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FOREST PARK POLICE SERGEANT INDICTED ON FEDERAL CIVIL RIGHTS AND OBSTRUCTION CHARGE FOR ALLEGEDLY ASSAULTING VICTIM

CHICAGO – A police sergeant in west suburban Forest Park was indicted on federal civil rights and obstruction of justice charges for allegedly assaulting an individual and falsifying a police report, federal officials announced today. The defendant, **Michael Murphy**, a Forest Park police officer since 1990, was indicted by a federal grand jury late yesterday, announced Rena Comisac, Acting Assistant Attorney General for the Justice Department’s Civil Rights Division, Patrick J. Fitzgerald, United States Attorney for the Northern District of Illinois, and Robert D. Grant, Special Agent-in-Charge of the Chicago Office of the Federal Bureau of Investigation.

Murphy, 42, of Aurora, was charged with one count of violating civil rights and one count of obstruction of justice. He will be arraigned at a later date in U.S. District Court in Chicago.

The civil rights count alleges that Murphy violated the civil rights of “Victim A” through “the use of excessive force by a person acting under color of law,” meaning through his official capacity as a police officer. The charge does not allege that the violation had anything to do with the victim’s race or ethnicity or that the victim was discriminated against on any such basis.

According to the indictment, on August 6, 2003, while acting without any legitimate law enforcement purpose, Murphy sprayed pepper spray into the face of Victim A and struck Victim A with a police baton, depriving Victim A of civil rights under the law. The offense allegedly involved the use and threatened use of a dangerous weapon and resulted in bodily injury to Victim A.

The obstruction count alleges that on the same date, Murphy made a false police report intending to impede the investigation of the use of excessive force.

The government is being represented by Assistant U.S. Attorney Mark Schneider and Betsy Biffel, a trial attorney in the Justice Department's Civil Rights Division.

If convicted, the civil rights count carries a maximum penalty of 10 years in prison, the obstruction count carries a maximum of 20 years in prison, and each count carries a maximum fine of \$250,000. The Court, however, would determine the appropriate sentence to be imposed.

The public is reminded that an indictment contains only charges and is not evidence of guilt. The defendants are presumed innocent and are entitled to a fair trial at which the government has the burden of proving guilt beyond a reasonable doubt.

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