

Marcus Wiggins



In 1991, Marcus Wiggins was only 13 years old when he was arrested without probable cause following a gang-related shooting. The victim was 16-year-old Alfredo Hernandez, who was shot in the head and stomach in the 5100 block of South Justine Street on September 25, 1991. Wiggins was then taken to an interrogation room at Brighton Park headquarters, located at 3900 S. California Ave. This is an Area Three police station on the city's South side where Jon Burge was the presiding detective commander at the station. According to Wiggins' mother, Carolyn, he was brought into the interrogation room without a lawyer or adult present. He was then beaten with a 15-inch rod and then the officers brought out a black box. Inside the box were electrical wires with round clips on the ends and a switch that unleashed an electrical current.

In 1993, Marcus Wiggins' mother filed a lawsuit against the City of Chicago. The lawsuit states that Wiggins suffers from severe post-traumatic stress disorder because of the torture he underwent at the police station. The lawsuit requests compensatory and punitive damages but did not specify an amount. LeRoy Martin and Jon Burge were named in the suit but were not accused of personally torturing Wiggins. Burge is a defendant because he was the commander at the time of the arrest and knew of or condoned the alleged torture. Martin is named in the suit because as a police superintendent he was responsible for the policies, practices, and customs of the department. The suit also named sergeants John Byrne and Fred Bonke, and detectives James O'Brien, Anthony Maslanka, John Paladino, Kenneth Boudreau, and Michael Kill.

In the lawsuit Marcus Wiggins described what happened to him. "They started – my hands started burning, feeling like it was being burned. I was – I was shaking and my – and my jaws got tight and my eyes felt they went blank. It felt like I was spinning. It felt like my jaws was like – they was – I can't say the word. It felt like my jaws was sucking in. I felt like I was going to die".

In 1993, Marcus Wiggins' conviction was thrown out by a juvenile court and his lawsuit was settled for \$95,000, paid for by the City of Chicago. Wiggins suffered severely after being tortured by these detectives. Marcus Wiggins met with a psychologist, Antonio Martinez, for five sessions and he concluded that Wiggins was exhibiting symptoms of PTSD, including "extreme nervousness, uncontrollable stuttering, assuming the fetal position, thumb-sucking, uncontrollable trembling of the hands, headaches, anger, tenseness, and hyper alertness." His mother said, "I'm suffering now seeing what he's going through. They need to get punished for what they did."

Marcus Wiggins was arrested again a couple of years after he was tortured. He was arrested in 1998 for the murder of Theopolis Teague. There are many errors and missing pieces of information in this case. On February 27, 1998 Theopolis Teague was said to be driving along

51st Street in Chicago with Segdrick Farley and Terrence Tyler. When his car came to a stop, Wiggins supposedly backed into his car. There was no damage to the rear bumper of the car Wiggins was driving even though there was said to be enough force to push Teague's car backwards.

Segdrick Farley testified that the car Wiggins was driving was maroon or burgundy but Wiggins has never owned a maroon or burgundy car; his car was black. The crime took place early in the morning so it is odd that both Farley and Tyler could not tell the difference between black and burgundy in the daylight. Kelly Stokes, who testified against Wiggins, owned a maroon car. Teague preceded to drive to the 5200 block of South Marshfield where he parked his car and checked it for any damage. Alleged by the confession, Wiggins approached the victim and said, "What is up now?" Teague and the others took off running and while they were running, Wiggins fired his gun which supposedly wounded the victim. Segdrick Farley approached the victim who was lying in an alley. Farley said "Stutter" shot him and evidence at trial showed that "Stutter" was Wiggins' nickname, however, Farley told Wiggins' lawyer Lana Johnson that he knew Terrence Tyler as Stutter and did not know that was also a nickname for Wiggins. Marcus also never knew the victim, Teague, nor Segdrick Farley.

There is a lack of evidence in this case. According to the documentary, "Heroes for a Semester," the police did not respond to the car accident so it is difficult to know if a car accident even took place. Supposedly there were 13 shots fired but there were no bullets found at the scene of the crime. According to the detectives, the weapon that was used in this crime was a 9mm semiautomatic gun so it is odd that there were no bullets found at the scene and that there were only 13 shots fired. It is also odd that the detectives were sure that was the gun that was used since the murder weapon was never found.

One of the people who testified against Marcus, Kelly Stokes, owned a 9mm semiautomatic gun. The only testimony is how many shots neighbors heard. The police officers did not canvas the area properly and did not return to the scene to speak with neighbors they missed. According to William Dorsch, retired homicide detective and current investigation expert, the preliminary report was written by the patrol officers and may not have been accurate. It would have been the detectives' job to conduct a more inclusive investigation, which they did not do.

The way Theopolis Teague's body was received also raises questions because he was only wearing a t-shirt and boxers. This is suspicious because he was murdered in the winter in Chicago. Winter in Chicago usually experiences below freezing temperatures and a good amount of snow so it is very suspicious that that is all he was wearing. The detectives were called to the hospital where the victim was already pronounced dead. There were witnesses at the hospital and the detectives acquired a name and pursued the defender, Wiggins. There was also no bullet recovered from Teague's body, which again is strange.

Three people testified against Wiggins: R.L. Mahan; Segdrick Farley; and Kelly Stokes. All three men recanted their testimony or wanted to recant their testimony. R.L. Mahan told Wiggins' ex-girlfriend, mother, and his own attorney that his testimony was false. A statement to the State's Attorney was written for Mahan and all he did was sign the document. In his testimony Mahan said that Wiggins said, "The rock boys hit my shit". This statement does not

make sense because according to this testimony, Wiggins was the one who backed his car into Teague's car so his car was not hit. On the day he was going to sign a document saying that he lied in his testimony, Mahan was shot in mouth and died as a result.

Segdrick Farley was harder to track down because he is currently serving time in an institution in Wisconsin. His testimony was key to putting Wiggins behind bars because Farley identified Wiggins in a lineup. Farley was in police custody for 16 hours where he was pressured by the police before he identified Wiggins as the shooter. Farley spoke with some of the makers of the documentary and said, "The police did Marcus wrong. The fucking identification was all fucked up."

Farley is referring to being shown Wiggins' photo before the lineup, as well as the fact that the photo had Wiggins' name on it. Farley said that they should not have done that, referring to being shown the photo with his name written on it. He claims to have seen R.L. Mahan chase Teague into the alley. He heard gunshots and then ran toward them. He says he saw Mahan standing over Teague with a gun and then ran into a getaway car. He says he never saw Wiggins at the crime scene or in the car with Ladell Addams, R.L. Mahan, and Kelly Stokes.

The last witness was Kelly Stokes. In his original testimony he claimed that Wiggins was a member of the Gangster Disciples. He was presented with an affidavit, made sure it was accurate, and signed the document. In this document recanting his testimony he said that Wiggins was never a member of the Gangster Disciples and that he has never been involved with any gang. He also said he was forced to testify against Wiggins by the homicide detectives.

There were many witnesses who Wiggins' attorney, Lana Johnson, could have called on behalf of Wiggins but chose not to. Wiggins' mother believes that Lana Johnson thought there was enough evidence to prove that Wiggins was innocent without having to call these witnesses. Alisha Wilson was subpoenaed to come to court as a witness, but Wiggins' attorney did not put her on the list to be put on the stand. Wilson said that she thinks that is not fair to Wiggins.

Latanya Bowen-Weatherby, the wife of Wiggins' mechanic Marcus Weatherby, was also supposed to testify on behalf of Wiggins but sadly passed away before the trial. Mr. Weatherby told his wife about testifying and that the black four-door car that was in his possession was supposedly used in a shooting. Mr. Weatherby knew that that was false because it was in his possession and it was not working at all. Wiggins' mother came to Mrs. Weatherby asking her to talk to Wiggins' attorney Lana Johnson after her husband passed. Mrs. Weatherby said that she did not know Wiggins, but did know that her husband had his black four-door car that had not been running for a few days including February 27, 1998. His attorney asked her for records her husband kept, but all she had was her husband's written witness statement stating that Wiggins brought his car to Mr. Weatherby to be fixed on February 23, 1998 and that he did not have the chance to work on his car because the police came and towed the car on the 27th. Wiggins' attorney then asked Mrs. Weatherby if she would come to court and testify about what she saw, heard, and read. She agreed. She went to the court on the day of Wiggins' trial to testify but never received a call from Lana Johnson nor did she come get Mrs. Weatherby.

Tracey Ross also signed an affidavit about what she knew about Wiggins. She had known Wiggins since 1992, started dating him in 1995, and had their son in 1997. She said he was a very good father and was always there for the both of them. He did not like where they were living because when he went to see his son guys would pick on him for not being in their gang or selling drugs for them. She said he is a sweet, caring, good-hearted person and not the cold-blooded killer they are making him out to be.

In the time Ross has known Wiggins, he has never been a part of any gang. She also said that Wiggins did own a black four-door car but knows for a fact that it was not working on the day of the murder because he walked to her house to see their son. He does not normally walk around the neighborhood because he is scared after everything he has gone through. She asked him where his car was and he told her he went to get it fixed. On January 19, 2004, R.L. Mahan was at the store and he asked her how to get touch with Wiggins' mother because he wanted to help Wiggins get out of jail for a crime he did not commit. He told her that Wiggins was being framed, and that he told his lawyer over the phone and told another one at the trial that Wiggins did not kill anyone and that he was not even there. He said he was scared and they told him to say Wiggins did it.

Malinda Chavers also signed an affidavit about what she knew about the case. Chavers was sitting on her porch at 51st and Justine with LaVar Commador when Teague approached them looking worried. Teague was a member of the Blackstones and said the other members of the gang were going to kill him. According to Chavers, she walked away so Teague and Commador could talk but she was still in earshot of the conversation. Teague told Commador that he was a witness to the murder of a man named Johnski committed by other members of the Blackstones. He was fearful for his safety.

Marcus Wiggins believes, for a number of reasons, that he is being framed by the same detectives who were involved in his torture case years earlier. The detectives who tortured him in 1991 were very interested in his case. Wiggins claims in his post-conviction petition that James O'Brien, one of the detectives who tortured him, and other detectives made deals, coerced, and threatened gang members to testify against him in court. O'Brien popped in the interrogation room where Wiggins was being held and told him to "go sit in a corner and suck your thumb because we are going to stick your ass with this one." Wiggins said that is when he knew he was being framed. When he was being interrogated he told Detectives Gallegos, Riordan, and Omachi his alibi, where he was, who he was with, and that his car was not working at the time of the murder and he had left it with his mechanic to work on.

According to the documentary, Jane Raley, attorney with the Center on Wrongful Convictions at Northwestern, said that at the time of the murder Wiggins was living in Wisconsin so there is no way possible that he could have committed the murder. He had witnesses willing to testify on his behalf but Detective O'Brien and others threatened his alibis. Police also towed and destroyed his car prematurely so that it could not be proven that it was not involved in the crime or that it was not even moved. Wiggins also says that there was no physical evidence, no prints, no ballistics, no legitimate witnesses, nothing that could tie him to the murder of Theopolis Teague. He and others do not even believe that the murder took place on that street. He also believes that there was no way he would receive a fair ruling under Judge Dennis Dernbach. Judge Dennis

Dernbach was a part of Jon Burge's go-to state attorney team when he was obtaining a confession under torture in 1984. He took Leroy Oranges statement knowing he was tortured when he gave that confession. He also claims the judge knew who he was and that he, O'Brien, and the state attorneys conspired against him in court.

Marcus Wiggins is currently incarcerated at Shawnee Correctional Center serving a 46-year sentence.