

**BEFORE THE ILLINOIS TORTURE INQUIRY AND RELIEF COMMISSION**

In re:

Claim of Delandis Adams

TIRC No. 2014.226-A

**SUMMARY DISMISSAL**

Pursuant to section 40(a) of the Illinois Torture Inquiry and Relief Act (TIRC Act, 775 ILCS 40/40(a)), the Commission summarily dismisses this Claim.

1. Delandis Adams was charged with the April 23, 1993, kidnaping and murder of Darren Payton, a fellow Vice Lord. Marvin Scott, Ronald Glover, Darnell Lockett, Emmanuel Mathews, Dwan Royal, and Sherman Scullark were also charged. Glover, Royal, and Lockett pled guilty to various charges; Adams, Scott, Mathews, and Scullark were all convicted.
2. On June 4, 2011, Delandis Adams sent a letter to the Commission. He wrote "I was physically tortured . . . on an unrelated case in which I was acquitted . . . [and t]he indictment in this case is based on perjury." [Emphasis added.]
3. Commission staff wrote Adams on June 7, 2011, explaining that the Commission (a) only has jurisdiction over claims where a tortured confession was used to convict the claimant, and (b) cannot hear claims that witnesses were coerced into giving perjured testimony.
4. On approximately February 19, 2014, Adams submitted a Claim form to the Commission alleging that:
  - Area 2 detectives, including Detectives Michael McDermott and James Boylan, beat him with a phone book and placed a typewriter cover over his head on May 26, 1991.
  - He was acquitted of that charge in December 1992.
  - Thirty days after his release, in January 1993, he was charged with first degree murder and aggravated kidnaping in another case investigated by Detectives McDermott and Boylan.
  - Detectives McDermott and Boylan were angry that he was acquitted, and framed him on the 1993 charge by coercing two witnesses to testify against him.
  - He was innocent of both the 1991 charge and the 1993 charge.

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- He was nevertheless convicted of the charge brought against him in 1993.<sup>1//</sup>
- 5. Section 5(1) of the TIRC Act defines a “Claim of torture” as a claim “asserting that [a convicted person] was tortured into confessing to the crime for which the person was convicted and the tortured confession was used to obtain the conviction . . .” [Emphasis added.]
- 6. Commission staff wrote Mr. Adams again on September 23, 2014, advising him that his claim would be dismissed unless he could show that he had been tortured into making a statement that had been used to convict him.
- 7. Mr. Adams responded on October 1, 2014, acknowledging that he was not tortured into confessing to the crime for which he was convicted.<sup>1//</sup>

The Commission concludes that:

- A. The torture referred to by Mr. Adams in his claim involved a charge of which he was acquitted, and so was not inflicted to obtain a confession used to convict him in the case in which he was convicted.
- B. Any coercion of third parties is not within the Commission’s jurisdiction.

Accordingly, Adams’ claim does not meet the definition of “Claim of torture” in Section 5(1) of the TIRC Act.

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

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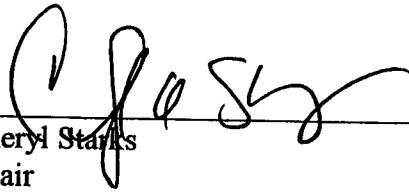
<sup>1//</sup> Commission staff has not located a published opinion evaluating Adams’ claims against the detectives. His post-conviction petitions have been denied in part on the grounds of untimeliness. See *Adams v. Pucinski*, 2002 WL 31497340 (N.D. Ill. Nov. 8, 2002)(Norgle, J.)(discussing absence of federal claim, and reviewing status of prior appeal and petitions).

The Commission notes that defendants in many cases have claimed abuse by Detective McDermott. Special Prosecutor Egan concluded that there was evidence beyond a reasonable doubt that Detective McDermott had abused Alfonzo Pinex. McDermott’s credibility as a witness was impeached at the criminal trial of Jon Burge. In addition, Adams claimed several procedural irregularities in his case. See his brief at 1997 WL 33767708; *Adams v. Pucinski*, 2002 WL 31497340. The State’s Attorney, of course, disagreed. The Appellate Court in *People v. Adams*, No. 1-06-1502 (1<sup>st</sup> Dist. 2008), however, described the evidence against Adams as overwhelming, and discussed (among other points) efforts to intimidate a witness.

<sup>2//</sup> Adams’ letter complained about the Commission’s inability unable to review his claim, given his claim that he had been tortured by the same detectives, and framed for the crime for which he was convicted.

The Commission makes no finding as to the merits of Mr. Adams' claims of torture and innocence.

Dated: 5/20/15

  
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Cheryl Starks  
Chair  
Illinois Torture Inquiry and Relief Commission