

BEFORE THE ILLINOIS TORTURE INQUIRY AND RELIEF COMMISSION

In re:
Claim of Reginald Hudson

TIRC No. 2016.449-H¹
(Relates to Cook County
Circuit Court Case No.
1986-CR-19211)

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 for the reasons that follow.

1. On or about November 3, 2016, Mr. Reginald Hudson submitted an incomplete claim form to the Commission alleging that in June 1986, a Detective Grifflio of then-Area 6 Police Headquarters at Belmont and Western in Chicago beat him in the dark with a phone book for about 4 or 5 minutes in connection with an unspecified 1986 criminal investigation.²
2. In Mr. Hudson's completed claim form, submitted on or about December 19, 2016, Mr. Hudson indicated that he did not make statements to the police and/or the Assistant State's Attorney as a result of the torture Mr. Hudson alleged he suffered.
3. In response to clarification sought by the Commission, Mr. Hudson stated in a letter received on or about January 25, 2017, that he was acquitted at a trial on June 29, 1987.³
4. Mr. Hudson's statement that he was acquitted of the 1986 charges is corroborated by his Illinois Department of Corrections prisoner profile, which does not reflect any conviction or incarceration for any 1986 charge, and by court records, which indicate charges in his case were dropped.⁴
5. On February 28, 2017, Commission Executive Director Rob Olmstead wrote to Mr. Hudson informing him that the acquittal required him to recommend to the Commission that it dismiss his claim at its March 29, 2017, meeting. The letter encouraged Mr. Hudson to respond in writing if the Commission had misapprehended the facts of his claim in any way.⁵

¹ Mr. Hudson did not provide the Cook County Circuit Court Case number to which his claim relates. Court records indicate he was charged with murder in 1986.

² See Reginald Hudson claim form, submitted with incomplete answers on November 3, 2016, and re-submitted with further information on December 19, 2016.

³ See undated letter from Reginald Hudson received January 25, 2017. Court records indicate he was not acquitted at trial, but rather had charges dropped on June 29, 29, 1987.

⁴ See Illinois Department of Corrections Internet Inmate Status report, downloaded October 7, 2016; see also screen shots of Clerk of the Circuit Court computer records

⁵ See February 28, 2017 letter from Executive Director Rob Olmstead.

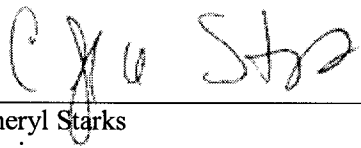
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6. United States Postal Service records indicate the Commission's February 28, 2017, letter was received at the East Moline Correctional Center on March 2, 2017.⁶ No response from Mr. Hudson was received.
7. Section 5(1) of the TIRC Act states that "'Claim of torture' means a claim on behalf of a living person *convicted of a felony* in Illinois 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* and for which there is some credible evidence related to allegations of torture occurring within a county of more than 3,000,000 inhabitants." (Emphasis added.)
8. Section 40(a) of the TIRC Act provides that the "Commission may informally screen and dismiss a case summarily at its discretion."

The Commission finds that Mr. Hudson's claim does not meet the definition of "claim of torture" in Section 5(1) of the TIRC Act, in that no conviction resulted from the alleged torture, and that the Commission is thus without jurisdiction to consider his claim.

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

Dated: March 29, 2017



Cheryl Starks
Chair
Illinois Torture Inquiry and Relief Commission

⁶ See USPS Tracking Information and Return Receipt received March 6, 2017 at TIRC.