



**BOARD OF COMMISSIONERS OF COOK COUNTY  
BOARD OF COMMISSIONERS**

**Cook County Building, Board Room,  
118 North Clark Street, Chicago, Illinois**

**New Items Agenda**

**Thursday, March 16, 2023, 10:00 AM**

**Second Set**

[23-1939](#)

**Sponsored by:** ANTHONY J. QUEZADA, ALMA E. ANAYA and BRIDGET DEGNEN, Cook County Board of Commissioners

**PROPOSED RESOLUTION****A RESOLUTION CALLING FOR FURTHER FEDERAL ACTION AND ACCOUNTABILITY TOWARDS THE NORFOLK SOUTHERN CORPORATION**

**WHEREAS**, on the 3rd day of February 2022, a Norfolk Southern freight train carrying toxic chemicals derailed in the municipality of East Palestine, State of Ohio - bordering the Commonwealth of Pennsylvania, igniting a fire that covered the town in smoke; and

**WHEREAS**, in fear of a major explosion, authorities have created an evacuation zone near the crash and carried out a controlled release of toxic fumes to neutralize burning cargo inside some of the train cars; and

**WHEREAS**, five of the aforementioned train cars are carrying vinyl chloride, an industrial chemical used to make hard plastic that is classified by the National Cancer Institute as a “cancer-causing substance;” and

**WHEREAS**, according to the United States Environmental Protection Agency, hazardous materials such as butyl acrylate, ethylhexyl acrylate, and ethylene glycol monobutyl ethers, were inside the train cars, and may have been released to the air, surface soil, and surface waters; and

**WHEREAS**, after being permitted to return to their homes by the local authorities, residents of the area have reported feeling sick, complaining of headaches and sore throat, and smelling chemical odor; and

**WHEREAS**, Governor Josh Shapiro of the Commonwealth of Pennsylvania has denounced Norfolk Southern Corporation for its failure to report to the proper authorities within the state, and instead learned of the derailment independently in the first few hours after it occurred, creating confusion within the state’s emergency management system and risking the safety of first-responders; and

**WHEREAS**, two federal lawsuits have been filed against Norfolk Southern Corporation in the State of Ohio and the Commonwealth of Pennsylvania for negligence; and

**WHEREAS**, dozens of Norfolk Southern employees have been warning the company on the safety hazards brought about by the corporation’s Precision Scheduled Railroading (PSR) management approach since its implementation in February 2019, which prioritizes moving trains as quickly as possible out of terminals and rail yards and scaling back safety inspection times and personnel to move more freight at a lower cost; and

**WHEREAS**, personnel cuts and pressure from management have forced employees to not report safety

defects they discover, since fixing said defects will hurt PSR metrics; and

**WHEREAS**, Norfolk Southern reported record profits of \$4.8 billion from operations in 2022; and

**WHEREAS**, the National Transportation Safety Board (NTSB) released its preliminary report on the investigation of the derailment and found that the workers were not at fault, and that this disaster could have been prevented; and

**WHEREAS**, since the date of the derailment, there have been multiple derailments across the United States of America, and the most recent happened again in the State of Ohio by another Norfolk Southern train.

**NOW, THEREFORE, BE IT RESOLVED**, that the Cook County President and Board of Commissioners does hereby request the United States Department of Transportation to investigate its regulatory approach to our national rail system; and

**BE IT FURTHER RESOLVED**, that the Cook County President and Board of Commissioners does hereby call for the Norfolk Southern Corporation to cooperate with the appropriate agencies on improving their safety standards for workers and preventing further derailments; and

**BE IT FURTHER RESOLVED**, suitable copies of this resolution will be sent to the United States Department of Transportation in Washington, D.C. and to the Norfolk Southern Corporation in the City of Atlanta, State of Georgia.

[23-1964](#)

**Sponsored by:** STANLEY MOORE, Cook County Board of Commissioners

#### **PROPOSED RESOLUTION**

**REQUESTING A HEARING REGARDING THE FAIRNESS AND INTEGRITY OF THE CRIMINAL PROCEEDINGS FOR THOSE WITH ALLEGATIONS THAT THEY WERE TORTURED BY THE DISCIPLES OF THE NOTORIOUS FORMER COMMANDER JON BURGE**

**WHEREAS**, Cook County is a home rule unit of local government pursuant to Article VII Section 6(a) of the 1970 Illinois Constitution, and as such may exercise any power and perform any function pertaining to its government and affairs; and

**WHEREAS**, former Chicago Police Commander Jon Burge and the detectives under his command systematically engaged in acts of torture, physical abuse, and coercion of Black and Latine people at Area 2 and 3 Police Headquarters from 1972 through 1991; and

**WHEREAS**, these acts of torture included electrically shocking individuals on their genitals, lips and ears

with an electric shock box or cattle prod; suffocating individuals with plastic bags; subjecting individuals to mock execution; physical beatings with telephone books, rubber hoses, miniature baseball bats; punching and kicking people about their bodies, pulling their hair, and other forms of physical and psychological abuse and coercion; and

**WHEREAS**, these acts of torture, physical abuse and coercion were deployed to extract confessions from individuals which were subsequently admitted against them in their criminal prosecutions resulting in their wrongful convictions; and

**WHEREAS**, the City of Chicago has recognized this pattern and practice of torture when passing the historic reparations legislation for Burge torture survivors in 2015. This legislation followed admissions made by the City of Chicago in 1992 when severing Burge from the Chicago Police Department, wherein the City acknowledged that Burge and the detectives under his command engaged in “an astounding pattern or plan” to torture certain suspects. Burge was also convicted in federal court for perjury and obstruction of justice for lying about the acts of tortured he and his detectives committed in 2010; and

**WHEREAS**, this racially motivated pattern and practice of torture was not confined to Burge alone. In 2006, appointed Special State’s Attorneys Edward Egan and Robert Boyle released a Report documenting their four year investigation in which they found that there were “many cases” in which it was reasonable to believe that Black custodial suspects were abused by Burge and officers under his command at Area 2 and 3 Police Headquarters. The Special State’s Attorneys also concluded that Burge was “guilty [of] abus[ing] persons with impunity,” and that it therefore “necessarily follows that a number of those serving under his command recognized that if their commander could abuse persons with impunity, so could they.” The Seventh Circuit Court of Appeals also noted in upholding Burge’s conviction in *U.S. v. Burge*, 711 F.3d 803 (2013) that torture, physical abuse, and coercive interrogations swiftly produced confessions, closed cases, and were rewarded with commendations and promotions, and therefore it was expedient for these officers to engage in these forms of “horrific” abuse; and

**WHEREAS**, the City of Chicago eventually terminated Burge from the Chicago Police Department in 1993, no detective or subordinate (his disciples) under his command was disciplined for their participation in this pattern and practice of torture, physical abuse, and coercion. Moreover, neither the City of Chicago nor the Chicago Police Department conducted any investigation to determine all cases where Burge or his disciples engaged in acts of torture, physical abuse, or coercion; and

**WHEREAS**, the Cook County State’s Attorney’s Office (CCSAO) also failed to take necessary action to stop the torture and hold Burge and his disciples responsible despite credible allegations that Burge and his men were engaging in acts of torture throughout the 1970s, 80s and 90s. The CCSAO also never initiated its’ own investigation into this criminal conduct and instead persistently denied these allegations and used extracted confessions to secure convictions, lengthy prison sentences, and in some cases, the death penalty; and

**WHEREAS**, Burge’s disciples were never dissuaded from continuing to engage in acts of torture, physical abuse and coercion in securing confessions and convictions, and therefore continued to enjoy

impunity for their official misconduct, even after Burge was terminated from the Chicago Police Department; and

**THEREFORE, BE IT RESOLVED**, a meeting of the Cook County Criminal Justice Committee be convened on to discuss the necessity and feasibility of an independent review of the cases connected to Burge's disciples; and

**THEREFORE, BE IT FURTHER RESOLVED**, that State's Attorney Kim Foxx, and special attorneys Robert Milan and Myles O'Rourke be available to respond to questions, account for the current on-going cases they are prosecuting and that have been resolved relating to appointment as Special State's Attorneys with respect to the Burge's disciples torture cases, and hear from these attorneys' their willingness to cooperate in such a review.