

**ILLINOIS TORTURE INQUIRY  
AND RELIEF COMMISSION**

Meeting of the Torture Inquiry and Relief Commission

February 28, 2011

3:00 p.m.

James R. Thompson Center  
Conference Room 9 – 031  
100 W. Randolph Street  
Chicago, Illinois

MINUTES

**PRESENT:**

Commissioners

Chairman Patricia Brown-Holmes  
Bernetta D. Bush (Alternate)  
Leonard Cavise  
Daniel Coyne  
Doris Green (Alternate)  
Hipolito Roldan  
Marcie Thorp (Alternate)  
Neil Toppel  
Jeanette Wilson (Alternate)  
Andrea Zopp

Absent Commissioners

Rob Warden

Attendees

Human Rights Commission

Harriet Parker, General Counsel  
Ewa Ewa, Chief Fiscal Officer  
Michael Evans, Chief Administrative Law Judge  
LaNade Bridges, Private Secretary

Members of the Public:

Ryan Haggerty  
Ted Pearson  
Dolores Pino  
Rachel F. Sifuentes  
Jeannice Williams

**NOTICE:**

Open and Closed Meetings of the Illinois Torture Inquiry and Relief Commission are audio recorded.

**I. Call to Order**

On February 28, 2011, at 3:19 p.m. Chairman Patricia Brown-Holmes called to order a meeting of the Illinois Torture Inquiry 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 without the physical presence of Commissioner Warden.

**II. Consideration of the Minutes**

January 31, 2011

The TIRC voted to approve the minutes of the January 31, 2011, meeting as submitted. Motion to approve the minutes made by Commissioner Toppel and seconded by Commissioner Wilson. Motion carried 6-0. Chairman Holmes announced the minutes will be published on the website.

**III. Budget Update**

Chairman Holmes stated that today's emergency meeting was scheduled at last month's TIRC meeting principally to allow the Commissioners an opportunity to review the proposed TIRC Administrative Procedural Rules drafted by Executive Director David Thomas. The proposed Rules will be discussed later during this meeting.

Chairman Holmes stated that the Office of the Governor has requested the TIRC prepare a FY 2012 budget. The current FY 2011 expenditures (July 1, 2010 through June 30, 2011), and next year's expenditures (FY 2012 commencing July 1, 2011) will be funded from the Governor's discretionary budget funds. The FY 2011 budget is \$350,000 and our budget for FY 2012 is currently set at \$600,000. However, as of today none of the TIRC's FY 2011 funds have been released. Dr. Ewa is confident that the appropriated funds will be released shortly. The Human Rights Commission's ("HRC") and the TIRC's hearings before the Illinois State Senate Appropriations Committee have been scheduled for March 1, 2011. Executive Director David Thomas and Dr. Ewa, Chief Fiscal Officer of the HRC plan to attend the hearings and to appear before the Lawmakers in Springfield.

**IV. Short Term Goals**

Mr. Thomas has identified a potential candidate for the Administrative Assistant position. The candidate is bilingual, well organized, has very good computer skills and has experience building databases. Although the e-pars for the Administrative Assistant

position and the Staff Attorney position have not been approved, Chairman Holmes has been assured by the Governor's Office that these e-pars will be approved shortly. Unfortunately, Ms. Kelley Keyes the designated candidate for the Staff Attorney position had a medical emergency and therefore, has taken a short leave of absence from all employment.

Mr. Thomas reported the TIRC office now has furniture, telephones, and supplies. However, the computers have not been delivered, thus no email. Mr. Thomas invited persons interested in visiting the office to contact him. The office is located in the State of Illinois Bilandic Building at 160 N. LaSalle, Room 506. The TIRC has not yet received mail at this address.

Chairman Holmes reported that on February 1<sup>st</sup> the TIRC's press release was posted to the website. Copies of the press release were distributed to the Commissioners. The press release had to be approved by State Officials prior to its February 24<sup>th</sup> release to the news media. The Office of the Governor has assigned the TIRC a media liaison, Anjali Julka. All future TIRC related inquiries from the news media should be directed to Ms. Julka.

Chairman Holmes reported that as of today the TIRC has received two inquiries from the press. A reporter from the Tribune was in today's meeting and attempted to interview Mr. Thomas during the public participation portion of the Meeting. The Reporter was directed to Ms. Julka. The Chicago Tribune has requested to interview Mr. Thomas and Cliff Kelly, talk show host of the Cliff Kelly Show at WVON Radio has extended an invitation to Mr. Thomas and Chairman Holmes to appear on the Cliff Kelly Show. The interview with Mr. Kelly has been scheduled for March 1<sup>st</sup> at 4:00 p.m. Chairman Holmes stated she and Mr. Thomas plan to discuss the information provided in the press release, the statutory mandates of the TIRC, and give a brief explanation regarding the perceived delay in getting the TIRC up and operating as per its mandates.

Commissioner Cavise reiterated the importance of disseminating the TIRC press release to the 165 identified victims of torture. Mr. Thomas stated that while he agrees that contacting these 165 individuals is a high priority, he would prefer to send letters to each, explaining the charge of the TIRC. Mr. Thomas has been thinking of the best way to make contact. Ms. Parker, General Counsel of the HRC shared that the TIRC now has its own separate page on the HRC's website.

Chairman Holmes plans to place ads in local community papers in an effort to provide information about the TIRC including the address, website address and office telephone number. It is hoped that some of the victimized individuals as well as their families and loved ones will see this published information.

## **V. Proposed TIRC Administrative Procedures Rules**

Mr. Thomas introduced a draft of the proposed Administrative Procedural Rules for the TIRC. Mr. Thomas had sent a copy of the proposed Rules to each Commissioner prior to today's meeting. Mr. Thomas stated he researched the Administrative Rules language of other state agencies, including state agencies mandated to conduct investigations. Mr. Thomas drafted a basic template that he modified to fit the statutory language of the

TIRC Act. A discussion ensued regarding the proposed Rules. Various amendments to the Rules were adopted and approved.

Chairman Holmes stated that a vote on the Rules was needed today as the Rules must be published as soon as possible in order for the TIRC to move forward. Chairman Holmes recommended the Commissioners adopt the broader view of the TIRC's reach.

Chairman Holmes entertained a motion for alternate Commissioner Green to substitute in as Commissioner to replace Commissioner Warden during today's meeting for purposes of voting. Motion made by Commissioner Zopp and seconded by Commissioner Coyne. Motion carried 6-0.

Chairman Holmes entertained a motion to accept the draft of the Proposed Rules with the adopted amendments. It was agreed the Rules will be reviewed by the Commissioners prior to submission to the Secretary of State for publication. Mr. Thomas will have five business days to revise the Rules consistent with the herein adopted amendments. Commissioners may suggest corrections of typos and may suggest inclusion of any omitted changes consistent with the amendments approved during this meeting. Chairman Holmes reminded the Commissioners that they should not make recommended substantive changes to the amended Rules submitted by Mr. Thomas as all approved substantive changes will have been voted on during today's meeting. Once the Commissioners have voiced their approval the Rules will be submitted to the Secretary of State for publication in the Illinois Register.

Motion to approve the Rules as amended made by Commissioner Toppel and seconded by Commissioner Bush. Motion carried 7-0.

#### **VI. New Business**

There was no new business.

#### **VII. Public Participation**

Chairman Holmes invited members of the public who wished, an opportunity to address the Commissioners. Ted Pearson, of the Chicago Alliance stated he appreciates the efforts of the Commissioners to establish the Rules and Procedures for the TIRC.

#### **VIII. Executive Session**

There was no Executive Session.

**IX. TIRC Twelve Month Calendar**

The Calendar of Meetings of the TIRC for 2011 is as follows:

- April 11, 2011 3:00 p.m.
- June 20, 2011 3:00 p.m.
- August 23, 2011 3:00 p.m.
- October 18, 2011 3:00 p.m.

**X. Adjournment**

The meeting was adjourned at 5:20 p.m. Motion made by Commissioner Toppel and seconded by Commissioner Bush. Motion carried 7-0.

Respectfully submitted,

Patricia Brown-Holmes, Chairman  
Torture Inquiry and Relief Commission