

Chicago Settles Michael Tillman Police Torture Case

July 23, 2012

Today, almost exactly twenty-six years after his July 21, 1986 arrest, the Finance Committee of the Chicago City Council has approved the payment of a \$5.375 million settlement to police torture victim Michael Tillman. During his four day interrogation, Tillman was repeatedly suffocated with a typewriter cover, beaten bloody with a telephone book, water boarded with 7 Up poured up his nose, threatened with a gun, and burned with a cigarette lighter by police detectives working for notorious Chicago police commander Jon Burge. As a result of this ordeal, these detectives, who were an integral part of a crew known in police circles as “Burge’s Asskickers,” tortured false admissions from Tillman that were later used to convict him of a murder and rape that he did not commit.

Several weeks after Tillman’s arrest, detectives connected fingerprints found at the scene of the crime, the victims’ stolen car, and items taken from the victim’s apartment with suspects who were completely unconnected to Tillman. One of these suspects confessed to the crime, and refused to falsely implicate Tillman, despite the detectives’ efforts to coerce him to do so. Nonetheless, Burge’s crew pressed their fabricated case against Tillman, falsely denying under oath that they had tortured him. Tillman’s trial judge, unaware that Tillman was one of more than 110 African American victims of Burge directed torture, rejected his claims of torture and innocence, convicted him, and sentenced him to life plus 25 years in the penitentiary.

Over the next two decades, Michael Tillman repeatedly, but unsuccessfully, raised his claims of innocence. Finally, in 2009, lawyers from the People’s Law Office and the Mac Arthur Justice Center moved to reopen his case. Armed with a “mountain” of evidence that implicated Burge and his Asskickers in a systemic pattern of torture, and a compelling case of innocence, the lawyers convinced the Special Prosecutor that Burge’s confederates had tortured an innocent man into falsely admitting to crimes he did not commit. This concession led to dismissal of Tillman’s case in January of 2010, and the issuance of a judicial certificate of innocence from the Chief Judge of the Cook County Criminal Courts shortly thereafter.

On the twenty-fourth anniversary of his arrest, Tillman filed this lawsuit, alleging that his torture and wrongful conviction resulted from a 20 year pattern and practice of torturing confessions from African American suspects that was master-mined and directed by Jon Burge and countenanced, encouraged, and covered up by a parade of Chicago Mayors, police superintendents, and Cook County States Attorneys. He also specifically named as a defendant former State’s Attorney Richard M. Daley for refusing to investigate and prosecute Burge after evidence of his torture was first presented to Daley and his First Assistant, Richard A. Devine, in 1982; for subsequently seeking the death penalty against Tillman; and for his prominent role in the conspiracy to cover-up the torture scandal after he became Chicago’s Mayor.

On the twenty-fifth anniversary of Tillman's arrest, District Court Judge Rebecca Pallmeyer, in a precedent setting decision, upheld Tillman's claims against Daley, ruling that Tillman's allegations were sufficient to hold Daley as a conspirator in the scheme to torture and cover-up. Tillman's lawyers then sought to question Daley under oath in a videotaped deposition, which Daley's publicly financed lawyers first sought to block, then to delay, and, after court intervention was sought by Tillman's lawyers, to cloak with secrecy. With regard to Daley's deposition, Tillman attorney Flint Taylor said the following:

As a result of the settlement, former Mayor Richard M. Daley will no longer be required to sit for a deposition in Michael Tillman's case. Naturally we are disappointed. Nonetheless, because of his decades long involvement in the cover-up of the Burge torture conspiracy, he remains a central figure in the torture scandal, and a potential witness in several torture cases that have not yet been resolved.

Tillman, who previously received a \$600,000 settlement from Cook County for the role of its prosecutor in his interrogation, and a \$200,000 payment from the State of Illinois for his wrongful conviction, is profoundly relieved that his twenty-six year nightmare is coming to a close. However, according to Taylor, there is still unfinished business with regard to the Tillman case:

We urge Mayor Rahm Emanuel to publicly apologize on behalf of the City and its police department to Michael Tillman and his family, to all Burge torture victims, and to Chicago's African American community. This symbolic act, which the Mayor can appropriately perform when Michael Tillman's settlement is formally presented to the entire Chicago City Council for approval on Wednesday, is not only important to Tillman, his family, and to all survivors of police torture, but is also vital to the entire community's healing process.

Flint Taylor, for the People's Law Office

A video of Michael Tillman recounting his torture can be viewed at:
<http://www.youtube.com/watch?v=Sl8k67seaRA>