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SKULL: Book says comic wanted after-death gig

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said Anne Grauer, a paleopathologist and professor in Loyola University's anthropology department. "One hundred percent of the models that I have here in my office look like this. It looks like a clinical skeleton that was purchased."

Rumors about the skull's authenticity started to swirl the day after Charna Halpern, ImprovOlympic co-founder and Close's longtime professional partner, donated a skull to the Goodman in a lavish ceremony on July 1, 1999, almost four months after the comedian's death. It was a star-studded, high-profile event in front of TV cameras. Falls even lifted the skull and adapted a little "Hamlet," saying: "Alas, poor Yorick. I knew him, Del."

For seven years, audiences and the media, including the Chicago Tribune and New York Times, took it on good faith that the skull was authentic. This month, the Tribune's Tempo section included the skull on its "weird list" of "enchanting eccentricities that make Chicago unlike anyplace else."

Close's tale, at least, remains eccentric.

Close, mentor to many comedians, including Bill Murray and John Belushi, died March 4, 1999, of emphysema at age 64. In his will, he stipulated that his skull be donated to the Goodman "for a production of 'Hamlet'" and other performances.

Griggs' 2005 book, "Guru: My Days With Del Close," recounts Close's wish to play Yorick, the skull in the famous graveyard scene in "Hamlet."

"No one else has performed in



Tribune file photo

Goodman artistic director Robert Falls speaks with reporters in 1999 after he was given the purported skull of Del Close.

a play after they've died, and I want to be the first person to do it," Close is quoted in the book as saying.

In her epilogue for "Guru," Halpern—the executor of Close's will—writes about her pledge to Close on his deathbed.

"Promise me you'll make the skull thing happen. No matter what," Close told Halpern.

"I promise," Halpern writes. Some still had doubts.

"I would like to think it is his," said Andrew Alexander, Second City owner. "It's in the spirit of Del."

"Charna has always played a pretty hard line that it was the real thing," Alexander said.

Halpern continues to stick to her story.

"It was Del's last wish, and it was kind of his joke on me ... but I did get it done," Halpern

said in an interview this week.

"There's a fine line between science and art," she said.

The science, however, tells a slightly different story.

The skull in question has 11 teeth. Close, known for his gap-toothed grin, was a denture-wearer when he died.

Griggs confirms this.

"He used to say, 'I don't do jokes, but I do have one bit.' And then he would take his teeth out and talk with them" in his hand, Griggs said. "It's funny they forgot this story after he died and didn't take out the teeth before they donated it."

Further evidence: Some of the screws used to hold the Goodman skull together are rusty.

Rust indicates the skull is decades old, said Jay Villemarete, president of Oklahoma City's Skulls Unlimited International,

which processes and sells skulls, including human ones.

"If this guy died seven years ago, it's not him," said Villemarete, who has worked with thousands of human skulls in his 20-year career in the bone business.

After reviewing detailed photos of the Goodman skull, Villemarete said: "In my opinion, it's 60 years old or better."

Grauer of Loyola concurred.

"This is a clinical specimen that was once hung by a pole for teaching," she said, pointing to a hole in the top of the skull, typically used to accommodate hardware for hanging.

The skull "has all the hallmarks of an autopsy," she added.

One of those hallmarks is a V-cut used to remove the front of the skull. A copy of Close's death certificate shows he did

not have an autopsy.

"The fact that he didn't have an autopsy would conclude 100 percent that this is not him," Villemarete said.

When asked about the presence of autopsy marks and rust on the skull, Halpern said: "I have no idea. I'm not a doctor."

Asked why there are teeth in the skull when Close wore dentures, Halpern said: "There are no teeth in the skull."

When informed that there are, indeed, 11 teeth in the skull, she responded: "Well, Del had some teeth."

"It was Del's last wish and it came true. Why would anybody want to debunk it?" she said.

"The first time Bob Falls raised the skull and did the Hamlet speech, that's when [the story] became true."

Condition and age of the skull

aside, it would have been extremely difficult and possibly illegal to have Close's skull processed in Illinois. "Even though that may have been his wish, he should have known it couldn't be done," said Charles Childs, president of the Illinois Funeral Directors Association.

Legally, it's uncertain, says Susan Hofer, spokeswoman for the Illinois Department of Financial and Professional Regulation, which oversees funeral directors and embalmers.

The willful destruction, damaging or desecration of a corpse by someone without proper legal authority is a felony in Illinois. But a willed request such as Close's hasn't been challenged, or known to have been actually carried out.

Is it still desecration if the request was made in a will?

Hofer said she could not make a blanket statement about the legality of a case such as this.

"If a complaint was brought to the department, it would be investigated and considered, based on the facts and evidence presented," she said.

Close was cremated March 10, 1999, six days after he died, at Forest Crematory in Romeoville, which is owned by the Cremation Society of Illinois.

Gerald Sullivan, the society's president, said he can't comment on individual cases. But he did say he considered his company to be "very pro-consumer" and would do everything possible to aid a client.

But whether the skull is Close's or not is almost beside the point, said Steve Scott, associate producer of the Goodman Theatre. Scott believes that Goodman accepted the skull in the spirit in which it was given.

"It's the idea of it, that's what is important. [Close] was a real cherished collaborator here," Scott said. "Whether or not it's real, I fervently believe in its reality. It's just nice to have Del around."

Tribune staff reporter David Jackson contributed to this report.

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DALEY: Questions raised over what he knew

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torture and coerced confessions by officers under Burge.

Kurt Feuer, an attorney for Howard and Hopley, filed a similar subpoena Thursday and said Daley "ought to be" named as a defendant in their federal lawsuits. But he does not intend to add Daley as an individual defendant in his cases, he said—a decision made early on, in hopes the cases would progress more quickly.

Taylor said he believes the report shows Daley was aware that Brzezczek, then police superintendent, sent him a 1982 letter requesting direction on how to handle torture allegations against Burge and others.

Daley "never before admitted under oath or anywhere he was aware of that letter," Taylor said.

Brzezczek's letter related to claims that Andrew Wilson, lat-



Tribune photo by Abel Uribe

Chicago Police Supt. Philip Cline said again Thursday that the Police Department has improved in the last 30 years.

er convicted in the murder of two police officers, was severely beaten, burned and given electric shocks while in police custody. The report is oblique, however; in its treatment of what Daley knew of Brzezczek's letter regarding Wilson.

The report states that Daley "assumes that he was advised of the letter." Daley also said the letter "was probably discussed with him and Devine," the report states.

But it asserts that Daley "has no current memory of how the letter was processed."

Daley has no comment

A spokeswoman for Daley declined comment but said the mayor might take questions at an event Friday.

Though Taylor said the report incriminated the mayor, he criticized the report as an attempt to whitewash Daley and Devine's involvement in the

torture scandal.

Aside from Burge, the officials criticized most severely in the report are Brzezczek and Kunkle, then an assistant state's attorney and now a Republican Cook County judge.

Brzezczek should have done more to investigate the Wilson case, and Kunkle attempted to explain away burns on Wilson's legs, the report concluded.

"The only guy who ever did anything about this torture is the guy who got named," Taylor said, referring to Brzezczek. "The only [former] assistant state's attorney they're decrying is a Republican."

Taylor dismissed, meanwhile, the report's finding that there was no evidence Orange was tortured into confessing.

While special prosecutors said they had reason to believe about half the 148 claims of abuse they investigated, they singled out Orange's allegation as one that was not persuasive. The report also cited suspicions about claims from Hopley, Howard and Patterson.

The officers allegedly involved in the torture of Orange refused to testify before the special prosecutor, Taylor said.

Despite the report's lengthy legal analysis resulting in the conclusion that it is too late to prosecute the officers for taking

part in a conspiracy, one of Taylor's partners, attorney Joey Mogul, called on the U.S. attorney's office to pursue federal conspiracy charges. Mogul said conspiracy charges are founded because the officers acted in bad faith by refusing to testify before a grand jury convened by the special prosecutor.

Many invoked the 5th Amendment before that grand jury, Mogul said, but after it became clear that no indictments would be handed down, they testified under oath in federal lawsuits that no torture occurred.

"What we have seen are a manipulation of the courts by various officers and officials," Mogul said.

2 new cases come in

Also Thursday, Robert Boyle, chief deputy special prosecutor, appeared before Cook County Chief Criminal Court Judge Paul Biebel Jr. to begin planning for how to conclude his office's work. Boyle said the special prosecutor's office had received two new cases to investigate just weeks ago.

Biebel said the special prosecutors had met his mandate and ordered them to make more copies of the report. "It's in the public's interest to make this available," Biebel ordered.

After the hearing, Burge's

lawyer Richard Sikes Jr. told reporters his client had mixed emotions about the report.

"He's pleased with what we thought all along—that the torture claims [involving Orange, Patterson, Hopley and Howard] were unfounded. As far as the other aspects of the report ... he's disappointed about it, but he's in good spirits. It's all based on allegations he has heard years ago," Sikes said.

As for Boyle calling Burge a disgrace, Sikes said, "Nobody is happy to be treated in that light."

At a meeting of the Police Board Thursday night, President Demetrius Carney said the board takes allegations of misconduct seriously. He pointed out that the board followed procedures in the Burge case, firing the police commander.

After Police Supt. Philip Cline reiterated his assertion that the department is much different now than 30 years ago, a dozen residents made complaints before the board, many of them comparing their allegations to those in the Burge report.

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METRA: No probable cause on crash released yet

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passengers.

The NTSB has not released a probable cause for the crash. But lawyer Dan Kotin, whose firm is representing 35 passengers in lawsuits tied to the accident, said the documents released Thursday indicate that Smith might have been distracted.

"My hunch is that what was going on in that locomotive at the time of the derailment was too much activity for Michael Smith to have caught the signal, and because of that he missed it and derailed," Kotin said. "But that's just a hunch because we have to see what the NTSB concludes, and also learn from Michael Smith himself what was going on that morning."

The NTSB determined last year that a derailment that occurred two years earlier in the same spot probably happened because the engineer became distracted and failed to see a signal to slow down.

Contacted Thursday, Smith

would not comment on Kotin's remarks but said his attempt to radio the conductor "had nothing to do with the crash." He was trying to tell the conductor about a trackside warning missing near a work zone the train had just passed, he said.

Smith, who was suspended without pay after the accident, was terminated following a May disciplinary hearing. He is appealing the decision.

Details of the moments preceding the accident and its chaotic aftermath were included in hundreds of documents the NTSB made public Thursday as part of its ongoing probe of the derailment. The crash killed two south suburban women and sent scores of other passengers to area hospitals.

In addition to technical data, the reports contain transcripts of interviews and 911 calls placed by riders and passersby, including one who swore the train "went way up in the air."

Some passengers recalled the crew talking on the public address system, and then felt the train speed up before it jumped the tracks.

Federal investigators have said the derailment occurred after the train traveled at 69 m.p.h. through a 10 m.p.h. crossover at 48th Street near the Dan Ryan Expressway. Investigators said the tracks had been aligned for a switch nearly an hour before the accident and the

signals appeared to be working.

But Smith insisted in a Jan. 19 interview with investigators and Metra officials that he was cleared to go straight, a directive that permitted the train to travel at 70 m.p.h. Asked what he would think if he had heard the same facts about another engineer, Smith said he would think the engineer was at fault.

"Obviously I would think that the engineer failed at his duties, you know, especially if they're saying that the data is proving that everything worked accordingly," he said. "Two special words would come into mind, and that's human error. But that's the easy way out. That's real easy to say."

Smith, who has an amateur radio license, also told investigators that he used a personal handheld radio during the accident because the locomotive engineer radio wasn't working. The statement appears to contradict his remark to reporters last fall that he left his personal radio in his motorcycle. He said Thursday that he was referring to a different radio in the media interview.

Metra rules prohibit engineers from using personal cell phones, or any other device not related to their duties, while operating a locomotive. But Smith said no one at Metra ever reprimanded him for carrying the personal radio.

A former engineer for CSX,

Smith had been reprimanded on several occasions for incidents like being late to work and using an unauthorized radio, though none of the offenses warranted losing his license. In spring 2005, he went to work for Metra and got top marks from his new supervisors.

During his Metra training, Smith estimated he made more than 200 trips on the Rock Island line.

Other documents released by the NTSB included accounts from riders of the moments before and after the crash. Passengers in one train car let out a collective gasp as the train jumped the tracks and began to bob and sway violently, one rider wrote.

One passenger, who was asleep before the accident, recalled feeling the train pick up speed. "I woke up flying through the air and hearing screams of the other passengers," the rider wrote. "People were being tossed everywhere in the train car. Seats were shaken loose and flying around along with screws and other debris. Others and me, were just being tossed everywhere."

After one Metra employee reached the site, he radioed Metra's dispatcher.

"Yes sir, we're, ah, going to need some um ... coroners," he said. "We have some fatalities." vgroark@tribune.com

Excerpts from 911 transcripts

From a call a passerby made at 8:35 a.m. Sept. 17 after the Metra derailment on the South Side:

Fire dispatcher: A Metra train tipped over on the track completely.

Caller: In the air.

Fire dispatcher: It went in the air?

Caller: It's still on the track.

Fire dispatcher: It's still on the track.

Caller: Yeah, but it went way up in the air and fell back down on the track.

From a call another passerby made at 8:35 a.m.:

Caller: Oh, my God. It's an emergency. A Metra train derailed at 47th Street viaduct. Something happened. It's off the tracks. It's still on there, on the—I don't know what happened—because all the cement and everything crumbled underneath the viaduct. So cars driving under the viaduct got tumbled with the—cement and everything, and the train is off the track. It's stopped.

From a call a train passenger made at 8:36 a.m.:

911 dispatcher: Is anybody hurt?

Caller: There's a lot of people hurt in here.

911 dispatcher: OK. You've got to try to calm down and tell me where you're at though. I can't help you unless you tell me—

Caller: I can't—

911 dispatcher:—where you're at?

Caller: I can't picture where we're at.

911 dispatcher: OK. OK. Try to calm down and ask somebody around you.

Caller: We're right by the projects at 47th.

911 dispatcher: OK. OK. And what happened with the train?

Caller: We don't know. We're trying to get out of the train and there's people severely hurt. They're not moving.

Source: National Transportation Safety Board Office of Administrative Law Judges
Chicago Tribune