A: Yes, I did.

...

Q: And this is late '73?

A: It was sometime in '73. I don't remember exactly when.

Q: All right. And where did you arrest him?

A: Single family residence. I don't remember the exact address. It was around 53<sup>rd</sup> and Peoria.

...

Q: Okay. And did you take him to Area 2 headquarters after that?

A: Yes.

Q: And was he questioned about these various cases when he was taken to Area 2?

A: Yes, he was.

Q: And did you participate in that questioning?

A: Some of it, yes.

[Beginning Bates: OFFICER\_172-02452; Bates Range: 2574 - 76]

...

Q: And did you participate in the arrest of Gregory Banks in October of 1983?

A: If memory serves me correct I think I was present for his arrest.

Q: All right. And where was he arrested?

A: West 95<sup>th</sup> Street out in the street.

[Bates: 2632]

STIPULATED AND AGREED THIS DATE: \_\_\_\_\_

PATRICK J. FITZGERALD  
United States Attorney

BY: \_\_\_\_\_  
M. DAVID WEISMAN  
Assistant United States Attorney

\_\_\_\_\_  
MARC W. MARTIN  
Counsel for Jon Burge

\_\_\_\_\_  
JON BURGE  
Defendant

6/28/89 - HOLMES 600

1 ~~alleged use of electroshock techniques or devices by~~

2 ~~\_\_\_\_\_~~

3 A. ~~Not that I recall, no.~~

4 Q. All right. Now, calling your attention to  
5 an individual by the name of Anthony Holmes, you  
6 testified previously that he was one of the  
7 individuals that you knew by the nickname of Satan,  
8 is that correct?

9 A. That's correct.

10 Q. And how did you first come to know of  
11 Anthony Holmes?

12 A. When I first received information relative  
13 to a group of ex-convicts who called themselves the  
14 Royal Family.

15 Q. And was that when you were working at Area  
16 2 Robbery?

17 A. Yes, it was.

18 Q. And this was in the early '70's, is that  
19 right?

20 A. I believe it would be the latter part of  
21 1972.

22 Q. And who other than -- any of these other  
23 ex-convicts that you learned of other than Anthony  
24 Holmes?

1 A. Well, there was initial reports we  
2 received. I believe there was a group of around 30  
3 ex-convicts.

4 Q. And did you have the names of all those 30  
5 people at that time?

6 A. Yes.

7 Q. All right. And did you have occasion to  
8 arrest Anthony Holmes at any time?

9 A. Yes, I did.

10 Q. In the early '70's?

11 A. Yes, I did.

12 Q. And when was the first time you arrested  
13 him?

14 A. I only arrested him on one occasion. I  
15 don't remember the exact date, but I believe it was  
16 sometime in 1973.

17 Q. And who, if anyone else, did you arrest at  
18 that time?

19 A. He was the only person.

20 Q. And what did you arrest him for?

21 A. He was one of the Chicago ten most  
22 wanted. We were assigned to locate him and arrest  
23 him. I believe he was wanted on two outstanding  
24 murder warrants and also some warrants either for

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GOUT'S  
STIP

1 armed robbery or indictments, bond forfeitures for  
2 armed robbery indictments.

3 Q. And this is late '73?

4 A. It was sometime in '73. I don't remember  
5 exactly when.

6 Q. All right. And where did you arrest him?

7 A. Single family residence. I don't remember  
8 the exact address. It was around 53rd and Peoria.

9 Q. And you say he was the only one you  
10 arrested at that time?

11 A. Yes.

12 Q. All right. And who was with you on that  
13 arrest, if anyone?

14 A. I believe Mike Hoke was with me.

15 I believe William Wagner was with me.

16 I think there were a group of probably six  
17 or eight of us, but I don't specifically recall who  
18 the other officers were.

19 Q. Okay. And did you take him to Area 2  
20 headquarters after that?

21 A. Yes.

22 Q. And was he questioned about these various  
23 cases when he was taken to Area 2?

24 A. Yes, he was.

FROM  
GOVT'S  
PROPOSED  
STIP

1 Q. And did you participate in that  
2 questioning?

3 A. Some of it, yes.

4 Q. And was he questioned on the murders?

5 A. Yes, he was.

6 Q. Okay. And was he also questioned on any of  
7 the robberies?

8 A. I believe he was questioned generally as  
9 to the workings and operations of the Royal Family  
10 and members.

11 And I think he was also questioned  
12 relative to some robberies that we knew that had  
13 been committed, yes.

14 Q. And who besides yourself questioned him?

15 A. John Yucaitis was one of the people.

16 I was not that knowledgeable relative to  
17 the one murder he was wanted for that occurred in  
18 Area 2.

19 There may have been other detectives from  
20 the homicide unit that questioned him relative to  
21 that murder.

22 I don't specifically recall who they were  
23 or if they did question him for that matter.

24 The other warrant, other murder warrant

1 that he was wanted on pertained to a case from Area  
2 3. And I don't have any present recollection, but  
3 I'd have to presume some detectives from Area 3  
4 questioned him relative to that case.

5 Q. Do you remember the names of anyone other  
6 than Yucaitis who was involved in the questioning?  
7 Was Hoke, for example?

8 A. I don't know if he was or not.

9 Q. All right. Now, who was the commander or  
10 the commanding officer of Area 2 Robbery at that  
11 time?

12 A. Lieutenant John Crane.

13 Q. And were you the -- you were a detective  
14 at that time?

15 A. Yes.

16 Q. And who was your supervising sergeant at  
17 that time?

18 A. I'd have no idea. It would have depended  
19 on what watch I was working.

20 Q. And did anyone in your presence or did you  
21 use any physical force against Mr. Holmes?

22 A. No.

23 Q. Did he make any kind of statement?

24 A. Yes, he did.

1 Q. And what statement, kind of statement did  
2 he make?

3 A. I believe he made oral statements relative  
4 to what he was questioned to. And I know I did sit  
5 in on the court reported statement that he made.

6 Q. Do you know which of the cases he made an  
7 oral statement on?

8 A. If my memory serves me correctly he denied  
9 any participation or knowledge relative to the  
10 murder that occurred in Area 3.

11 And he did make a court reported statement  
12 relative to his participation in the murder which  
13 had occurred in Area 2.

14 Q. And he made admissions in that regard?

15 A. Yes.

16 Q. Did he name anyone else?

17 A. I believe he did, yes.

18 Q. Who did he name?

19 A. I really don't recall.

20 Q. How long did the questioning take place  
21 for?

22 A. I honestly don't recall, counselor.

23 Q. Was it more than a day?

24 A. No.

1 Q. And did Mr. Holmes make any allegations of  
2 brutality or misconduct against you or any fellow  
3 officers in connection with that questioning?

4 A. Not that I recall.

5 Q. Was there a motion to suppress his  
6 statement?

7 A. I honestly don't remember if there was or  
8 there wasn't. I don't recall having testified at  
9 one.

10 Q. You don't recall. This is what, 15 years  
11 ago?

12 A. That's correct.

13 Q. So --

14 A. It's longer than that I think.

15 Q. You don't remember testifying, but you  
16 could have, is that fair to say?

17 A. I may have, yeah.

18 Q. Did he, to your knowledge, make any  
19 allegations of use of electroshock or any other  
20 kinds of torture against you or any of your fellow  
21 officers at that time?

22 ~~MR. KENNEDY: Objection.~~

23 Go ahead.

24

1 BY THE WITNESS:

2 A. Not that I recall.

3 BY MR. TAYLOR:

4 Q. All right. Did any other members of the  
5 Royal Family make any such allegations against you?

6 A. I don't believe so, no.

7 Q. All right. Now, were you familiar with an  
8 individual by the name of [redacted] did you ever have any  
9 other occasion to deal with Saton or Anthony Holmes  
10 other than that occasion that you've testified  
11 about?

12 A. I never had occasion to arrest him again.  
13 I know at various times during that same time frame  
14 I did have occasion to go to the Cook County Jail  
15 and interview various members of the Royal Family  
16 who were turning informant on each other, but I  
17 don't believe I ever had the occasion to speak to  
18 Mr. Holmes again after the day he was arrested.

19 Q. All right. Do you know anyone by the  
20 name of Roger Collins?

21 A. Yes.

22 Q. And do you know him by the name Cochise?

23 A. Yes.

24 Q. Do you know anyone by the name of Howard



**EXHIBIT 8**

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

UNITED STATES OF AMERICA                    )  
  )  
  )     No. 08 CR 846  
  )     Judge Joan H. Lefkow  
  )  
  )  
JON BURGE                                        )

**STIPULATION**

It is hereby STIPULATED and AGREED by and between the UNITED STATES OF AMERICA, by PATRICK J. FITZGERALD, United States Attorney for the Northern District of Illinois, and defendant JON BURGE, that the government's evidence would show as follows:

On July 13, 1989, the defendant JON BURGE was asked the following questions, and gave the following answers under oath:

Q: Now, at the scene, when Andrew Wilson was arrested, he didn't have a shirt on, did he?

A: No, he did not.

Q: On at least two occasions while you were at the scene, his chest was facing you; isn't that right?

A: That's correct.

Q: On those occasions, you noticed no injury to his chest, did you?

A: I didn't notice any, no.

[Beginning Bates: WIL\_PBT\_009A-04416; Bates Range: 4426 - 27]

STIPULATED AND AGREED THIS DATE: \_\_\_\_\_

PATRICK J. FITZGERALD  
United States Attorney

BY:

\_\_\_\_\_  
M. DAVID WEISMAN  
Assistant United States Attorney

\_\_\_\_\_  
MARC W. MARTIN  
Counsel for Jon Burge

\_\_\_\_\_  
JON BURGE  
Defendant

65

~~Burge Cross~~

7/13/89

3623

1

~~JOE BURGE, PLAINTIFF'S ADVERSE WITNESS, PREVIOUSLY SWORN~~

2

~~CROSS EXAMINATION~~

3

~~(Continued)~~

4

~~BY MR. TAYLOR:~~

5

Q. Now, on the 14th, you had been up without much sleep at all

6

for five and a half or six days at that point, hadn't you?

7

A. Yes, sir.

8

Q. Now, at the scene, when Andrew Wilson was arrested, he

9

didn't have a shirt on, did he?

10

A. No, he did not.

11

Q. On at least two occasions, he was facing you --

12

~~THE COURT: Mr. Taylor, forgive me, but before we go~~

13

~~deeply into this, we should take care of one last thing that~~

14

~~occurred that night. There was an objection pending. I told~~

15

~~the jury I would rule~~

16

~~Mr. Taylor withdrew the question, so you may~~

17

~~disregard that question.~~

18

~~It's okay, Mr. Taylor, I should have done that,~~

19

~~before you got started. If you would like to go back over and~~

20

~~pick up again, please do so.~~

21

BY MR. TAYLOR:

22

Q. On at least two occasions while you were at the scene, his

23

chest was facing you; isn't that right?

SP 001147

24

A. That's correct.

25

Q. On those occasions, you noticed no injury to his chest, did

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STIP