

Pedestrian stops dip, traffic stops rise

ACLU report also finds that African-American motorists were pulled over at much higher rate

By JEREMY GORNER
Chicago Tribune

Pedestrian stops by Chicago police officers plummeted in number beginning in 2016 after a new state law and an agreement between the ACLU and the Police Department required officers to

more thoroughly document and justify the encounters to ease concerns about racial profiling and constitutional violations. Some even believe the impact contributed to homicides hitting levels in 2016 that had been unseen in two decades. But a new report from the

American Civil Liberties Union of Illinois says that at the same time pedestrian stops fell so sharply, Chicago police dramatically increased how often they pulled over motorists. The number of traffic stops more than tripled, rising from 85,965 in 2015 to 187,133 in 2016, then jumping to 285,067 in 2017, the ACLU said. The latest report also found that Chicago police stopped Afri-

can-American motorists at a disproportionately higher rate than whites, Hispanics and Asians. The findings have raised alarms for civil libertarians at a time when the Police Department is attempting to improve trust with minority communities as it nears a federal court agreement meant to ensure widespread reforms are carried out. “The problem has been consistent, but now it’s, yet again, a point

of data that shows how desperately we need holistic reform of the Police Department,” said Karen Sheley, director of the police practices project for the ACLU of Illinois. Sheley could only speculate on the sudden increase in traffic stops at the same time that pedestrian stops dropped so precipitously. Turn to **CPD, Page 6**



MARY WISNIEWSKI
Getting Around

Pace looks to highways for boost

Suburban bus service lost riders in 2018, but some routes flourished

Pace, the suburban bus service, has good news and bad news. The bad news is that it lost about 3 percent of its riders last year, not counting ADA paratransit service. This slide in bus ridership is also being seen at transit systems around the country. The good news is that some routes are doing great — specifically, the long-haul, express service on interstates 55 and 90. So Pace is looking to do what any company seeing slides in one area and growth in another would do, and is investing more in the expanding areas. It wants more service on long-distance express routes, and hopes to develop new service on other highways, including interstates 294 and 290. “We’re seeing tremendous growth in those services,” said interim Executive Director Rocky Donahue in a recent interview at Pace headquarters in Arlington Heights. “I-55 is busting at the seams.”

To grow its express routes and make other improvements, Donahue said Pace needs Springfield to pass a capital bill, which it hasn’t done in 10 years. Transit agency heads hope lawmakers will make a new infrastructure plan a priority this spring. Pace wants to use new capital money to invest more in its highway services, through more buses and facilities, and in its

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“We cannot give our families justice. We can only ensure the truth is told.”

— Grant Gochin, an American whose Jewish relatives were killed in Lithuania during World War II. He has sued the Genocide and Resistance Research Centre of Lithuania.



JOSE M. OSORIO/CHICAGO TRIBUNE

Silvia Foti holds a photo of her grandfather Jonas Noreika in her Chicago home last week. She was raised believing he was a Lithuanian hero.

Was her grandfather a patriot or a Nazi?

On Tuesday, a court in Lithuania will be asked to decide a tangled question

By RON GROSSMAN | Chicago Tribune

To this day, Silvia Foti is not sure if she was supposed to expose or exonerate her grandfather Jonas Noreika. In Lithuania, he is remembered as General Storm, his nom de guerre when he led an underground resistance to the Soviet army’s invasion of his homeland during World War II. There are statues and streets named for him. His daughter, Foti’s mother, spent decades assembling myriad documents for a biography of Noreika. At 55, Foti’s mother got a doctorate in literature to prepare herself to write a book about his life. But she fell ill and never wrote it.

“In the hospital on her deathbed, she pulled me close and whispered: ‘You must write the story,’” Foti recalled her mother saying. Yet when Foti told that to Noreika’s widow, she replied: “Just let history lay.” As Foti began working her way through the documents, she found troubling hints that there was more to her grandfather’s story than the heroic

legend she was raised on. Because of Noreika’s fame, Foti felt like a princess as a child in Chicago’s Lithuanian community, the largest outside the homeland. But eventually she uncovered a pamphlet her grandfather wrote in 1933. It was filled with rants against the Jews as economic exploiters of Lithuania and urged: “We won’t

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Was day care worker framed in 2009 death?

Melissa Calusinski’s family vows to take case to federal court

By ROBERT MCCOPPIN
Chicago Tribune

When Melissa Calusinski found Benjamin Kingan unresponsive in his bouncy chair at a suburban day care center on Jan. 14, 2009, his death later that day was a mystery. It wasn’t yet clear that it would also become — in the eyes of the law — a murder. It also wasn’t clear that the case would attract national attention. Or that — now a decade later — the events surrounding the Deerfield toddler’s death would continue to be debated: Was it intentional or accidental? Did Benjamin die of a skull fracture caused by Calusinski, a worker at

the center, or of a pre-existing condition? Was her confession true or coerced? Did authorities withhold from Calusinski’s defense attorneys an X-ray of Benjamin that undermined their case? The stance of authorities investigating the case would quickly become clear: Two days after Benjamin’s death, they charged Calusinski with first-degree murder following her confession that she slammed the boy’s head to the ground out of frustration. But her defense attorneys, other experts and Calusinski herself have long maintained that the admission was coerced: It came at the end of a 10-hour interrogation, and Calusinski — then 22 and said to have a low IQ — has claimed that investigators made it clear they wouldn’t stop until she admitted her culpability.



STACEY WESCOTT/CHICAGO TRIBUNE

Paul and Cheryl Calusinski, center, the parents of Melissa Calusinski, listen with others at a news conference in 2016.

“I was so scared, I did not understand what the detectives were telling me to say,” Calusinski, of Carpentersville, told Judge Daniels Shanes in 2012 before he sentenced her to 31 years in prison. “I knew I had to go along with them or I would never get

out of the room.” Benjamin’s mother, Amy Kingan, also spoke at the sentencing, saying her and her husband’s “most traumatic memories” were of saying goodbye to their son.

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Graham urging President Trump to reopen government

Republican Sen. Lindsey Graham said he is encouraging the president to reopen the government for several weeks to continue negotiating with Democrats over funding for a U.S.-Mexico border wall before the president takes the more drastic step of declaring a national emergency. He said that President Trump should declare a national emergency if no progress is made in three weeks. **Nation & World, Page 8**

Friends and family recall state trooper’s fun, selfless ways

Illinois State Police Trooper Christopher Lambert, 34, was killed Saturday while on duty responding to a traffic crash on I-294. **Chicagoland, Page 3**

Was her grandfather a patriot or a Nazi?

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buy any products from Jews!”

“I wonder if my mother was wrestling with her father’s anti-Semitism,” Foti said. “Did she want me to tell or suppress that part of the story?”

This Tuesday, a court in Vilnius, the country’s capital, will be asked to decide whether Noreika was, in fact, a hero or an accomplice in the Nazi Holocaust. The plaintiff is Grant Gochin, an American of Lithuanian descent whose Jewish relatives were murdered in Lithuania during World War II. He wants state-funded institutions there to cease honoring Nazi collaborators, like it is alleged Foti’s grandfather was.

Until last year, neither Foti nor Gochin knew that the other one was on Noreika’s trail.

But while it was emotionally wrenching for her, he went at it with an uncompromising sense of purpose. Gochin grew up palpably sensing the pain felt by his grandfather who got out of Lithuania in time — a look on his face suggesting he was recalling relatives he left behind who perished.

“We cannot give our families justice,” Gochin said. “We can only ensure the truth is told.”

Soviet forces in Lithuania

Foti and Gochin became acquainted in 2018, after she published an article in Salon about her grandfather and he separately filed a lawsuit. The suit



JOSE M. OSORIO/CHICAGO TRIBUNE

A 1936 photo held by Silvia Foti shows her grandfather Jonas Noreika, second from right, with his sister Antanina, far left, mother, Anelija, and sister Ona.

named as defendant the Genocide and Resistance Research Centre of Lithuania. A government-funded institution, its name echoes the tragic chapters of the tiny country’s history.

Long part of Russia, its gargantuan neighbor, Lithuania got its independence as a consequence of the Bolshevik Revolution of 1917. Early in World War II, the Soviet Union annexed Lithuania. In 1941, Adolf Hitler’s armies pushed the Russians out. They returned as the war was ending. With the collapse of the Soviet Union, Lithuania regained its independence in 1990.

Given those twists and turns, Lithuanian scholars and patriots have had to wrestle with a cornucopia of troubling memories. One is the fact that Jews were being rounded up by Lithuanians before the Nazi invaders

arrived. On June 22, 1941, as Soviet troops were retreating, armed Lithuanian nationalists locked up the Jews of Plunge in the town’s synagogue. They were among the 200,000 Jews who perished in Lithuania during the war, a number of them at Lithuanian hands.

For decades, the official narrative attributed those atrocities to low-life ruffians, noted Saulius Suziedelis, a leading scholar of the Holocaust in Lithuania. But he rejects the idea that they were spontaneous killings.

“The Germans trained armed deserters from the communists’ army,” Suziedelis said. “Lithuanians said: ‘The Jews did the same thing to us.’”

Since some Jews were communists, *ergo* they were responsible for Lithuania’s suffering under Soviet domination, was the prevailing thought. In recent decades, Suziedelis added, younger Lithuanian scholars have taken a more textured view of the war years.

But as Gochin discovered, many Lithuanians are reluctant to admit that Noreika, whom the Soviets executed in 1947, was an accomplice to the Holocaust. Gochin’s lawsuit followed futile attempts to convince Lithuanian officialdom that Noreika and others were war criminals, not patriots. “I thought it was a mistake,” Gochin said. “I found it was an agenda.”

His suit asks that the certificate of good conduct during the war issued Noreika by the Genocide and Resistance Centre be re-

voked. Gochin sees that as a first step in ending Lithuanians’ hero worship of Noreika.

A granddaughter steps forward

When the horrors of the Nazi era were revealed, victims and perpetrators were often described as exclusive categories. That the reality is more complicated has been difficult for some to accept. Poland passed a law making it a crime to say that Poles participated in the Holocaust. The French were long blind to their cops’ roundup of Jews.

Foti encountered similar resistance to her research. In 2013, she met with the director of the Genocide and Resistance Centre. She noted that her grandfather — a district official during the Nazi occupation — had signed orders for the transport of Jews to ghettos and the expropriation of their property.

According to Foti, the Lithuanian official responded: “It is psychologically difficult to comprehend what he was thinking and feeling when he signed those papers.”

Foti went to Lithuania after consulting with Suziedelis, the scholar. “I obliquely warned her about what she might find,” he said.

Indeed, the trip denied Foti any lingering hopes that her grandfather was a mere bystander to the destruction of Lithuania’s Jewish community.

She said she met with an aunt in Lithuania who recalled that

Foti’s grandparents had lived in a house in Plunge that had “suddenly become free.” What did that mean, Foti asked?

“The Jews were gone, so the house was free,” Foti recalled her aunt replied. “Many Lithuanians were moving into new free houses.”

Did that mean Noreika, as a district official, was responsible for the Jews being gone? “Maybe he had no choice,” Foti recalled her aunt saying. “I don’t know what to think anymore.”

For Foti, the terrible truth was patent. For a while she despaired of being up to the task her mother had set her.

“I wanted to burn the manuscript!” she said.

Then she switched professions: formerly a freelance writer, she became a high school teacher. That gave her summers off, and she took college courses in creative writing. When she told instructors about her qualms about the book she was struggling with, they urged her to finish it — and make her grandfather’s culpability the centerpiece.

So as a warmup for the book, she sent a brief account of her research to Salon in 2018.

Though she is not going to Lithuania for the trial, she filed an affidavit of support for Gochin’s lawsuit in Vilnius.

“I am Silvia Foti, Jonas Noreika’s granddaughter,” she wrote to the court. “It is painful for me, but I am prepared to talk about my findings.”

rgrossman@chicagotribune.com

Family vows to involve U.S. court

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“We sat in a rocking chair with Ben’s cold, lifeless body, hugging and kissing him one last time — trying to comfort him,” she said. “We prayed through our tears he would wake up and we could take him home.”

Since then, while the Kingans have remained largely silent, Calusinski’s camp has been outspoken about their campaign to clear her or win her a new trial. After Calusinski’s conviction in Lake County court, well-known defense attorney Kathleen Zellner — who has helped clear many people accused of high-profile killings and represents Steve Avery of Netflix’s “Making a Murderer” series — agreed to handle Calusinski’s appeal. Her case has been featured on national news and true-crime programs.

But if Calusinski has won sympathy in the court of public opinion, she has gained little traction in court.

In 2016, amid assertions from Calusinski’s defenders that a new X-ray of Benjamin’s skull had been found in the Lake County coroner’s office that undermined the prosecution’s case, her lawyers



STACEY WESCOTT/CHICAGO TRIBUNE 2016

Melissa Calusinski speaks with her attorney at an appeal hearing; the judge upheld her murder conviction. In 2018, a state appeals court also upheld the conviction and the state’s high court declined to hear the case.

were granted the opportunity to present what they said was new evidence of her innocence.

But after three days of testimony, the judge ruled that the murder conviction against Calusinski would stand. Shanes said the defense’s claims — among them that the “new” X-ray proved Benjamin died of a pre-existing condition — “amount to Monday-morning quarterbacking.”

Last year, an Illinois appeals court also upheld Calusinski’s conviction and, months later, the Illinois Supreme Court declined to hear the case. But Calusinski’s

father, Paul, long her most vocal champion, said the family will keep fighting and vowed to take the case to federal court.

The guilty verdict against Calusinski came at the end of the long, controversial tenure of former Lake County State’s Attorney Michael Waller. Several murder cases prosecuted by Waller’s staff fell apart after forensic evidence pointed to other suspects — in some cases despite confessions and after the cleared men had spent decades in prison.

Michael Nerheim replaced Waller as top prosecutor in 2012,

promising to reform the office, and he has cleared defendants who had evidence of their innocence. Nerheim, however, has defended the Calusinski conviction in the face of opponents who say the case is flawed.

After the appellate ruling, Nerheim issued a statement that the evidence in the appeal was not new or significant, adding: “We hope that this helps bring Ben’s family one step closer to closure.”

Benjamin’s family could not be reached for comment.

Still, Paul Calusinski said his 32-year-old daughter, who used to



The cause of Benjamin Kingan’s death in 2009 is a point of dispute.

help him in the family’s bait shop in Algonquin, is looking forward to the day when she’ll be released.

Their efforts to keep fighting her conviction have been assisted through a GoFundMe campaign that has raised almost \$17,000.

He and his wife visit their daughter at least twice a month at Logan Correctional Center downstate. The family keeps a large sign with their daughter’s photo on display in the front yard of their home in Carpentersville and gets support from neighbors and well-wishers around the world.

For Christmas, Melissa Calusinski drew a portrait of her parents, her father said, adding she works in a clerk’s office in prison, teaches an aerobics class and is doing well under the circumstances. The family maintains a Facebook page on her behalf, and sometimes livestreams phone calls with her in which she answers supporters’ questions.

“We’re just waiting to get into the federal court,” Paul Calusinski said. “My daughter’s completely innocent. The evidence has shown that. They framed my daughter for a murder she never did.”

Chicago Tribune’s Angie Leventis Lourgos contributed.

rmccoppin@chicagotribune.com
Twitter @RobertMcCoppin

CPD pedestrian stops dip, traffic stops rise

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“It could be a policy shift from stopping people as pedestrians to stopping people in cars, and that’s something that the city should be accountable for and tell the public,” she said.

Multiple Chicago police officers who talked to the Tribune on the condition of anonymity because they were not authorized to speak publicly said they believe many officers now prefer to pull drivers over rather than stop pedestrians. The documentation they must fill out for traffic stops is much simpler than the lengthy, detailed reports required for pedestrian stops as a result of the department’s agreement with the ACLU, they said.

Police have the authority to pull over drivers who commit traffic violations, but even if a ticket isn’t issued, officers are still required to document the motorist’s race and other identifiers. These so-called blue cards, though, take far less time to fill out than the reports for pedestrian stops, the officers said.

Without directly addressing the jump in traffic stops, Chicago police officials criticized the 17-page report, “Racism in the Rear View Mirror,” saying the ACLU didn’t take into account crime statistics and calls for service in the largely African-American

areas in which the highest number of traffic stops took place.

“CPD deploys the highest number of officers to high-crime districts, which results in greater enforcement activity in those areas,” said Anthony Guglielmi, the Police Department’s chief spokesman.

According to data provided by the ACLU, a majority of the 10 Chicago police beats with the most traffic stops over the three-year period were in heavily African-American neighborhoods on the South and West sides where much of the city’s violence is concentrated.

While making up about 31 percent of the city’s 2.7 million population, African-Americans accounted for 49 percent of the traffic stops in 2015, the study shows. That percentage rose to 60 to 61 percent as traffic stops soared the following two years.

By comparison, whites are 32 percent of the population but made up 23 percent of the traffic stops in 2015, falling to 15 to 16 percent the following two years, according to the study.

In 2017, a highly critical U.S. Department of Justice report on Chicago police practices noted how officers working in high-crime areas had been instructed to make a lot of car stops because of drive-by shootings.

“There was no discussion about, or apparent consideration of, whether such a tactic was an effective use of police resources to identify possible shooters, or of the negative impact it could have on police-community relations,” the report stated.

For police to be pulling over African-American motorists at such high rates as shown in the ACLU report brings a host of negative effects on the black community and its attitude toward law enforcement, said University of Kansas professor Charles Epp.

“They feel that they are subject to surveillance, that they’re not treated as equal citizens, that the police are not there to protect them but are there to hunt them down,” said Epp, who examines racial disparities in law enforcement practices. “It has all kinds of harmful consequences for trust in the police, for legitimacy (of) the police, for people’s willingness to cooperate with the police in investigations.”

The high number of traffic stops came at the same time that officers sharply dropped how often they stopped pedestrians. Those street stops plummeted to just over 107,000 for both 2016 and 2017, down from about 600,000 in 2015, official Police Department statistics show.

With the new law and ACLU agreement, officers went from documenting their stops on so-called contact cards — about the size of small note cards — to a 1½-page document that includes

dozens of boxes to check and space to give a detailed justification for the stop. At the time of the change in early 2016, the Chicago Tribune reported that officers complained about how much longer the paperwork took to fill out, keeping them from their street duties. All the questions on the new forms also increased their anxiety about being second-guessed on whom they stopped and whether the stops were legally justified. As a result, the number of street stops plummeted.

Chicago ended 2016 with more than 4,300 people shot and in excess of 760 killed, the worst violence the city had seen in two decades. In interviews that year with the Tribune, some officers blamed the changes in the pedestrian stops in part for the rise in violence, saying they prevented cops from policing the streets more aggressively.

But crime experts have dismissed that explanation for the spike in violence, while the ACLU has contended that the drastic drop in pedestrian stops likely indicates that the closer review is succeeding in officers making fewer unconstitutional stops.

The ACLU’s Sheley also pointed to the spike in traffic stops from 2015 through 2017 as proof that officers were not lying down on the job as some police had suggested.

The ACLU report references traffic data kept by the Illinois Department of Transportation not only from Chicago but also

police departments across Illinois.

The law originally called for a four-year statewide study of traffic stops to identify racial profiling but has since been extended into 2019 and now includes a survey of pedestrian street stops. But with the study set to expire July 1, the ACLU is calling for the state legislature and Gov.-elect J.B. Pritzker to make permanent the study and its required data collection.

For the traffic study, police departments across the state generally report, among other things, motorists’ races, genders, the reason for the stops, the types of traffic violations, the results of the stops and whether police were given consent for vehicles to be searched.

The ACLU’s report also noted that police across Illinois asked African-Americans for consent to search their vehicles about twice as often as white drivers. But black and Hispanic motorists were found with contraband at a lower rate than white drivers, the report said.

The report also touched on searches by police dogs, showing that many police departments in Illinois apparently don’t rely on the tactic. But when they do, contraband is found only about 50 to 60 percent of the time, far less than the 90 percent accuracy rate the state requires for police dogs to be certified, the report said.

jgorner@chicagotribune.com
Twitter @JeremyGorner