

Chicagooland

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North

Accord reached in gay-bar raid suit

By William Grady
Legal affairs writer

The state and the city have agreed to pay about \$227,000 to patrons of a gay bar on the Near North Side who contended that their constitutional rights were violated during a raid by state drug agents and Chicago police in 1985.

The payments—about \$5,000 to each of the 45 or so patrons in Carol's Speakeasy, 1355 N. Wells St., at the time of the raid—are part of a proposed agreement intended to settle a class-action lawsuit and two other civil-rights suits pending in federal court. Lawyers disclosed details of

the proposed settlement at a hearing Thursday before Judge Suzanne Conlon in U.S. District Court. Conlon indicated that she would decide by early next week whether to accept the tentative settlement.

Harvey Grossman, legal director of the American Civil Liberties Union here, which filed the class-action suit, said later that the tentative settlement is the first to result from a police raid on a gay bar.

"Although gays have long been subject to police harassment, this is the first time a group of gay men has successfully joined together to obtain damages from law enforce-

ment agencies," Grossman said.

The lawsuits charged that about 15 agents of the Northeastern Illinois Metropolitan Enforcement Group and a handful of Chicago police officers went to the bar on Sept. 12, 1985, with arrest warrants for two of its employees, only one of whom was there at the time.

The customers were ordered to lie on the floor for up to two hours, questioned, subjected to verbal abuse and photographed, according to the suits.

One of the customers was charged with resisting arrest but never prosecuted. None of the other customers was arrested,

and no drugs or weapons were found, lawyers have said.

The Northeastern Illinois Metropolitan Enforcement Group is an umbrella law enforcement agency that draws police officers from area municipalities and state agencies to investigate major narcotics trafficking.

The role of the Chicago police officers in the raid was minimal, according to documents filed in connection with the lawsuits. The officers were detailed to guard the doors of the bar.

Under the proposed settlement, the state also agrees to return all documents taken from the customers, as well as

any photographs of them that were taken by the agents, and to wipe out any police records of individuals detained during the raid.

In return, the state and the city admit no liability for the raid, and the individual officers and agents named in the suits will be dismissed as defendants.

Yet to be resolved is how much time will be allowed for bar customers to accept the settlement once it is approved. Gladys Stevens, an assistant attorney general, said the state believes 45 days would be sufficient, but she indicated the state reluctantly might accept the 6

See Raid, pg. 6

Raid

Continued from page 1
months allowed in the proposed agreement.

Grossman urged Conlon to allow two years for customers to come forward. He said that, because of past discrimination against homosexual and bisexual men, attorneys have had difficulty contacting all of those believed to have been in the bar at the time,

even using the identification information taken by authorities.

The proposed agreement also leaves unresolved the amount of attorneys' fees that the state and the city might be forced to pay.

Once Conlon accepts the tentative settlement, notice will be given to patrons in the bar at the time. The judge then will schedule a hearing to allow anyone to raise objections to the agreement. If there are no objections, final approval of the settlement could come later this year.