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Man cleared in 1987 double murder files federal lawsuit alleging he was tortured by Burge detectives

By JASON MEISNER
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A man who spent 33 years in prison for the brutal 1987 double murder of his mother-in-law and her mother filed a federal lawsuit Monday alleging Chicago police detectives working under disgraced former Cmdr. Jon Burge beat him into confessing to the crime.

The lawsuit filed by Robert Smith, 72, names the city and eight former Chicago police detectives and supervisors, as well as the former Cook County prosecutor who took his statement at the Area 2 headquarters.

Smith, who was released from prison in October and has since been awarded a certificate of innocence, is seeking up to \$66 million in punitive and compensatory damages, said his lawyer, Stuart Chanen.

In a written statement, Chanen said that no amount of money can make Smith whole, but the city “could at least help bend the arc of the moral universe in that direction by admitting what these defendants did and compensating Robert for the 33 years of his life that were lost.”

A Law Department spokesman said the city had not yet seen the lawsuit late Monday and could not comment.

Smith was convicted in the September 1987 slayings of his mother-in-law, Edith Yeager, and her mother, Willie Bell Alexander, whose throats were slashed with a butcher knife before their Roseland home was set ablaze.

According to court records, Smith was arrested after he arrived at the gruesome scene where detectives were investigating and became hysterical, talking back to police and throwing himself down into a pool of the victims' blood.

During his 19 hours in custody at Area 2, Smith was repeatedly beaten, threatened and abused by various detectives who were “proteges of Burge,” the now-infamous commander whose “Midnight Crew” of detectives allegedly tortured dozens of mostly Black men into confessions.

During the interrogation of Smith, one of the detectives told him he'd better hurry up and confess because the detective “was on his way to a party and 'didn't have time to be messing with'” the case all night, calling Smith a racial epithet, the lawsuit alleged.

According to the suit, former Chicago police Superintendent Phil Cline was the supervising lieutenant that night and did not directly participate in the beating of Smith but did nothing to stop it. Reached by the Tribune, Cline declined to comment.

Smith eventually gave an oral admission to the crime, but when an assistant state's attorney typed it up, Smith refused to sign it, court records show. He was later taken to the hospital, where he was treated for a broken rib and other injuries.

Smith's attempts to get his confession thrown out of court were unsuccessful. It was the key piece of evidence that led to his conviction at trial in 1990, the same year the Chicago Police Department began an internal investigation into torture allegations involving Burge and his men, records show. Smith was later sentenced to life in prison.

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In 2013, the Illinois Torture Inquiry and Relief Commission found that Smith's allegations of torture were well-founded and referred his case to a judge for possible retrial, records show.

In its decision, the commission found that aside from the confession, the evidence against Smith was almost nonexistent. Detectives never investigated any possible motive for why Smith would commit the murders, and their testimony about how his purported confession was not credible, the commission's report stated.

"The confession was a quick, easy 'solution' to the case," the report said. "There is absolutely no evidence of a motive for (Smith) to murder his in-laws ... and (he) has maintained from the beginning in a consistent manner that the confession was coerced."

Still, it took an additional seven years before a Cook County judge in October vacated the conviction and ordered Smith released.

Burge, meanwhile, was fired from the Police Department in 1993 after it was determined he tortured murder suspect Andrew Wilson. In 2010, Burge was convicted in federal court of perjury and obstruction of justice after jurors found he lied under oath in a deposition for a civil suit when he denied witnessing torture or abusing suspects.

While Burge was not charged with torture, prosecutors had to prove allegations of abuse to support the other counts. Burge spent 4½ years in prison and on home confinement and later lived out his retirement in Florida, where he collected a \$4,000-a-month pension until [his death in September](#) 2018 at age 70.

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Jason Meisner has covered the federal courts beat since 2013, writing about political corruption, terrorism and gang racketeering. In 2018, he was part of the Tribune's award-winning team covering the historic murder trial of Chicago police Officer Jason Van Dyke.

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