



OFFICE OF THE GOVERNOR

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CHICAGO, ILLINOIS 60601

PAT QUINN
GOVERNOR

September 11, 2013

The Honorable Anita Alvarez
Cook County State's Attorney
Office of the Cook County State's Attorney
69 W Washington, Suite 3200
Chicago, IL 60602

Dear State's Attorney Alvarez,

This letter is in response to your letter regarding the Illinois Torture Inquiry and Relief Commission (TIRC) and the Commission staff's serious failure to undertake adequate due diligence in providing statutory notice to the victim's families for alleged police torture cases under consideration by the Commission. While I do not appoint the Commission's Executive Director, I share your grave concerns about this matter.

As my staff made clear to the Pueschel family members in early August and my General Counsel discussed with your Chief of Staff last week, this failure to comply with statute is wholly unacceptable.

While TIRC's critical mission is to make recommendations to the courts about whether those convicted of serious crimes actually committed them and were not just coerced into confessing, it is just as critical--and an explicit, statutory charge of TIRC--to hear from the families of the murdered victims.

Prior to your letter, my office became aware of these serious notice issues pertaining to the case of murder victims JoEllen and Dean Pueschel, and immediately began conversations with the family members. Likewise, I directed my staff to review the issue and work with TIRC's chair and staff to ensure that it never happens again.

We will continue to work with TIRC to ensure they rectify this failure and that all necessary steps occur. The following steps have already been taken:

- TIRC has informally requested the return of the three cases, including the case involving the murder of the Puschels, that had been recently referred to Circuit Court of Cook County Chief Judge Timothy Evans for the courts' consideration. The Commission will take a formal vote at its next meeting on September 25, 2013 on whether these referrals will be formally rescinded to allow further investigation, namely for the Commission to hear from the victims' family.
- Before the Commission will consider whether to take any action on this case, the Puschel family will be given its statutory opportunity to testify before the Commission, whether it is on September 25th or at a later meeting.
- On September 6, my General Counsel spoke to your Chief of Staff regarding working with your office on obtaining victim contact information for purposes of complying with the statutory requirement of notification prior to a torture inquiry hearing. (That such a process was not established by the Commission staff when they first began only heightens our grave concerns regarding this failure.) We look forward to continuing to work with your office in addressing this issue, that is not just a matter of statute, but of due process and fairness.
- Although I do not appoint the Executive Director for the Commission, due to this gross failure to follow the law, I believe that new leadership is needed. Both my office and the chair of the Commission have asked the current Executive Director to step down. If he does not do so, the Commission should remove him. My office is prepared to recommend strong candidates for this position that will both carry out the Commission's mission and meet its statutory charges.
- In the coming days, I will be filling the current, three vacancies on TIRC. I expect that these appointees will work with the current Commission members to carry out the Commission's mission and to ensure that these notice failures never happen again.

Thank you for your letter. I am committed to making sure that we have a strong Commission and a strong Commission staff that accomplish the critical mission of promoting justice, eliminating torture and protecting victims' families, while ensuring that the above-mentioned failures never happen again.

Sincerely,

A handwritten signature in black ink that reads "Pat Quinn". The signature is written in a cursive, slightly slanted style.