

## **Darryl Christian**

On June 24, 1989, 33-year-old Darryl "DC" Christian arrived at his home to find his stepmother lying dead on the living room floor. He immediately called an ambulance and the Chicago police. Detectives Michael J. Cummings and Lawrence Nitsche were among the responders that questioned Christian, who said he had been at his friend Tiwana Alexander's house until about 4:00 am on June 24<sup>th</sup> before returning home. After the detectives told Christian that his friend's statement did not support his account, he was arrested and brought to Area 2 of the Chicago Police Department.

Once at Area 2, Christian stated in the TIRC report that he was handcuffed to a wall for several hours and interrogated by Detective Michael Cummings. He was screamed at repeatedly and struck very hard in the face by Detective Cummings and told that the beating would continue if he did not confess to the murder. Fearing further beatings, Christian eventually signed a three-page confession written up by the Assistant State's Attorney David Fischer. Fischer wrote the statement in a separate room by memory of the conversation he and Detective Cummings had with Christian.

Before the beginning of the trial, Christian filed a motion to suppress his confession, claiming he was beaten into signing it. ASA Fischer, as well as Detectives Cummings and Nitsche, testified against Christian's claims at the suppression hearing. For reasons unknown, Christian's attorney did not call Christian nor any other witnesses to the stand to testify at the trial, also failing to supply any evidence in support of the motion, thus the court denied any claims of coercion or torture.

The trial took place on August 16, 1990 with Judge Ralph Reyna presiding over the trial. Also present were Assistant State's Attorney Elizabeth Rivera and Public Defender Kendall Hill, ASA David Fischer, and Detective Michael Cummings. The evidence against Christian was close to none, apart from his confession. There were no eyewitnesses to the stabbing, and the knife used to murder Christian's stepmother was never recovered. The only shred of evidence was a pair of sneakers discovered under the front porch with small traces of blood on the outside of the left heel. An exam concluded the blood to be human, although it was never proven if the blood was that of Christian's stepmother, or if the sneakers belonged to Christian.

There were several inconsistencies in the trial that point toward a coerced confession. The sneakers were never mentioned in Christian's confession as evidence. Furthermore, the detectives took the clothes Christian was wearing as evidence, however there was no blood found on them, even though the medical examiner concluded that the victim was stabbed 24 times. The detectives claimed Christian smashed a basement window to make the murder appear to be a break-in, but there were no traces of blood on the window. They also claimed Christian fled in his car to dispose of the knife, but there were no traces of blood or glass in the car.

The confession states that Christian and his stepmother got into an argument that night about how he should do more housework. Christian's stepmother then went to the kitchen and grabbed a knife, which Christian took and stabbed her once with, before fleeing to drop off the knife and went to a friend's house down the street and returning to the house later on. As stated above, the

main flaw in this part of the confession is that medical examiners found that his stepmother was stabbed 24 times, rather than just once, as stated in the confession. Furthermore, Christian appeared to have an excellent relationship with his stepmother, even calling her his mother during questioning. He also paid for her entire funeral - \$2,198.00 even though he was not well off economically.

Christian was found guilty in 1990 and sentenced to 55 years in prison. He filed a *pro se* post-conviction petition on February 15, 1994, citing the coerced confession and abuse at Area 2, the lack of evidence, and the inconsistencies between his confession and the evidence presented at the trial. He also stated that the detectives did not read him his Miranda Rights, violating his 5<sup>th</sup> Amendment Rights under the Constitution, nor did they allow him to call a lawyer. Furthermore, Christian claims his counsel, Ms. Williams, showed the jury the pair of gym shoes with blood on them, even though the state did not mention them in the trial, nor used them as evidence. This made the jury prejudiced against Christian and did not offer him a fair trial. The fact that Christian's counsel showed the gym shoes to the jury indicated that Christian did not have his attorney's loyalty. Additionally, he was convicted of murder based solely on his confession, with the prosecution providing no further evidence to corroborate the confession. This petition was denied on procedural grounds without reaching the merits of the argument.

Christian also filed a *habeas corpus* claim in 1997, stating again that his 5<sup>th</sup> Amendment Rights had been violated due to the coerced confession. This motion was denied in 1998. He made a more detailed claim in his second *pro se* Petition in 2003, citing the 1991 internal investigation into the Chicago Police Department that found systemic abuse at Area 2 under Chief Jon Burge. Christian claimed that the years of abuse at Area 2 gave his claims more merit in court. Christian cited two other cases of police torture, *People v. Patterson*, and *People v. Cannon*. Both of these victims claimed to have been tortured by various Police at Area 2 and were granted re-trials as a result. However, Christian's motion was again denied on procedural grounds without an evidentiary hearing and without reaching the merits of the claim.

Christian filed another motion in the Appellate Court on March 4<sup>th</sup>, 2016. In this petition, he cited the Torture Inquiry and Relief Commission Act, which was established as a result of the Jon Burge torture cases. The Torture Inquiry and Relief Commission found that by a preponderance of the evidence there was sufficient evidence of torture and they referred his case to court for an evidentiary hearing. After reviewing the evidence provided by the TIRC, the Appellate Court denied the motion on the basis that there was no evidence of indisputable error in the Circuit Court's decision, thus Christian's claim was once again denied by the court.

The judge who presided over the original 1990 hearing of Christian, Ralph Reyna, has been involved in several trials during the Burge era, where there were clear signs of a coerced confession. Some of the other victims include David Bates (1983) who was beaten repeatedly and tortured into a confession. Reyna also refuses to acknowledge the systematic torture and corruption that defined the Burge era. Thus, not only the detectives, but also the judge in Christian's trial was corrupt and had no intention of presenting Christian with a fair and just trial.

The Torture Commission noted several typical characteristics of a coerced, false confession. The confession itself is very short considering the murder charge, and the Assistant State's Attorney

gave a very limited and unconvincing statement regarding how the confession was provided. It also does not reference important evidence, such as the gym shoes, the murder weapon and the number of times the victim was stabbed. The Commission also cited the complete lack of evidence besides the confession, as well as the extremely poor quality of Christian's legal counsel. His counsel did not have Christian testify at his own trial, nor did they provide any witnesses or evidence that would have corroborated Christian's innocence, such as his alibi or evidence that he paid for his stepmother's funeral. The receipt for the funeral home was only presented 20 years later, and the Commission believes a more contemporary hearing would have produced more exculpatory evidence. Finally, Christian's claims of torture have been consistent over the years, giving him credibility.

Darryl Christian was paroled in December 2016 and his projected parole discharge date is December 2019.