



7. The CITY OF CHICAGO is a municipal corporation, duly incorporated under the laws of the State of Illinois, and is the employer and principal of the Defendant-Officers.

#### Facts

8. Plaintiff is a 38 year-old male who is employed as a fireman with the Chicago Fire Department.

9. At about 10:00 p.m., on or about May 28, 2002, Plaintiff was at his home located at 5243 West 63rd Place in Chicago.

10. At home with Plaintiff was his girlfriend, Denise Gerloski, and her two children, a son, Thomas, who was 7 years-old at the time, and a daughter, Heather, who was 9 years-old at the time.

11. Plaintiff, his girlfriend, and her children were in the living room watching television.

12. At about 10:00 p.m., a female unknown Defendant-Officer knocked on Plaintiff's front-door.

13. Plaintiff answered the door, and then the Defendant-Officer began asking Plaintiff, "Where's the party?"

14. Plaintiff told the Defendant-Officer that there was not a party at his house.

15. Plaintiff told the Defendant-Officer that she might have the wrong street, and pointed her towards 64th Place, and then shut the door.

16. The Defendant-Officer started knocking again.

17. Plaintiff answered the door.

18. The Defendant-Officer asked Plaintiff for directions.

19. Plaintiff told the Defendant-Officer that she had to leave.

20. At that time, Plaintiff saw another person standing outside.

21. Plaintiff went to shut the door, and then Defendant-Officers started pushing on the door to get in.

22. The door was partially open, and a Defendant-Officer pointed a gun through the door.

23. Plaintiff was afraid that the gun would go off and hit Denise, or one of the children.

24. Plaintiff let go of the door.

25. Defendant FINNIGAN and another Defendant-Officer entered Plaintiff's home.

26. Defendant-Officers did not have a search warrant, arrest warrant, probable cause, exigent circumstances, or any other legal justification to enter Plaintiff's home.

27. Defendant-Officers said that they were the police, and then Plaintiff asked to see their badges.

28. Defendant-Officers said they were there to arrest Plaintiff and to search his house.

29. Plaintiff asked the Defendant-Officers if they had a warrant.

30. Plaintiff was placed in handcuffs.

31. Plaintiff was under arrest.

32. Defendant-Officers searched Plaintiff, then they pushed him and shoved him against a wall.

33. Defendant-Officers did not have an arrest warrant, probable cause, reasonable suspicion, consent, or any other lawful basis to stop, detain, arrest or search Plaintiff.

34. Denise recognized Defendant JEROME FINNIGAN, and told him that she recognized him.

35. Plaintiff had just had spinal surgery, wherein four screws and two plates had been placed in Plaintiff's back, and a bone graft.

36. Defendant-Officers continued to be rough with Plaintiff.

37. Plaintiff stated that he wanted to call 911 to get a police car to come to his house.

38. Plaintiff was then thrown to the ground and repeatedly slapped in the head.

39. Defendant-Officers also grabbed Plaintiff's head and bent it, causing extreme pain as he was recovering from surgery.

40. While torturing Plaintiff, FINNIGAN screamed: Who the fuck you gonna call?

41. The Defendant-Officers continuously screamed at the Plaintiff, which terrified and frightened Plaintiff, as well as Denise and especially the children.

42. The children were crying for much of the time that the Defendant-Officers were in the house.

43. The Defendant-Officers screamed at Plaintiff that he was a drug addict, and that he was going to jail.

44. The Defendant-Officers told Plaintiff that they had been following Plaintiff for the last three months while Plaintiff was making drug deals on his motorcycle.

45. Plaintiff explained to the Defendant-Officers that he had broken his neck the previous August of 2001, and had not been on a motorcycle since then.

46. Plaintiff tried to tell Denise to call 911, but the Defendant-Officers would scream at her that if she touched the phone, she would be put on the floor in handcuffs and abused like Plaintiff.

47. Hoping that anybody would hear him, Plaintiff yelled for someone to call the police, at which time Defendant-Officers would grab Plaintiff, lift the cuffs up, and slap him

around.

48. Defendant-Officers physically dragged Plaintiff up the stairs to the second floor.

49. Defendant-Officers kept asking Plaintiff: where's the stuff? where's the shit?

50. Plaintiff told the Defendant-Officers that there was nothing in his house, and asked for a warrant.

51. The Defendant-Officers told Plaintiff that they had a dog outside, and asked Plaintiff if they could bring in the dog.

52. Plaintiff told the officers that he was not giving them permission to do anything, but also told the officers that if it would get rid of the officers quicker, then they should bring the dog in.

53. Plaintiff also asked for a sergeant.

54. The Defendant-Officer working with FINNIGAN then took his badge, and forcefully pushed the badge into Plaintiff's head, and kept pushing Plaintiff's head back until Plaintiff was screaming from the pain which was exacerbated by his condition and recent surgery.

55. The Defendant-Officer asked Plaintiff if he wanted to ask for a sergeant again.

56. FINNIGAN and his partner kept asking Plaintiff who was in control, and made Plaintiff answer that the officers were in control.

57. FINNIGAN and his partner then repeatedly screamed at Plaintiff to shut his fucking mouth, and that if he screamed again, then they would really fuck him up.

58. FINNIGAN told his partner to stay with Plaintiff while he went to search.

59. Plaintiff was worried that FINNIGAN would plant drugs or a weapon in his home. Plaintiff told Denise to follow FINNIGAN.

60. FINNIGAN then thoroughly searched Plaintiff's house.

61. Defendant-Officers did not have a search warrant, probable cause, exigent circumstances, or any other legal justification to search Plaintiff's home.

62. While FINNIGAN was searching the house, FINNIGAN's partner would repeatedly slap Plaintiff and tell Plaintiff that they are the police, and nobody could fuck with the police.

63. Plaintiff was also repeatedly told that if he is lucky, they would not lock him up in jail.

64. After searching, FINNIGAN joined other officers in the room where Plaintiff was being held.

65. FINNIGAN told Plaintiff: you don't want to fuck with us, do you know who we are? we are the fucking police, you fuck with us – you'll go to prison, you'll lose your job. While Plaintiff was being told this he was repeatedly smacked and hit by FINNIGAN.

66. Defendant-Officers would also repeatedly scream at Plaintiff: Who's in charge? Plaintiff would answer: you guys are in charge, and get smacked upon giving the answer.

67. Defendant-Officers also told Plaintiff that they got friends in every police district in the city, and that they could have Plaintiff pulled over anytime they wanted.

68. Defendant-Officers explained that when Plaintiff got pulled over, things could happen – drugs could appear, and an officer could say, what the fuck is this in your car?

69. Defendant-Officers continued to tell Plaintiff that they could make one phone call and Plaintiff would lose his job as a Chicago fireman.

70. Defendant-Officers also continued to tell Plaintiff that they were the police, and they had guns and they could do whatever the fuck they wanted.

71. Plaintiff understood the Defendant-Officers repeated assertion that they had guns as meaning that they could shoot Plaintiff if they wanted to.

72. The children were continuously crying and screaming during the incident.

73. Before leaving, FINNIGAN and his partner took Plaintiff outside, bent him over a railing, and told Plaintiff that they could kill him if they wanted to or needed to.

74. FINNIGAN also repeated that stuff could appear in Plaintiff's car, and Plaintiff could go to prison and lose his job.

75. While making these threats, the Defendant-Officers were bending the Plaintiff over the railing backwards causing Plaintiff extreme pain.

76. Right before he left, FINNIGAN said to Plaintiff that this was the last warning, and that if Plaintiff made a phone call or reported what happened, Plaintiff was done.

77. Eventually the Defendant-Officers left Plaintiff's home.

78. The next day Plaintiff called the police to report what happened.

79. About one day later, a "sergeant" from the Chicago Police Department came to Plaintiff's home to discuss Plaintiff's complaint.

80. The sergeant told Plaintiff that he was in intelligence for about 20 years, and that he was an expert on law enforcement and criminal justice.

81. The sergeant told Plaintiff that he was a dirty drug dealer and that his complaint against the officers was bogus.

82. The sergeant interviewed the children who were present, and then told Plaintiff that he would investigate further and left.

83. About a day or two later, the sergeant came back to Plaintiff's home and told Plaintiff that he had talked to the officers about the incident.

84. In the meeting, the sergeant asked Plaintiff if he liked his job as a fireman with the Chicago Fire Department. When Plaintiff said that he liked his job, the sergeant explained to the Plaintiff that the officers who broke in were the police and they could do what they want. Plaintiff was informed that he could be pulled over while driving, and drugs could be found in his car, and Plaintiff would lose everything and go to prison.

85. Plaintiff was further told that if he pursued the complaint, the police would make a phone call and he would definitely lose his job.

86. The sergeant further made it clear that they were the police and they had guns and they could do whatever they wanted whenever they wanted.

87. Ultimately the sergeant asked Plaintiff: So what are we going to do here?

88. Plaintiff told the sergeant that he would drop the case as long as there was an agreement that he would not be arrested, and drugs would not mysteriously appear in his car or house.

89. The sergeant said to Plaintiff: I give you my word that the Chicago police would not pull over Plaintiff for anything, and no cops would go near his house.

90. With that agreement, Plaintiff felt that if he did not pursue the case, there would be no risk of having contraband planted in his home or car and going to prison.

91. In the alternative, Plaintiff was terrified of the police, and knew that if he did pursue the case, *at a minimum* drugs would appear in his home or car, and he would be arrested and imprisoned. The sergeant and officers made it clear that they were the police, they had guns and could do whatever they wanted. Plaintiff understood this to mean that his physical safety was also threatened.

92. Before leaving, the sergeant told Plaintiff: just forget about this, otherwise kiss

your job goodbye, your going to jail, and your fucked.

93. This was the last that Plaintiff heard about this case until 2006 when he was contacted by the Cook County State's Attorneys Office.

94. The Cook County State's Attorneys Office and the Internal Affairs Division of the Chicago Police Department had begun an investigation of FINNIGAN and other Chicago police officers.

95. For many years, FINNIGAN and several other police officer in the Special Operations Section of the Chicago Police Department were involved in a practice of illegally searching homes and falsely arresting people present in the homes. The officers would typically illegally enter a home, physically abuse and arrest those who were present, and steal any money, jewelry, and narcotics they could find. They often stole tens of thousands of dollars in cash, and tens of thousands of dollars worth of narcotics (if narcotics were found). Sometimes they would charge persons with possession of narcotics, and quite often the narcotics were planted by FINNIGAN or other officers. Hundreds – and perhaps thousands – of persons were victims of FINNIGAN's and other Special Operations officer's reign of terror, which went on for years. The evening that the Defendant-Officers illegally entered Plaintiff's home and illegally searched the home and abused and falsely arrested Plaintiff, the Defendant-Officers also went to several other homes in the neighborhood pursuant to their practice described in this paragraph.

96. When Plaintiff was first contacted by the Cook County State's Attorney's Office, he was terrified.

97. In a telephone conversation, the investigator told Plaintiff that they were investigating Plaintiff's previous complaint against the officers who had broken into his house.

98. Based on that experience, and the threats that Plaintiff had received, Plaintiff was

in fear for his safety, freedom, job and his life.

99. After the investigator further explained to Plaintiff that there was nothing to be afraid of, and that they were part of a real investigation, Plaintiff was still terrified.

100. Plaintiff, in fear for his life, safety and freedom, ultimately told the investigator that he would *not* meet him at Plaintiff's house, but would only meet him at a public place where there are a lot of people around. Plaintiff suggested a parking lot at Target or Home Depot, and the investigator agreed.

101. Plaintiff went to the parking lot at the local Home Depot to meet the investigator.

102. Still in fear, Plaintiff had his girlfriend in the parking lot secretly watching the meeting and help make sure that nothing happened to the Plaintiff.

103. Plaintiff brought \$500 in cash for possible bail money as he was fearful that the investigators he was going to meet may plant contraband on him or falsely arrest him.

104. At the Home Depot parking lot, the investigators from the Cook County State's Attorney's Office tried to quell Plaintiff's fear and they explained that they were investigating FINNIGAN and other Special Operations officers, and they were trying to correct what happened including the farce investigation that had been done that resulted in Plaintiff being threatened and forced to not pursue his complaint.

105. Ultimately, as a result of the Cook County State's Attorney's Office investigation, FINNIGAN and several other officers were criminally charged with numerous offenses of illegally entering person's homes, making false arrests, performing illegal searches, planting drugs on persons, and physically abusing persons.

106. After the charges were filed, FINNIGAN was arrested and appeared in bond court on September 8, 2006. Chicago police officer JEROME FINNIGAN was charged with numerous

counts of Home Invasion, Armed Robbery, Aggravated Kidnaping, Armed Violence, Residential Burglary, Theft, Aggravated Unlawful Restraint, Intimidation, Official Misconduct, False Report of Vehicle Theft, and Failure to Give Information or render aid in Motor Vehicle Accident involving Personal Injury. The criminal conduct included many separate instances and victims, spanning several years.

107. Bond for FINNIGAN was set at \$3,000,000.00.

108. At the bond hearing for FINNIGAN, it was explained that FINNIGAN's reign of terror included the invasion of Plaintiff's home described herein. (See exhibit 1.)

109. Each individual Defendant-Officer acted willfully, wantonly, maliciously, oppressively, and with a conscious disregard and deliberate indifference to Plaintiff's rights.

110. As a direct and proximate result of the acts of the Defendants described above, Plaintiff has suffered and continues to suffer damages including loss of physical liberty, emotional distress, pain and suffering, mental anguish and humiliation, stress, anxiety, fright, mental trauma, embarrassment, and other damages.

**COUNT I**  
**(42 U.S.C. § 1983 – False Arrest/Imprisonment)**

111. Plaintiff realleges paragraphs 1 through 110 as if fully set forth herein.

112. Defendant-Officers did not have an arrest warrant, probable cause, reasonable suspicion, consent, or any other lawful basis to stop or detain Plaintiff.

113. The actions of Defendant-Officers in arresting Plaintiff without any legal justification or probable cause violated his Fourth Amendment right, as guaranteed by the Fourteenth Amendment, to be free from unreasonable searches and seizures.

WHEREFORE, Plaintiff asks that this Honorable Court:

a) Enter judgment against said Defendant-Officers;

- b) Award Plaintiff compensatory and punitive damages, as determined at trial;
- c) Award Plaintiff attorney's fees and costs;
- d) Award such other and additional relief that this Honorable Court deems just and equitable.

**COUNT II**  
**(42 U.S.C. § 1983 – Excessive Force)**

114. Plaintiff realleges paragraphs 1 through 110 as if fully set forth herein.

115. The actions of Defendant-Officers violated Plaintiff's Fourth Amendment right, as guaranteed by the Fourteenth Amendment, to be free from the use of excessive and unreasonable force.

WHEREFORE, Plaintiff asks that this Honorable Court:

- a) Enter judgment against said Defendant-Officers;
- b) Award Plaintiff compensatory and punitive damages, as determined at trial;
- c) Award Plaintiff attorney's fees and costs;
- d) Award such other and additional relief that this Honorable Court deems just and equitable.

**COUNT III**  
**(42 U.S.C. § 1983 – Failure to Intervene)**

116. Plaintiff realleges paragraphs 1 through 110 as if fully set forth herein.

117. Defendant-Officers present for the physical abuse of Plaintiff had the opportunity but failed to intervene to prevent such abuse.

118. The actions of Defendant-Officers violated Plaintiff's Fourth Amendment right, as guaranteed by the Fourteenth Amendment, to be free from the use of excessive and unreasonable force.

WHEREFORE, Plaintiff asks that this Honorable Court:

- a) Enter judgment against said Defendant-Officers;
- b) Award Plaintiff compensatory and punitive damages, as determined at trial;
- c) Award Plaintiff attorney's fees and costs;
- d) Award such other and additional relief that this Honorable Court deems just and equitable.

**COUNT IV**

**(42 U.S.C. § 1983 – Illegal Search of Person)**

119. Plaintiff realleges paragraphs 1 through 110 as if fully set forth herein.

120. The actions of Defendant-Officers in searching Plaintiff's person without any legal justification or probable cause violated his Fourth Amendment right, as guaranteed by the Fourteenth Amendment, to be free from unreasonable searches and seizures.

WHEREFORE, Plaintiff asks that this Honorable Court:

- a) Enter judgment against said Defendant-Officers;
- b) Award Plaintiff compensatory and punitive damages, as determined at trial;
- c) Award Plaintiff attorney's fees and costs;
- d) Award such other and additional relief that this Honorable Court deems just and equitable.

**COUNT V**

**(42 U.S.C. § 1983 – Illegal Search of Home)**

121. Plaintiff realleges paragraphs 1 through 110 as if fully set forth herein.

122. The Defendant-Officers did not have a search warrant, probable cause, exigent circumstances, or any other legal justification to search Plaintiff's home.

123. The actions of Defendant-Officers in searching Plaintiff's home without any legal

justification violated his Fourth Amendment right, as guaranteed by the Fourteenth Amendment, to be free from unreasonable searches and seizures.

WHEREFORE, Plaintiff asks that this Honorable Court:

- a) Enter judgment against said Defendant-Officers;
- b) Award Plaintiff compensatory and punitive damages, as determined at trial;
- c) Award Plaintiff attorney's fees and costs;
- d) Award such other and additional relief that this Honorable Court deems just and equitable.

**COUNT VI**

**(42 U.S.C. § 1983 – Substantive Due Process, Arbitrary Abuse of Power)**

124. Plaintiff realleges paragraphs 1 through 110 as if fully set forth herein.

125. The conduct described above was an egregious arbitrary abuse of government power that shocks the conscience.

WHEREFORE, Plaintiff asks that this Honorable Court:

- a) Enter judgment against said Defendant-Officers;
- b) Award Plaintiff compensatory and punitive damages, as determined at trial;
- c) Award Plaintiff attorney's fees and costs;
- d) Award such other and additional relief that this Honorable Court deems just and equitable.

**COUNT VII**

**(42 U.S.C. § 1983 – Civil Conspiracy)**

126. Plaintiff realleges paragraphs 1 through 110 as if fully set forth herein.

127. Defendant-Officers knowingly and intentionally schemed and worked together in the common plan to illegally enter Plaintiff's home, and illegally arrest, search and physically

abuse Plaintiff.

WHEREFORE, Plaintiff asks that this Honorable Court:

- a) Enter judgment against said Defendant-Officers;
- b) Award Plaintiff compensatory and punitive damages, as determined at trial;
- c) Award Plaintiff attorney's fees and costs;
- d) Award such other and additional relief that this Honorable Court deems just and equitable.

**COUNT VIII**

**(42 U.S.C. § 1983 – *Monell* Claim against the City of Chicago)**

128. Plaintiff realleges all of the above paragraphs and counts, as if fully set forth herein.

129. At all times material to this Complaint, there existed in the City of Chicago the following practices, policies and customs:

- a. stopping, detaining, arresting, and searching civilians without a warrant, probable cause, reasonable suspicion, consent, or any other legal basis;
- b. searching civilians' homes without a warrant, probable cause, reasonable suspicion, consent, or any other legal basis;
- c. arbitrary use of excessive force against arrestees, detainees and other civilians;
- d. denial of substantive due process, abuse of legal process, malicious prosecution, and filing of false charges against innocent persons;
- e. mental abuse, oral abuse and assault of arrestees, detainees, and other civilians;
- f. preparing false and incomplete police reports to cover up police misconduct including unconstitutional searches and seizures;
- g. not preparing police reports, and false denial that an incident of misconduct even took place, in attempt to suppress and conceal police misconduct including unconstitutional searches and seizures,

- h. filing false charges and pursuing baseless prosecutions in order to protect police officers from claims of improper conduct and avoid liability;
- i. a *code of silence* in which police officers fail to report police misconduct including the type of misconduct alleged by Plaintiff in this Complaint, and described in sub-paragraphs a - i above;
- j. said *code of silence* also includes police officers either remaining silent or giving false and misleading information during official investigations to cover up misconduct, and protect themselves and other officers;
- k. failure to adequately train, supervise and discipline police officers in the categories and fields of police work addressed in sub-paragraphs a - i above;
- l. failure to adequately train and supervise police officers to rectify the malfeasance described in sub-paragraphs a - i above;
- m. failure to adequately investigate citizen complaints against police officers for the type of misconduct alleged by Plaintiff in this Complaint, and described in sub-paragraphs a - i above;
- n. failure to adequately discipline police officers for the type of misconduct alleged by Plaintiff in this Complaint, and described in sub-paragraphs a - i above;
- o. through the Office of Professional Standards (OPS), conducting inherently deficient investigations of citizen complaints of police misconduct in which an officer is disciplined in a minuscule percentage of cases, thereby encouraging even more police misconduct;
- p. failure to deter police officers from the type of misconduct alleged in this Complaint, and described in sub-paragraphs a - i above, by its lack of discipline for police misconduct, and defective OPS investigations.

130. The actions of the Defendant-Officers as alleged in this Complaint were done pursuant to, and as a result of, one or more of the above *de facto* practices, policies and customs of the City of Chicago, the Chicago Police Department, and its police officers.

131. One or more of the following entities, authorities and officials are responsible for the policies, practices and customs alleged above: the Mayor of Chicago, the City Council, the

aldermen, the Chicago Police Department, the Chicago Police Board (to which the City of Chicago has delegated *de jure* final policy-making authority for the Chicago Police Department); the members of the Chicago Police Board, the Office of Professional Standards, and Superintendent Phil Cline (to whom the City of Chicago has delegated *de facto* final policy-making authority for the Chicago Police Department regarding the matters complained of herein).

132. The practices, policies and customs described above are widespread, permanent and well-settled, and were known, or should have been known, to the municipal policy-makers of the City of Chicago.

133. The municipal policy-makers of the City of Chicago acted with deliberate indifference to the rights of Plaintiffs in maintaining, overlooking and preserving the unconstitutional practices, policies and customs delineated above.

134. By their inaction and failure to correct the above-described practices, policies and customs, municipal policy-makers tacitly approve and thus indirectly authorize the type of misconduct Plaintiff complains of herein.

WHEREFORE, Plaintiff asks that this Honorable Court:

- a) Enter judgment against the City of Chicago;
- b) Award Plaintiff compensatory damages, as determined at trial;
- c) Award Plaintiff attorney's fees and costs;
- d) Award such other and additional relief that this Honorable Court deems just and equitable.

**COUNT IX**

**(Indemnification Claim pursuant to 745 ILCS 10/9-102)**

135. Plaintiff realleges all of the above paragraphs and counts as if fully set forth herein.

136. The acts of the individual Defendant-Officers described in the above claims were willful and wanton, and committed in the scope of their employment.

137. Pursuant to the Illinois Tort Immunity Act, 745 ILCS 10/9-102, Defendant CITY OF CHICAGO is liable for any judgments in this case arising from the actions of the Defendant-Officers.

WHEREFORE, Plaintiff asks that this Honorable Court order Defendant CITY OF CHICAGO to indemnify the Defendant-Officers for any judgment entered in this case arising from the actions of the Defendant-Officers.

**Plaintiff demands trial by jury on all counts.**

Respectfully submitted,

  
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# EXHIBIT 1

**Chicago Tribune**  
— ONLINE EDITION —

[http://www.chicagotribune.com/news/nationworld/chi-0609090050sep09,1,3096247\\_story](http://www.chicagotribune.com/news/nationworld/chi-0609090050sep09,1,3096247_story)

## Charges describe a reign of terror

### 4 officers stole cash, guns, drugs in brazen spree, prosecutors say

By Carlos Sadovi and David Heinzmann  
Tribune staff reporters

September 9, 2006

In one case, four Chicago police officers allegedly brandished their service guns, cleared out a Southwest Side bar and forced the owner to take them to his suburban home, where he was robbed of thousands of dollars.

In another, the officers allegedly ransacked a man's safe, stealing cash and a 1952 Mickey Mantle baseball card worth as much as \$20,000. And in one instance, they allegedly handcuffed a pregnant woman after she tried to call for help when she found them in her South Side home.

Revealing new details Friday in their case against four officers from the elite special operations section, Cook County prosecutors said in court Friday that the cops stole thousands of dollars from drug dealers or other people who they believed would not file police reports.

The decorated officers, Jerome Finnigan, 43, Keith Herrera, 28, Thomas Sherry, 32, and Carl Suchocki, 32, appeared before Cook County Judge Matthew Coghlan, who set unusually high, multimillion-dollar bail amounts.

Bail for Finnigan and Herrera was set at \$3 million. Sherry's bail was set at \$2 million and Suchocki's at \$1.5 million.

Coghlan ordered a hearing to assure that any money posted as bail had not been stolen. Such hearings are rare and are usually reserved for alleged drug dealers.

"They took an oath.... Coming to court is not the only factor; the protection of the public must be considered," Coghlan said as he set bail. "If the allegations are borne out, then they are a danger to the community."

The 20-page document filed by prosecutors described a litany of crimes the cops allegedly committed since 2002.

"The defendants ... were not officers seeking to rid the streets of guns and drugs, but instead aggressively sought to find and steal money and illegal narcotics from people who seemed least likely to complain," said Cook County Assistant State's Atty. James Knibbs.

The new details also show that police officials were aware of alleged criminal behavior by the officers

Advertisement



for four years.

Police spokeswoman Monique Bond said internal affairs investigators sought charges from the state's attorney's office after they investigated the 2003 bar incident, but prosecutors declined to take the case.

John Gorman, a spokesman for the state's attorney's office, said police had not gathered enough evidence to bring charges in 2003, and that prosecutors told them to continue the investigation.

#### Evidence of undeclared income

By the time the four were charged this week, investigators had documented evidence that the men had deposited hundreds of thousands of dollars in undeclared income in bank accounts.

Finnigan and his wife "do not have a single checking account with any financial institution. All normal household expenses, including two home mortgages, two car payments and utilities, are paid with cash, money orders or cashier's checks," Knibbs said at the hearing.

Over about three years, Herrera deposited \$95,000 into his bank accounts that had not been declared as income, Knibbs said. During the same period, Suchocki allegedly deposited \$77,000.

Prosecutors said that within days of one of the incidents, a large deposit was made in Sherry's bank account.

With the officers' families filling the court, defense lawyers denied the allegations and described all four men as decorated officers who had put their lives on the line for the public.

"The witnesses happen to be large-scale drug dealers who happen to have large amounts of weapons and guns in their homes," said Tim Joyce, Suchocki's lawyer.

All but Finnigan were the sons of police officers, and Suchocki's father and grandfather were in the department.

During the hearing, Knibbs detailed alleged crimes that go back to May 18, 2002, when Finnigan allegedly forced his way into the home of a Chicago firefighter and his family without a warrant.

"Finnigan ransacked the apartment repeatedly demanding that the victim tell him where the stuff was.... Finnigan threatened the firefighter that with one phone call Finnigan could have the victim fired," Knibbs said.

In December 2002, Finnigan and other officers allegedly forced their way into the home of an off-duty officer who woke up to find the men ransacking his home. The officers left when the off-duty cop's daughter showed Finnigan his badge, Knibbs said.

The level of bravado seemed to escalate after that, Knibbs said. On June 19, 2003, Finnigan and Suchocki allegedly stormed into a bar in the 5700 block of South Pulaski Road, closed the bar down and threatened the owner. They wanted guns, Knibbs said. The bar owner was handcuffed and taken to his home in Oak Lawn, where the officers found a gun and allegedly stole \$1,300.

Knibbs said many times the officers did not discriminate about what they stole. On March 28, 2004, they allegedly broke into a home in the 4500 block of West Marquette Road of a man Finnigan and other officers detained without cause. They forced open a safe and stole a 1952 Mickey Mantle rookie

baseball card, a gold watch and \$200, Knibbs said.

#### Court cases are scuttled

Over the years the officers were responsible for scuttling dozens of court cases by failing to appear in court because they did not want to perjure themselves or put attention on their criminal dealings, Knibbs said. Finnigan is also accused of trying to prevent a witness from testifying to a grand jury regarding the current allegations.

The allegations go beyond theft.

In court papers, prosecutors alleged that Finnigan was driving an unmarked police car in April 2005 when he hit a 58-year-old woman as she tried to cross the street.

Finnigan allegedly got out and swore at her. When another person yelled at Finnigan, the officer swore at that person too, Knibbs said. He then got in the car and drove off. The woman was eventually taken to the hospital and sustained long-term injuries.

"The defendants have repeatedly demonstrated a blatant disregard for their duty to appear in court by ignoring subpoenas, disregarding court notifications and disobeying court orders to appear in court to testify," said Knibbs. "The defendants, through their actions, pose a danger to other hard-working, honest police officers, as well as the citizens of our community."

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