

## BEFORE THE ILLINOIS TORTURE INQUIRY AND RELIEF COMMISSION

In re:  
Claim of Howard Wiley

TIRC No.: 2011.067-W  
(Relates to Cook County  
Court 85-CR-14839)

### 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. Howard Wiley was convicted of the December 2, 1986, triple murder and robbery of Donna Rucks, her daughter Carla Williams and Rucks’ sister, Adrienne Parham.<sup>1</sup> Before Wiley’s trial, he filed a motion to suppress that alleged no physical abuse, but Miranda violations and mental coercion.<sup>2</sup> The motion was denied.
2. Mr. Wiley filed a complaint of torture with this Commission, again alleging no physical abuse, but Miranda violations and mental coercion.<sup>3</sup> In an interview with TIRC staff and representatives on March 12, 2020, Mr. Wiley again claimed no physical abuse, but threats, Miranda violations and mental coercion including threats of a beating, threats to charge relatives, a remark by a detective that he would be a hero if he killed Wiley, and Miranda violations. Mr. Wiley also raised a new allegation that the detective brandished a pistol, but did not point it at Wiley, when he made the remark about being a hero if he killed him.
3. On September 27, 2020, Mr. Wiley died; TIRC staff confirmed his passing with Illinois Department of Corrections staff.<sup>4</sup>

### 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).

---

<sup>1</sup> *People v. Wiley*, 651 N.E. 2d 189, 192 (Ill. 1995).

<sup>2</sup> *People v. Wiley*, Defendant’s Motion to Suppress Statements, filed Sept. 22, 1986.

<sup>3</sup> Howard Wiley TIRC Claim Form.

<sup>4</sup> February 16, 2021 letter from IDOC Staff Attorney Julie Morgan.

Section 40(a) of the TIRC Act provides that “The Commission shall not consider a claim of torture if the convicted person is deceased,” and the “Commission may informally screen and dismiss a case summarily at its discretion.”

Because of Mr. Wiley’s death, the Commission no longer has authority under its statute to consider his claim.

The Commission summarily dismisses Mr. Wiley’s claim. This determination shall be considered the final decision of an administrative agency for purposes of administrative review under the Administrative Review Law (735 ILCS 4/3-101).<sup>5</sup>

Dated: April 21, 2021



\_\_\_\_\_  
Commissioner Robert Loeb, on behalf of  
Illinois Torture Inquiry and Relief Commission

---

<sup>5</sup> 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.