



STATE OF ILLINOIS
TORTURE INQUIRY AND RELIEF COMMISSION REGULAR MEETING
June 17, 2020, 3:00 p.m.

Virtual Meeting
held via WebEx Software

MINUTES

PRESENT:

Commissioners Present

Alternate Chairwoman Kathleen Pantle
Commissioner Robert Loeb
Commissioner Marilyn Baldwin
Commissioner James Mullenix
Commissioner Barry Miller
Commissioner Steven Miller
Commissioner Stephen Thurston
Commissioner Tim Touhy
Alternate Commissioner Autry Phillips
Alternate Commissioner Craig Futterman

Staff Present

Rob Olmstead (Executive Director)
Michelle Jenkins (Staff Attorney)
DeAndrea Brown (Administrative Assistant)

Others:

Dr. Ewa Ewa

I. Call to Order/Members Present

On June 17, 2020, at approximately 3:00 p.m., the meeting of the Illinois Torture Inquiry and Relief Commission (TIRC or Commission) was called to order. Chair Pantle called Commissioners names out individually and they responded “present”. A quorum was established consisting of the following: Commissioners and Alternate Commissioners: Pantle, Loeb, Baldwin, Barry Miller, Steven Miller, Phillips (alternate), Touhy, Futterman (alternate), and Thurston.

II. Approval of Minutes

Chair Pantle called for a motion to approve the draft minutes of the April 22, 2020, meeting. A motion was made by Commissioner Baldwin and seconded by Commissioner Loeb to approve the minutes as written. The minutes were unanimously approved by roll-call vote of the primary commissioners present.

Commissioner Mullenix joined the meeting prior to the executive director's report.

III. Executive Director's Report

Director Olmstead thanked Commissioners for bearing with the recent changes and remote conditions due to COVID-19. Director Olmstead noted that the difficult events surrounding George Floyd and the ensuing demands for police accountability and due process, have underscored how important TIRC is and how much the Commission serves as part of the process of rebuilding trust in the criminal justice system.

Olmstead reported some facts about the commission's history as it relates to the budget. In legislative debate over the formation of TIRC, sponsors predicted that the commission would address just 27 cases. After the TIRC Act passed in 2009, the commission went unfilled until protesters demanded a year later that Governor Quinn appoint its members. Shortly after, the very first executive director, Mr. David Thomas asked for a budget of \$600,000. Olmstead stated that Mr. Thomas was not successful to get that budget amount and TIRC has never had anything close to the amount of funding – until now.. Olmstead thanked Governor Pritzker for recognizing that the issue of torture and repairing it damages is a serious one that must be addressed. Olmstead announced that the legislature approved the annual budget of 958,200.

Olmstead thanked the Human Rights Commission and particularly, Dr. Ewa who was instrumental in helping TIRC to obtain the additional funding. Olmstead stated that the additional funding will allow for the hiring of seven additional attorneys and a paralegal in addition to the three currently budgeted positions, two of which are filled.

Olmstead reported that he Chair Pantle had been working on improving the efficiency of the commission at the same time of increasing its staffing. Olmstead mentioned that he had shared with Commissioners a short time ago a draft manual for the standardization of Investigations. He explained that it is a step-by-step instruction for new attorneys that would enable quick training and allow for new and current staff to operate all on the same page. Olmstead stated that new and current staff would undergo the training. He mentioned that each attorney would be given a newly created Milestone tracking chart so they can easily see in dashboard fashion what steps have already been taken and which remain to be completed in the cases. The same chart will allow supervisors to closely monitor progress and assist in case development when necessary. Each attorney will be given a general timeline of how long each investigative or analytic tasks should take, and all of this would be done without sacrificing the quality of Investigations that he and former director, Barry Miller helped Institute in 2014.

Olmstead informed Commissioners that he had placed staff attorney Michelle Jenkins in charge of

shepherding the changes approved at the last meeting through the Administrative Rules process. Olmstead thanked her for her spearheading that process.

Olmstead reported that he had created position descriptions for the new attorney positions and sent the descriptions to HRC. He was hopeful to get those new positions posted by the end of the week and begin hiring immediately upon expiration of the two-week posting period. Olmstead mentioned that he, Chair Pantle, and Dr. Ewa intend to bring new staff on board as close to the beginning of the budget year (July 1) as possible.

Olmstead mentioned that another new position for a staff attorney is to serve as pro bono manager. He stressed to Commissioners how this would increase TIRC capacity. He mentioned that TIRC has not always had the time while doing its own casework to immediately respond to pro bono partners' requests for file information, legal standards, subpoena issuances, private investigator assignments or other needed support from TIRC office. He informed Commissioners that pro bono counsel has largely been left to operate at their own pace. With this new hire, TIRC will periodically reach out to each pro bono attorney on a regular basis to inquire as to progress and supply them with any needed support.

Olmstead reported that since their last meeting, commissioner Steve Miller wisely recognized that with the covid-19 slowdown in legal business for large law firms, there was some room for attorneys to donate their time. Olmstead informed Commissioners that he and Commissioner Miller had tried to recruit pro bono counsel before with some limited success, but with the covid-19 slowdown they had been successful in recruitment in the past two months. Olmstead thanked Commissioner Miller for his efforts. Olmstead informed Commissioners that he was able to summarize and assign 18 separate cases to pro bono counsel and Miller still had four more considering taking more cases.

Olmstead mentioned that Kirkland & Ellis had been one of TIRC's main pro bono partners and had taken on many of TIRC cases. With the recent events, 100 attorneys agreed to assist Kirkland & Ellis in efforts to help TIRC. Olmstead informed Commissioners that Kirkland had agreed to take on an additional 40 cases for investigation. He also informed Commissioners that K&L Gates had investigated several claims for TIRC and reached out to take on another four cases for investigation. Olmstead expressed his appreciation for the assistance of both firms.

With the Confluence of new staff and this recent outpouring of pro bono support, Olmstead felt that the commission is on the verge of becoming what its founders envisioned; a fully functioning means of redress past wrongs and a vehicle to timely and thoroughly investigate torture claims. Olmstead thanked everyone who made this happen. Olmstead welcomed questions from Commissioners.

Commissioner Baldwin thank Director Olmstead for his hard work. Chair Pantle reiterated how Director Olmsted tirelessly worked with commissioner Steve Miller and thanked commissioner Miller for all his help. Chair Pantle thanked Director Olmstead for all of his efforts. She also thanked Dr. Ewa and all Commissioner for their support and efforts.

Dr. Ewa mentioned that beginning July 1, all the offices from the TIRC office 10th floor were going to be moved down to the 5th floor. He mentioned that everything that is necessary would be available to TIRC staff. Ewa reported that this move would be save TIRC a total of 12,000 dollars annually in rent payments.

Chair Pantle asked if there were any additional comments. There were none.

Olmstead mentioned for the record that Commissioner Mullenix had joined the meeting.

IV. Claims

No claims were addressed due to issues surrounding notices to the claimants leading up to the meeting. Olmstead mentioned that there were notices provided to victims in advance, but there was concern that the two claimants may not have had an opportunity to get family members to come speak on their behalf. Out of an abundance of caution and desire to be fair, those claimants' determinations were postponed until the next meeting.

VI. Public Comment

The chair called for public comments. There were none.

VII. Adjournment

Commissioner Loeb moved to adjourn; Commissioner Baldwin seconded. The commission voted unanimously to adjourn.