

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

In re:

Claim of Ramsey Lewis

TIRC No. 2014.198-L

**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. On approximately December 3, 2013, Mr. Ramsey Lewis submitted a Claim form to the Commission alleging that on March 7, 1985, while at the Chicago Police Department, Area 2, Detectives Barry Costello and Peter Dignan punched Lewis in the face, slapped him, hit him in the head with a phone book, and roughly rubbed his head with a key ring. Additionally, Lewis alleged that the detectives handcuffed Lewis to a wall for hours and told him that if he did not tell the detectives what they wanted to hear and sign a statement, Lewis would get an “internal ass whooping that didn’t leave marks on [his] body.” See Ramsey Lewis claim form.
2. Mr. Lewis further indicated in his claim that the prosecution claimed that Lewis made statements to the police and these statements were introduced by the prosecution at trial.
3. In Mr. Lewis’s 1985 bench trial, the prosecution did introduce into evidence incriminating statements made by Mr. Lewis to the police.
4. Mr. Lewis was convicted of murder and sentenced to 23 years in prison.
5. On February 15, 1989, the Appellate Court reversed and remanded the trial court’s decision, ruling that there was no probable cause to arrest Mr. Lewis or his co-defendants, and that the confessions were derived from the improper arrest. Therefore, the Appellate Court ordered that the statements made by Mr. Lewis in custody should be suppressed. See *People v. Avery and Lewis*, 180 Ill. App. 3d 146, 534 N.E.2d 1296 (1<sup>st</sup> Dist. 1989).
6. Court files indicate that on November 30, 1989, each defendant was released on bond and that on December 15, 1989 the prosecution chose to drop the charges as to each defendant. See “Orders Entered” sheet in *People v. Lewis*, 89-CR-17724.

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7. According to court files, on June 17, 1997, the murder charge was expunged from the record of Mr. Lewis.
8. There is no record of any further court action of which the Commission is aware.
9. On November 26, 2014, Commission staff wrote Mr. Lewis, noting that it appeared he had not been convicted of the crime to which he confessed, and that the Commission would likely not have jurisdiction, and encouraging him to write to the Commission if the facts of his case were being misunderstood. A return receipt was signed by Ramsey Lewis and dated December 12, 2014. The Commission did not receive a response.
10. 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 committed by Commander Jon Burge or any officer under the supervision of Jon Burge.” (Emphasis added).
11. Mr. Lewis’s conviction was reversed by the Appellate Court of Illinois, he was never re-tried, and the charge was expunged. Consequently, Mr. Lewis was not convicted of the crime to which he confessed.
12. 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. Lewis’s claim does not meet the definition of “claim of torture” in Section 5(1) of the TIRC Act, and that the Commission is thus without jurisdiction to consider his claim.

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

Dated: May 20, 2015

  
Cheryl Starks  
Chair  
Illinois Torture Inquiry and Relief Commission