

FILED
14 SEP 16 11:11 AM
TIR

BEFORE THE ILLINOIS TORTURE INQUIRY AND RELIEF COMMISSION

In re:

Claim of Richard Johnson

TIRC No. 2014.215-J

SUMMARY DISMISSAL

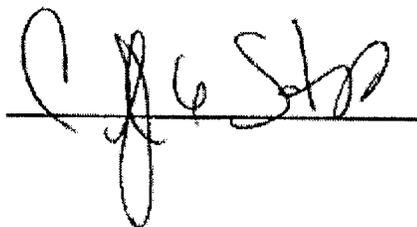
Pursuant to section 40(a) of the Illinois Torture Inquiry and Relief Act (“TIRC Act,” 775 ILCS 40/40(a)), the Commission hereby summarily dismisses this Claim for the reasons that follow.

1. On approximately November 20, 2013, Mr. Richard Johnson submitted a Claim form to the Commission alleging that he had been wrongfully charged with and convicted of crimes as a result of a scheme to cover up misconduct committed by police officers and others.
2. While the claim states that Mr. Johnson’s ongoing imprisonment and his inability to secure a hearing on his case have caused him mental suffering and emotional distress, it also appeared to state that he was not tortured into confessing to the crimes of which he was accused, and a confession had not been used against him.
3. On April 22, 2014, Commission staff wrote to Mr. Johnson asking if it was correct that he was not tortured into confessing to the crimes of which he was accused.
4. After an additional exchange of correspondence, Mr. Johnson wrote back and stated that he was not claiming that he gave a tortured confession, and not claiming that his confession was used against him.¹
5. Section 5(1) of the TIRC Act defines a “Claim of torture” as a claim by a convicted person “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”
6. Section 40(a) of the TIRC Act provides that the “Commission may informally screen and dismiss a case summarily at its discretion.”

¹ Although Mr. Johnson’s claim is not being dismissed for this reason, he additionally informed Commission staff that his claims were unrelated to Jon Burge or officers under his supervision.

The Commission finds that Mr. Johnson's claim does not meet the definition of "claim of torture" in Section 5(1) of the TIRC Act, and that the Commission is without jurisdiction to consider his claim.

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

A handwritten signature in black ink, appearing to read "Cheryl Starks", is written over a horizontal line. The signature is cursive and somewhat stylized.

Dated: September 17, 2014

Cheryl Starks
Chair
Illinois Torture Inquiry and Relief Commission