

**STATE OF ILLINOIS TORTURE INQUIRY  
AND RELIEF COMMISSION**

Meeting of the Torture Inquiry and Relief Commission  
October 2, 2012  
3:00 p.m.

James R. Thompson Center  
Conference Room 9 - 031  
100 West Randolph Street  
Chicago, IL 60601

**MINUTES**

**PRESENT:**

Commissioners

Chairman Cheryl Starks  
Leonard Cavise  
Doris Green (Alternate)  
Neil Toppel  
Rob Warden

Attendees  
Human Rights Commission

LaNade Bridges  
Dr. Ewa Ewa  
Donyelle L. Gray

Members of the Public:

David Thomas

**I. Call to Order**

On October 2, 2012, at 3:15 p.m., Chairman Cheryl Starks called to order a meeting of the Illinois Torture Inquire and Relief Commission (TIRC). Pursuant to the Illinois Open Meetings Act, 5 ILCS 120/1 et seq., it was determined that a quorum of the public body was present at the meeting.

**II. Consideration of Minutes**

Chairman Starks tabled the discussion for the consideration of the minutes from June 5, 2012, until the next meeting in December or in the event an emergency meeting is called.

### **III. Update on TIRC Matters Referred to Circuit Court**

Chairman Starks provided updates regarding the status of the cases and their assignment to judges and attorneys. Former TIRC Executive Director David Thomas provided additional information on the case during the public comment section.

Chairman Starks stated the Commissioners could also contact the Clerk of the Circuit Court to obtain information on any of the cases.

### **IV. Update on Status of TIRC Funding**

Chairman Starks explained that funding for TIRC was believed to be coming from the Illinois Criminal Justice Information Authority (ICJIA); however, there was one objection during the ICJIA board meeting that halted the process.

Donyelle Gray, General Counsel of the Human Rights Commission, stated that based on minutes published on ICJIA's website, TIRC was being considered for funding in the amount of \$ 160,000.

Commissioner Warden shared information that was given to him regarding the funding. Commissioner Warden stated that the funding process was stopped because questions were raised and there was not a representative from TIRC to answer any questions regarding the funding.

Commissioner Toppel asked who was spear-heading the funding. Chairman Starks stated that the Governor's office is working to secure funding for TIRC. Some Commissioners voiced concern that it was stated in the past that funding was said to be available in various amounts, but nothing ever came of it.

Dr. Ewa Ewa, Chief Fiscal Officer for the Human Right Commission, stated there are efforts from the Governor's Office to secure funding for TIRC. Dr. Ewa has communicated TIRC's staffing needs to officials in the Governor's Office, and he is awaiting further information from the Governor's office. Dr. Ewa stated that he informed David Thomas in writing that his employment with the State of Illinois concluded at the end of June of 2012 due to the defunding of TIRC at the end of FY12.

### **V. Public Comments**

David Thomas provided case status updates. Mr. Thomas read the case list and stated to whom each case was assigned. Mr. Thomas also stated that three (3) of the cases were assigned to private firms. Mr. Thomas stated the names of the firms. Mr. Thomas also indicated which cases were assigned to the Public Defender's Office. Conversation ensued regarding if cases are being treated as PC's and if someone could have made SOJ (Substitution of Judge) requests.

Chairman Starks explained that cases will be handled by competent judges and attorneys. Chairman Starks went on to say that most judges worked or have worked for the State's Attorney and that if any attorneys or judges had prior dealings with any of the cases, because of conflict of interest, those individuals should not be assigned to work on any of the cases.

Mr. Thomas also stated that for the last two (2) months he has been looking into the possibility of securing private grants to fund TIRC so that TIRC could continue its work. Mr. Thomas went on to say that there are 25 on-going investigations as of June 30<sup>th</sup>. The majority of the cases are being handled pro bono. Mr. Thomas felt that if it took too long to obtain funding for TIRC, TIRC may lose the people working on the cases. Mr. Thomas went on to say an alternative would be to let the TIRC resume part-time until State funding is available.

Thereafter, conversation ensued among the Commissioners regarding the hiring of employees for TIRC and rehiring Mr. Thomas if/when funding has been established.

Chairman Starks asked Mr. Thomas to provide her with the funding proposal documents.

Mr. Thomas stated that he had a copy of the draft sent out September 14<sup>th</sup>, identical to proposal, which he did not have with him. Mr. Thomas stated that he did not seek funds as the Executive Director of TIRC, since he was no longer employed as such. Rather, he sought funds as a volunteer for the State.

Discussion ensued regarding who under the TIRC statute was legally authorized to apply for and accept grant money for and behalf of TIRC, and the protocol for an individual to act in a voluntary capacity on behalf of the State.

General Counsel Donyelle Gray stated that to become a volunteer of the State, Mr. Thomas would need to complete a Volunteer Agreement before undertaking any volunteer work on behalf of TIRC. Mr. Thomas was informed he should not undertake any volunteer work on behalf of TIRC until he completed and submitted the Volunteer Agreement.

Regarding TIRC receiving grants, Ms. Gray stated the statute appears to place some restrictions on both the source of TIRC grants, and who is authorized to accept grants on behalf of the TIRC. Ms. Gray advised that TIRC should clarify these issues before moving forward with seeking out private grants and authorizing Mr. Thomas to do so. Ms. Gray stated that counsel in the Governor's office may also want to review these issues.

Commissioner Toppel asked where TIRC's mail is going. Conversation ensued regarding mail being "returned to sender" when mailed to 160 N. LaSalle.

Chairman Starks requested that TIRC's mail be directed to the HRC. Dr. Ewa stated that he will follow up with building administrators to keep a mailbox for TIRC at 160 N. LaSalle, and that he would check the mailbox and bring any mail to the HRC's office. Dr. Ewa also stated that all mail will be directed to Chairman Starks. Finally, Dr. Ewa stated

that TIRC's website is still up and that it would remain up, but no changes had been made to it since TIRC was defunded at the end of June 2012.

Chairman Starks indicated the next meeting was scheduled for December 4<sup>th</sup> at 3 PM, same location, unless an emergency meeting is called.

#### **VI. Executive Session**

No Executive Session was held.

#### **VII. Adjournment**

The meeting was adjourned at 4:16 p.m. Motion made by Commissioner Cavise with a second by Commissioner Warden. Motion carried 5-0.

Respectfully submitted,

LaNade Bridges

Private Secretary