

Officers' timesaver skirts law

Cops often get victims to sign blank reports

By Andrew Martin
TRIBUNE STAFF WRITER

Like hundreds of other domestic-type arrests, Sharon Selep's was characterized by bitter accusations and conflicting accounts.

A 48-year-old who lives in Las Vegas, Selep was accused of kicking in the front door of her estranged husband's Northwest Side home and entering without his permission.

Although the charges against Selep eventually were dropped, her arrest uncovered an unofficial practice among some Chicago police officers that several defense lawyers say is improper and invites corruption.

Selep's estranged husband, Jerome Selep, was asked to sign a blank misdemeanor complaint form. The officers filled in the form when they returned to the station.

The officers later acknowledged in depositions that they routinely ask crime victims to sign blank misdemeanor complaints.

"It's the way it's always been done," said Officer Irene Ruiz.

But there is a problem with signing a blank complaint, and it says so in black and white on the form itself. By signing the form, the victim swears that he or she has read the complaint and that its contents are accurate.

A police supervisor also is required to sign the complaint form, attesting that he or she has "examined the above complaint and the person presenting same" to ensure there is probable cause for an arrest.

"I will admit to the fact that I never read the document," Jerome Selep testified in a deposition. "He said, 'This is an arrest form,' and I signed it."

Attorney Neal Zazove, who represented Sharon Selep and deposed Ruiz as well as several other officers, said that while filling out a signed form may be more convenient for police officers, "The potential for abuse is incredible."

He added: "When you swear under oath, it has to mean something. It's not just a silly little thing."

"You have the police suborning perjury, and you have them making bad arrests. Even if they are doing it with the best intent, there's too much room for abuse."

Zazove said city attorneys sat in on the depositions and heard the officers explain how they have victims sign blank complaints. He said he also discussed the practice with top police officials, but no action was taken to rectify the problem.

Cook County Public Defender Rita Fry, whose office represents defendants who cannot afford private lawyers, said the practice of having victims sign blank complaints is "a violation of due process ... of filing a false police report, perjury, fraud. There's all sorts of problems."

Although it might be a matter of convenience, Fry said that persuading a crime victim to sign a blank complaint form raises questions about police credibility.

If police don't fill out the complaint form at the scene, she said, "What else don't they do?"

But police officials said they don't believe the problem is wide-

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spread. Only Sharon Selep has objected to the practice, they said.

Asking crime victims to sign blank misdemeanor complaints is "not proper and appropriate," said Donald Zoufal, general counsel for the police department. But he added: "I don't think it happens with any great frequency."

Zoufal said there was "no rational reason" for police officers to make victims sign blank complaints.

"The only person who profits from this whole thing is the victim, who is not required to go down to the station" Zoufal said.

While it may take longer and might inconvenience the victim, filling out a complaint form at the scene ensures that the officer is gathering accurate information and that the victim's story is "locked in," he said.

"It's a self-protection thing," Zoufal said. "If an officer gets a signed complaint, he's not going to have liability."

The Selep case dates to 1992, when Sharon Selep was separated from her husband and living in Las Vegas. Her relationship with her husband and her children was volatile, though she continued to list the family's home, in the 5700 block of North Avondale Avenue, as a place of residence on an Illinois driver's license.

On Dec. 7, 1993, Sharon Selep called the Avondale home and used a remote control to play back the answering machine, Zazove said. On the tape, she heard a conversation between her husband and her adult son, Timothy, in which Jerome Selep talked about his plans to file for divorce.

Sharon Selep flew to Chicago the next day and arrived at the home just before 9 a.m. Zazove maintained that she entered the home using her own keys.

Her husband and son arrived

home at 5:15 p.m., along with Timothy Selep's father-in-law, Richard Brueck, a Chicago police officer. Sharon Selep claims that they threatened her and blocked her from leaving the home.

The police were called to the house, and the officers later testified that they arrested Sharon Selep after her husband showed them "legal documents" indicating that she didn't belong in the house.

Jerome Selep signed the blank complaint, and the officers later wrote out a charge of criminal damage to property, alleging that Sharon Selep had kicked in the front door while trying to enter the house.

Zazove said the blank misdemeanor complaint gave the officers the "tools" they needed to arrest Sharon Selep on a bogus charge.

"What it was was three officers who had to get her out of the house," Zazove said. "This was the only way they could do it."

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