



**STATE OF ILLINOIS
TORTURE INQUIRY AND RELIEF COMMISSION REGULAR MEETING
November 15, 2017, 3:00 p.m.**

James R. Thompson Center
100 W. Randolph Street, Meeting Room 9-040
Chicago, Illinois 60601

MINUTES

PRESENT:

Commissioners

Chairwoman Cheryl Starks
Commissioner Marilyn Baldwin
Commissioner Robert Loeb
Commissioner Steven Miller
Commissioner James Mullenix
Commissioner Marcie Thorp
Alternate Commissioner Craig Futterman
Alternate Commissioner Timothy O'Neill

Staff on dais

Dr. Ewa Ewa (HRC CFO) arrived at 3:32 p.m.
Rob Olmstead (Executive Director)
Michelle Jenkins (Staff Attorney)

Staff in Audience:

Cindy Burke (Administrative Assistant)

I. Call to Order/Members Present

On November 15, 2017, at 3:05 p.m., Chairwoman Starks called the meeting of the Illinois Torture Inquiry and Relief Commission (TIRC or Commission) to order. A quorum was established consisting of the following: Commissioners Starks, Baldwin, Loeb, Miller, Mullenix and Thorp. Alternate Commissioner Futterman, and O'Neill were also present.

Executive Director, Robert Olmstead, Staff Attorney, Michelle Jenkins and Administrative

Assistant, Cindy Burke were also present.

Chairwoman Starks noted that the regular order of business needed to be changed and would like to have the Claims heard first. There were no objections.

II. Claims

1) Hauad, Jamie (2011.025-H)

Executive Director Rob Olmstead directed Commissioners' to last-minute changes to the Hauad materials

Olmstead presented an outline and history of the claim and evidence in the case. He recommended referral of the claim to the Circuit Court based, in part, on photographic evidence corroborating Mr. Hauad's claim that officers had put his shoes into a paper cutter and threatened to chop his toes off if he did not make a statement. Mr. Hauad also claimed he had been slapped by interrogating detectives. Mr. Olmstead noted that Mr. Hauad's story, while not completely consistent over time, deserved a hearing in court due to the before-and-after lineup photos proving that the tips of his gym shoes had been cut off while he was in custody at Area 5 police headquarters in Chicago. Olmstead noted crime victims' family members had been notified. One victim, Ms. DeRienzo, contacted him and indicated she could not attend the meeting, but asked Commissioners to review her previous letter, to which Mr. Olmstead directed Commissioners. Olmstead also noted that another victim's (Morales') family members had previously appeared to ask the Commission not to refer the claim.

Chairwoman Starks asked if there were any crime victims in the audience. None were present.

Family and attorneys for Hauad declined to address the Commission.

Commissioner Mullenix asked several questions about the case, which Mr. Olmstead answered.

Chairwoman Starks called for an individual voice vote regarding the Jamie Hauad claim, citing a yea vote would indicate referring the case for further judicial review. Commissioners Loeb, Baldwin, Miller, Mullenix, Thorp and Starks voted yea to refer; none voted no. The claim was referred to the Circuit Court.

Commissioners Miller and Baldwin commended the quality of the draft referral.

2) Mercado, Hector (2012.113-M)

Executive Director Olmstead introduced the claim, noting that the claimant had passed away earlier this year. He cited the statute section that required dismissal of the claim.

A motion was made by Commissioner Loeb and seconded by Commissioner Miller to dismiss the Hector Mercado claim. A voice vote was taken which was unanimous for dismissal.

III. Approval of Minutes

Chairwoman Starks called for a motion to approve the draft minutes of the October 5, 2017, regular meeting. A motion was made by Commissioner Loeb and seconded Commissioner Thorp to approve the minutes as written. The minutes were unanimously approved on voice vote.

IV. Chief Financial Officer's Report

Dr. Ewa reported that the Governor's Office is strongly considering increasing TIRC staff, as was mentioned in his previous report. He reported that the Commission has a new office product vendor. He mentioned that the FY2018 budget request has been submitted, including an increase in staff. He also reported that he has begun the paperwork for the new Personal Secretary. He asked if there were any questions. There were none. Dr. Ewa left the meeting at 3:42 p.m.

V. Executive Director's Report

Executive Director Olmstead reported that he and Staff Attorney Michelle Jenkins met with the new representative with the Governor's Office. A variety of issues were discussed including funding and the appointment of additional Commissioners. He noted the number of claims pending is currently 453, minus the two resolved today. Olmstead mentioned that Cindy Burke will be leaving the Commission. A previous applicant was approached and is still available and the staff is seeking hiring approval. Olmstead introduced recent law school graduate Greg Zimmer who is volunteering with the Commission. He also introduced another school law intern Beth Daviess who was present at the meeting, and highlighted the clerical work of 2 Mather High School interns Jorge Salazar and Thomas Shaw. He noted that he and Cindy had completed a first draft of an inquiry letter for a possible grant.

Commissioner Mullenix inquired about the prospects of getting additional appointments of Commissioners and alternate commissioners. Olmstead responded that he felt the prospects were good. The staff had submitted names of four possible appointees to the public member slot, and one name for an alternate chair. He invited commissioners to submit further names to the governor's office. Olmstead noted that the governor's office had contacted him about the appointments, so he was hopeful they were moving forward.

VI. Public Comment

A woman identifying herself as Bertha Escamilla inquired whether the pending claim count included the original claims before the statute was amended. Director Olmstead indicated it did. He reviewed the administrative rules the Commission passed that determines in which order the claims are investigated.

VII. Setting of Meeting Dates for 2018

The following meeting dates were set for 2018:

January 17th
March 28th
May 16th
July 18th
September 12th
November 14th

VIII. Adjournment

A motion was made by Commissioner Loeb and seconded by Commissioner Mullenix to adjourn the meeting at 3:52 p.m.

The Commission voted unanimously to adjourn.

The next meeting is scheduled for Wednesday, December 13, 2017. (Special Meeting)

Respectfully Submitted,

Cindy Burke
Administrative Assistant