

BEFORE THE ILLINOIS TORTURE INQUIRY AND RELIEF COMMISSION

In re:
Claim of Keith Stinnett

TIRC No.: 2016.424-S
(Relates to 00-CR-23746)

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 November 22, 2016, Keith Stinnett filed a claim form with the Commission alleging that Seventh District Police Officers stomped him, put a gun to his head and forced him to tell them where he had drugs.¹ Mr. Stinnett did not list a Circuit Court Case number on his claim form, but named Officers Broderick Jones, Corey Flagg, Eural Black and another officer as his abusers.
2. On July 20, 2018, Mr. Stinnett visited TIRC offices and explained that the court case for which he had filed the claim form had *not* resulted in a conviction. Mr. Stinnett said the judge in the case, Mary Ellen Cochran [sic] had heard of the corruption of the officers involved and did not credit their statements against him, resulting in his acquittal of drug charges.²
3. Cook County Circuit Court records reflect that drug charges were lodged against Mr. Stinnett in 00-CR-23746, and that a suppression motion was considered by Judge Mary Ellen Coughlan on August 14, 2001, with a *nolle prosequi* notation entered the same day, indicating charges were dropped.³

ANALYSIS

The Illinois Torture Inquiry and Relief Act empowers the Commission to investigate Claims of Torture, which the Act defines as:

* * * 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. 775 ILCS 40/5(1) (Emphasis added).

¹ See Keith Stinnett Claim Form.

² Jones, Flagg and Black were subsequently indicted with and convicted of robbing drug dealers. See Thomas Charles, “Cops who ripped off drug dealers sentenced,” ABC7, available at: <https://abc7chicago.com/archive/5868822/>.

³ See Court Docket for 00-CR-23746.

DOUGLAS B. DUNN
CLERK OF CIRCUIT COURT

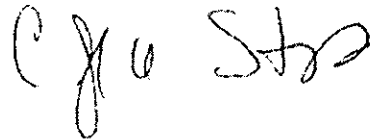
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Section 40(a) of the TIRC Act provides that the “Commission may informally screen and dismiss a case summarily at its discretion.”

Mr. Stinnett’s comments to Commission staff and the court docket for Cook County Circuit Court Case No. 00-CR-23746 indicate that he was not convicted of a felony in this matter. Accordingly, the Commission finds that Mr. Stinnett’s claim does not meet the definition of “claim of torture” under the TIRC Act and the Commission is therefore without jurisdiction in this matter.

The Commission summarily dismisses Mr. Stinnett’s claim and instructs the Executive Director to notify Mr. Stinnett of the dismissal and his right to judicial review under the Illinois Administrative Review Law. This determination shall be considered the final decision of an administrative agency for purposes of administrative review under the Administrative Review Laww (735 ILCS 4/3-101).⁴



Dated: November 14, 2018

Cheryl Starks
Chair
Illinois Torture Inquiry and Relief Commission

⁴ Although this determination does not concern a “contested case” as defined in Section 1-30 of the Illinois Administrative Procedures Act (5 ILCS 100/1-30) because no opportunity for a hearing is required under the TIRC Act (*See* 775 ILCS 40/45(a)), the Commission notes that the rules of the Commission do not require any motion or request for reconsideration before appeal under the Administrative Review Law, and notes that the service address of interested parties is listed in the Notice of Filing certificate that accompanies the filing of this determination with the Court.