

Sent: Tue, 24 Nov 2015 07:13:58 -0500
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To: [REDACTED]
Subject: Chicago

P6/b(6)

Good Morning and welcome back!

In light of a reported announcement later this morning by State's Attorney Alvarez, I wanted to make sure you saw the lengthy article that I have pasted below. It accurately reflects my understanding of the situation in Chicago. We will monitor closely and update you prior to your press conference this morning.

Cop in dash-cam video to face murder charge

[Photos: Laquan McDonald]

Chicagoans react to the imminent release of a police video showing the shooting death of 17-year-old Laquan McDonald.

Jeremy Gerner<<http://www.chicagotribune.com/chi-jeremy-gerner-staff.html#nt=byline>>, Annie Sweeney<<http://www.chicagotribune.com/chi-anne-sweeney-staff.html#nt=byline>> and Jason Meisner<<http://www.chicagotribune.com/chi-jason-meisner-staff.html#nt=byline>> Contact Reporters<<mailto:jgerner@chicagotribune.com>,asweeney@chicagotribune.com,jmeisner@chicagotribune.com?subject=Regarding:%20%22Cop%20in%20dash-cam%20video%20to%20face%20murder%20charge%22>Chicago Tribune
The case would mark the 1st time a Chicago cop has been charged with 1st-degree murder for an on-duty fatality

A white Chicago police<<http://www.chicagotribune.com/topic/crime-law-justice/law-enforcement/chicago-police-department-ORGOV000080-topic.html>> officer shown on video fatally shooting an African-American teen was expected to be charged with first-degree murder Tuesday as City Hall<<http://www.chicagotribune.com/topic/politics-government/government/chicago-city-hall-PLCUL00217-topic.html>> braced for the long-awaited public release of the police camera footage, according to multiple sources.

Officer Jason Van Dyke is shown on the dash-cam video jumping out of his squad car and within seconds unloading 16 rounds into 17-year-old Laquan McDonald, lawyers for McDonald's family have said. After the first few shots knocked McDonald to the ground, Van Dyke fired another volley that struck the teen repeatedly as his body lay in almost a fetal position on the ground, according to the lawyers.

Police said McDonald, who had PCP in his system when he died, was behaving erratically and refusing police commands to drop a 4-inch folding knife. The police union has maintained the officer fired in fear of his life because the teen lunged at him and his partner with the knife. Van Dyke's lawyer also has said the officer feared for his life.

Van Dyke, 37, who has been on paid desk duty since the October 2014 incident, is scheduled to appear for a bond hearing at noon Tuesday at the Leighton Criminal Court Building at 26th Street and California Avenue, the sources said.

The case would mark the first time a Chicago police officer has been charged with first-degree murder for an on-duty fatality in nearly 35 years. Van Dyke would face a minimum of 20 years in prison if convicted of the first-degree murder charge.

The charges would come less than a week after a Cook County judge ordered the release of the video, which Mayor Rahm Emanuel<<http://www.chicagotribune.com/topic/politics-government/government/rahm-emanuel-PEPLT000007532-topic.html>>'s administration had long sought to keep out of public view. As Emanuel urged prosecutors to conclude their investigation

Monday, he met with community leaders and aldermen to defend his handling of the controversy amid criticism City Hall has not done enough to address police misconduct.

[Emanuel talks about Laquan McDonald video]<<http://www.chicagotribune.com/news/local/breaking/ct-chicago-cop-shooting-video-laquan-mcdonald-charges-20151123-story.html#>>

Mayor Emanuel condemns officer who shot teen, calls on Chicagoans to exercise restraint in protesting once video of incident is released. Nov. 23, 2015. (John Byrne / Chicago Tribune)

Ordered to release the video no later than Wednesday, the mayor called on religious leaders and activists to encourage peaceful demonstrations even as staff prepared for the public fallout and discussed the best way to unveil the footage.

Federal authorities continue to investigate whether Van Dyke violated McDonald's civil rights protecting him from excessive force by the police. A federal grand jury has heard testimony from dozens of witnesses over the course of several months.

The city lost its court fight last week to keep the video under wraps when the judge ruled in favor of freelance journalist Brandon Smith, who sued under the state's open records law.

Lawyers for McDonald's family, who won a \$5 million settlement from the city even before filing a lawsuit, have said Van Dyke emptied his Smith & Wesson 9 mm semi-automatic handgun. None of the five other officers at the scene fired a shot, according to city officials.

McDonald's autopsy found he was shot once on each side of his chest and suffered single bullet wounds in the scalp and neck, two in his back, seven in his arms, one in his right hand and two in his right leg. According to the report, nine of the 16 entrance wounds had a downward or slightly downward trajectory.

[Release of video of police shooting will cast spotlight on Chicago]<<http://www.chicagotribune.com/news/local/breaking/ct-chicago-cop-shooting-video-laquan-mcdonald-met-1122-20151120-story.html#>>
Release of video of police shooting will cast spotlight on Chicago<<http://www.chicagotribune.com/news/local/breaking/ct-chicago-cop-shooting-video-laquan-mcdonald-met-1122-20151120-story.html#>>

The Tribune in April first revealed that Van Dyke was the officer who shot and killed McDonald after city officials refused to disclose his identity, citing a provision in the union contract that bars the city from identifying officers unless they are convicted of a crime or the police board rules on their case. Police stripped him of his police powers and put him on paid desk duty pending the outcome of the investigation.

According to police and court records, Van Dyke joined the department in 2001 and spent more than four years with a specialized unit — since disbanded by police Superintendent Garry McCarthy<<http://www.chicagotribune.com/topic/crime-law-justice/law-enforcement/garry-mccarthy-PEPLT00008426-topic.html#>> — that aggressively went into neighborhoods experiencing spikes in violent crimes.

In his private meetings with ministers and aldermen, and a brief interaction with reporters, Emanuel sought to frame the issue as the actions of one bad officer.

"What happened here is wrong. There is no justification and it's profoundly hideous, in my view," Emanuel told ministers in a one-way, six-minute conference call during which the ministers were unable to ask questions. "And it's a shock to your conscience of what happened, and it should not have happened."

Later, Emanuel told reporters he had not seen the video but his assertion was that the officer had violated the public trust.

"One individual needs to be held accountable. They need to be held accountable for what they've done," Emanuel said. "And as I've said before, now that the judge has made the decision, I would like to see the prosecutors wrap up their investigation and make a decision, so we can go as a city and begin the process of healing."

Details of the video did not begin to surface until April, when the city made the unusual decision to approve the settlement for McDonald's family even before a lawsuit had been filed.

For 13 months, Emanuel and the city's attorneys had opposed the release of the video amid ongoing criminal investigations into Van Dyke. After a Cook County judge found the city in violation of the state's open records law last week and ordered that the video be released, the city pulled an about-face, dropping its court fight and saying it would comply with the order to release the potentially inflammatory video by Wednesday.

Neither Emanuel nor his office have said exactly when the video might be released, and the mayor did not give any indication during his private call with community leaders. But he defended the decision to withhold it.

"My view is, which is common practice, you don't release any material while an investigation is going on because you don't want to do anything to hinder that investigation," the mayor said. "But we always had the intention that when that investigation was wrapped up, the video was going to be made public."

That decision was roundly criticized by activists, including some Emanuel spoke with Monday.

The Rev. Jesse Jackson<<http://www.chicagotribune.com/topic/social-issues/racism/jesse-jackson-PEPLT007437-topic.html>> noted that video of police shootings had been released in cases nationwide before charges had been filed.

"He was shot 16 times 13 months ago and the tape was delayed and the officer was not arrested, not fired, not charged. ... The decision was made that this video was too provocative and they should lock it into a legal process," Jackson said. "This is a public camera. It belongs to us."

Ministers and activists who met with Emanuel — and some who said they declined to meet with him — sounded a common theme that the mayor is unwilling to discuss their frustrations and ideas for change until a crisis forces his hand. They also criticized what they described as a last-minute request that they help ensure protests remain peaceful.

The Rev. Ira Acree, pastor of the Greater St. John Bible Church in Chicago's Austin neighborhood, said Emanuel's City Hall meeting with ministers was "very tense, very contentious." Acree said he was surprised to receive the invitation after he had long tried unsuccessfully to meet with the mayor and his staff about police and community relations.

"Many in my community feel betrayed, many are so very angry and protests are imminent, and from the meeting today it's very clear Mayor Emanuel knows that. He put a lot of pressure on us to use our influence to make sure these protests or demonstrations are peaceful," Acree said. "Of course, we did respond to the mayor that there are so many people so angry and so disappointed in how they've been played by the city, the Police Department and the state's attorney."

"There is a group that is not listening to him and not listening to us either, but nevertheless we are hoping these protests and demonstrations will be peaceful. But we know they are coming, because if there was no protest that would mean we've become immune to this madness."

Jedidiah Brown, founder of the Young Leaders Alliance, said Emanuel's meeting with activists "was the right move, but it was horrible timing."

"We cannot keep waiting until the pot is boiling to want to cut the fire down," said Brown, who ran an unsuccessful bid for 5th Ward alderman in the spring. "The mayor has to understand, you can't keep waiting until it looks forced."

Brown said he and many others in the meeting expressed to the mayor they believed the Police Department needs a culture change and McCarthy should be fired. During budget hearings last month, the City Council's Black Caucus also called for McCarthy's ouster.

Ald. Emma Mitts<<http://www.chicagotribune.com/topic/politics-government/government/emma-mitts-PEPLT007985-topic.html>>, 37th, and fellow members of the council's Black Caucus met in the mayor's office for more than an hour late Monday afternoon. Mitts said many aldermen vented their frustrations with Emanuel about the police department's handling of the incident and the fact that the city has been unable to suspend or fire Van Dyke.

"The mayor gave us the facts of what happened in the case and said, 'Yes, it will look bad.' He admits to that," Mitts said. "I'm really concerned, and all my colleagues are. We know something very terrible happened that should not have happened."

"It's probably the worst that we've ever seen, and we haven't even seen the video yet. Just hearing it is the worst thing I've heard. It's so devastating."

Mitts said she reluctantly plans to watch the video so she can discuss it with her constituents while urging them to participate in peaceful protests. "I'll tell them to watch it. Let it be a lesson," she said. "Get up and do something to get more young African-Americans on the police force."

But in a sign of the tensions underlying the issue, some activists said they turned down the overtures to meet with Emanuel because City Hall has shown little recognition of their broader concerns.

"Everything is being taken from us, nothing is being given to us and everyone is trying to tell us how to act and respond to that," said Timothy Bradford, with Black Youth Project 100. "There's always focus on how black people perform and respond to being abused and exploited and oppressed politically, economically and socially. There's very little focus and investment in addressing the root causes of everything that precedes this."

Tribune reporters Bill Ruthhart, John Byrne, Steve Schmadeke and Dawn Rhodes contributed.

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