

BEFORE THE ILLINOIS TORTURE INQUIRY AND RELIEF COMMISSION

In re:

Claim of Andre Griffin

TIRC No. 2011.245.G

SUMMARY DISMISSAL

Pursuant to section 40(a) of the Illinois Torture Inquiry and Relief Act (TIRC Act, 775 ILCS 40/40(a)), the Commission hereby summarily dismisses this claim for the reasons that follow.

1. On approximately September 13, 2011, Mr. Andre Griffin submitted a claim form to the Commission alleging that he was hit once on the neck by Detective Thomas Keane¹ on March 19, 2004, at a police station at 3340 West Homan Avenue in Chicago, and that he subsequently confessed to the murder of which he was accused. He further alleges police ignored repeated requests to consult with a lawyer, that they showed him a video containing statements made about him by his codefendants, and that they orally relayed such statements.
2. Section 5(1) of the TIRC Act defines “[c]laim of torture” as a claim by a convicted person “asserting that he was tortured into confessing to the crime for which the person was convicted and the tortured confession was used to obtain the conviction...”
3. Rule 2000.10 defines “Torture” as “any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for the purpose of obtaining from that person a confession to a crime.”
4. On September 22, 2011 Commission staff wrote to Mr. Griffin to state that his claim did not appear to meet the definition of “torture” in the TIRC rules, as being hit once in the neck or shown a video of what associates say about you does not qualify as the infliction of “severe pain or suffering.” Commission staff informed Mr. Griffin that, without more, the Commission likely had no jurisdiction over his claim.
5. On October 2, 2011, Mr. Griffin responded that the neck strike causes him continued pain and insomnia.

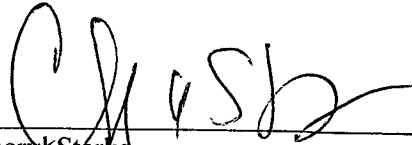
The Commission finds that the acts referred to by Mr. Griffin in his claim do not meet the definition of “Torture” in TIRC Rule 2000.10 or the definition of “[c]laim of torture” in Section 5(1) of the TIRC Act. The Commission is thus without jurisdiction to consider his claim.

¹ Commission staff did not investigate whether Detective Keane ever served under Commander Jon Burge.

The Commission summarily dismisses Mr. Griffin's claim and instructs its Executive Director to notify Mr. Griffin of the dismissal and his right to judicial review under the Illinois Administrative Review Law.

Dated: _____

6/18/14



Cheryl Starks.

Chairman

Illinois Torture Inquiry and Relief Commission