

# POLICE PERJURY TESTILYING

**"TESTILYING" IS A EUPHEMISM FOR POLICE PERJURY.**

A 2016 SURVEY OF CHICAGO PROSECUTORS, JUDGES, AND DEFENSE ATTORNEYS, PER LOEVY & LOEVY, FOUND THAT COPS PERJURE THEMSELVES IN COURT ABOUT 20% OF THE TIME.

**POLICE PERJURY IS A WIDESPREAD ISSUE THAT UNDERMINES THE JUSTICE SYSTEM.**

TESTILYING IS HARD TO MEASURE AND IT GOES UNPUNISHED MUCH OF THE TIME. OFFICERS RARELY FACE CONSEQUENCES SUCH AS ADMINISTRATIVE DISCIPLINE OR PROSECUTION.

**WHEN POLICE LIE, THEY SIGNIFICANTLY INCREASE THE LIKELIHOOD THAT INNOCENT PEOPLE ARE CONVICTED; THAT VICTIMS OF UNCONSTITUTIONAL ACTS ARE PROSECUTED ON INACCURATE EVIDENCE; AND THAT PEOPLE ARE GIVEN LONGER SENTENCES BECAUSE OF TRUMPED UP EVIDENCE.**

*Police departments are complicit in this by letting lies go unaddressed or maintaining the "blue wall of silence." Some prosecutors have been known to tolerate and even encourage testilying.*

## WHAT ARE THE CONSEQUENCES?

**TESTILYING PERPETUATES SYSTEMATIC RACISM AND POLICE CORRUPTION.**

**IN THE RARE INSTANCES THAT POLICE PERJURY HAS BEEN CAUGHT AND ACTED UPON, IT HAS CAUSED THE CITY TO PAY COSTLY SETTLEMENTS AND PROSECUTORS TO DROP CHARGES IN CRIMINAL CASES.**

*In 2014, five Chicago and Glenview Police Officers testified about an illegal search of Joseph Sperling—testimonies that were later proven to be false by dashboard video evidence. Four of the officers were charged with perjury, obstruction of justice, and official misconduct. The case against Sperling was thrown out and Sperling was given a \$195,000 settlement from Chicago and Glenview.*

## WHAT CAN BE DONE?

### ADMINISTRATIVE DISCIPLINE

*The Chicago Police Department has two bodies that investigate police misconduct, the Civilian Office of Police Accountability (COPA) and the Police Department's Bureau of Internal Affairs (BIA).*

**POLICE PERJURY FALLS UNDER THE JURISDICTION OF BIA BECAUSE IT IS CLASSIFIED AS CRIMINAL MISCONDUCT.**

### CRIMINAL CHARGES

*Prosecutors have the choice to press charges and prosecute cops for perjury and obstruction of justice, but rarely do so.*

**"IN [2018], WHEN THE CITY'S LAWYERS WERE HASHING OUT THE DETAILS OF A FEDERAL CONSENT DECREE...CHICAGO TAXPAYERS PAID OUT MORE THAN \$85 MILLION TO SETTLE POLICE MISCONDUCT LAWSUITS AND AN ADDITIONAL \$28 MILLION TO OUTSIDE LAWYERS TO DEFEND THESE CASES."**

JONAH NEWMAN, CHICAGO REPORTER - MARCH 7, 2019

## MORE RESOURCES

[www.Loevy.com/Blog/Testilying-Police-Perjury](http://www.Loevy.com/Blog/Testilying-Police-Perjury)  
[www.ChicagoAppleseed.org/Testilying](http://www.ChicagoAppleseed.org/Testilying)