

IN THE COURT OF CLAIMS
OF THE STATE OF ILLINOIS

FILED
COURT OF CLAIMS

JAN 21 2021

Secretary of State and
Ex-Officio Clerk Court of Claims

Robert Smith,)
)
 Claimant,)
)
 vs.)
)
 State of Illinois,)
)
 Respondent.)

No. 21 CC 1102

ORDER

Claimant is before the Court seeking compensation pursuant to ILCS 505/8 (c).

On August 31, 1990, Robert Smith was convicted of double murder. The State sought the death penalty. This was rejected by the trial judge who instead sentenced Mr. Smith to life in prison without the possibility of parole.

Thirty years later, on October 23, 2020, the State's request to dismiss the indictment and immediately release Mr. Smith was granted by Judge Adriene Davis. On November 6, 2020, Chief Judge LeRoy Martin Jr. issued a Certificate of Innocence following a petition by Claimant.

Robert Smith represents yet another victim of the violent and abusive tactics of Chicago Police Lieutenant Jon Burge and his devout crew of similarly violent Chicago Police detectives.

Following hours of torture, Mr. Smith orally confessed. But tellingly, when it was demanded that he sign a written confession by the assigned felony review State's Attorney and detectives, Mr. Smith refused. The oral confession along with other fabricated evidence formed the basis of his double murder conviction. But for the trial judge who raised concerns about the lack of motive by Mr. Smith, he might very well have been sentenced to death.

The Court cannot give Mr. Smith back his life. We can only hope that his wrongful conviction (along with several others who have appeared before the Court) will serve to dramatically reduce police misconduct.

What this Court can do is award Mr. Smith the maximum amount allowed by statute.

What the Court can also do is acknowledge and give its admiration to Mr. Smith's counsel for their tireless devotion in securing Mr. Smith's freedom.

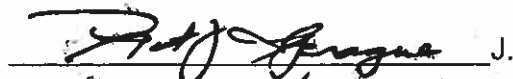
Robert Smith is hereby awarded \$239,306.00.

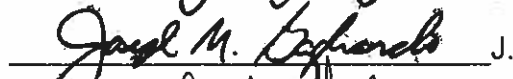
ENTER:



CHIEF JUSTICE, Court of Claims

CONCURRING

 J.

 J.

 J.

The filing date stamped hereon is the filing date of this Order.