

Robert Allen

Torture and Frame-up

Reginald Braggs, a.k.a. Robert Allen, was tortured by Chicago Police Detectives and convicted of three armed robberies and attempted murder based on the detectives' testimony, inconsistent testimony by witnesses, and a coerced confession given by a friend who was also tortured. He was sentenced to a total of 125 years in prison, some concurrent. Robert Allen has been wrongfully imprisoned since 1990. His expected discharge date is 2055.



Torture and frame-up

On April 18, 1990, Robert Allen received a ride to a store at 51st and Aberdeen from Tony Anderson, his friend, and Anderson's girlfriend, Fernice Barkley. Unknown to Allen, the vehicle was stolen. When they left the store on the 5100 block of South Aberdeen and returned to the car, an unmarked

police car blocked their car in. Three Chicago Police detectives in plain clothes exited the unmarked police vehicle and approached the car.

According to Detective Patrick Brosman the car driven by Anderson had drawn the attention of him and his partners, Detectives Welch [first name unknown] and Gregory Seller. It was a beige 1985 Oldsmobile vehicle that they said had passed them at an excessive speed, making a sharp right turn off 53rd street onto Aberdeen. The detectives followed the car north on Aberdeen and passed it stopped in front of the store on the corner of 51st St. Detective Brosman ran a license plate check on the vehicle which revealed that the car had been stolen. The detectives turned around and waited for the occupants to return to the car before blocking the car to prevent it from pulling off.

Detectives Welch and Seller said they approached the driver's side and asked Anderson to roll down the window. Anderson complied, and Seller reached into the vehicle and snatched keys from the ignition, at which point a struggle ensued between Anderson and the two detectives. Ultimately, the detectives pulled Anderson out of the car and handcuffed him.

Detective Brosman said that as Detectives Welch and Seller struggled with Anderson, he approached the passenger side of the car and asked Barkley, who was in the front seat, and Allen, who was in the back seat, to exit the vehicle. Brosman says he opened the passenger side door and told Allen and Barkley that the car was stolen. Brosman testified that because Barkley was very pregnant and he saw Sellers and Welch struggling with Anderson, he told her to stay in the car and to push her seat forward. He said that he then began a patdown search of Allen still in the rear passenger seat. Brosman admitted the search of Allen was improper, but he did it that way out of consideration for the pregnant Barkley. Brosman testified that as he completed the search of Allen he saw a black jacket on the floor partially under the front passenger seat. He said he

removed the jacket and searched it, discovering a gun in the pocket of the jacket. According to Brosman, upon discovering the gun, the detectives placed Allen and Anderson under arrest. They released Fernice Barkley at the scene without charges.

According to Allen, however, when Brosman approached the passenger side of the vehicle he told Barkley to roll down her window, and he informed both him and Barkley that the vehicle was stolen and asked that they both exit the vehicle, which they did. Brosman did a pat-down of Allen, handcuffed him, and told him to sit on the ground near the store. Allen says that Brosman then went back to the car and searched it. Brosman came back to Allen with a jacket and a handgun that he said he had retrieved from under the front passenger seat. He and Anderson were then placed under arrest and taken to Area 1 Police Headquarters at 11th and State, several miles away. He insists he was never “read his [Miranda] rights”

Robert Allen was initially charged with Criminal Trespass of a Stolen Vehicle and Tony Anderson was charged with Auto Theft. They were informed that they were being taken to 11th and State (Area 1) instead of the closer 51st and Wentworth Police station because that was the location of the Auto Theft Unit. Allen and Anderson were later moved from Area 1 to Area 2 Police Headquarters on the far South Side. They were not told why they were being transferred.

At Area 2 Headquarters, Allen and Anderson were both questioned by Detective Michael McDermott and Detective Anthony Maslanka. Both detectives have been implicated in dozens of cases of torture, and McDermott has admitted under oath that he tortured suspects. They interrogated Anderson and Allen about a series of armed robberies and other crimes unrelated to their initial arrest. McDermott and Maslanka threatened and beat them over the next two days, demanding that they confess to the crimes. Despite two days of repeated torture Allen insisted on his innocence and his lack of knowledge of the robberies and other crimes between March and April 1990 of which he was being accused.

Anderson has claimed that McDermott placed a gun to his head and threatened to “blow his damn brains out” if he did not confess. Maslanka struck him in the chest, ribs, and back with his nightstick. Anderson estimates he was hit over 12 times. To stop this abuse he finally agreed to sign a confession and to also incriminate Robert Allen and another individual, Leo Hicks, in multiple armed robberies. Leo Hicks was never charged, however, with any of these crimes. It was discovered that Anderson had lied under torture because Hicks had been attending a work release program at the times of the crimes.

After Anderson confessed and implicated Allen, they were placed in several lineups. Allen was placed in three different lineups for the purpose of identifying a suspect for three different robberies prior to their arrest - Trak Auto, Robbin’s Drug Store, and Joyeria Nathaly Jewelry Store. Detective McDermott conducted each lineup.

Allen had three separate trials for robberies at these three different locations.

At Allen’s trial for the robbery of the Robins Drug Store, LaLit Chheda identified Allen in court, but he testified that the prosecutors showed him Allen’s line-up photo just before taking the stand. He testified that during the robbery there was a short man and a tall mall. He then testified

that he was only able to identify Tony Anderson as the short men. He was not sure about the tall man. He also testified that he couldn't remember what type of gun they had used.

Regarding the robbery of the Joyeria Nathanly Jewelry Store, Jose Pulido, the store owner, testified that he saw 3 offenders enter the store, one at a time, but he did not identify Robert Allen. Though he testified that he remembered Allen's face, he was unable to recall anything about his body, his head or hair style, and no facial features were described. Mario Cisneros, testified that he had been shown a photo of Robert Allen by Detective Palandino before the line-up. The photo was not part of a display of multiple photos. He was then asked if he could identify the robber in the lineup.

Juan Navarrez testified that he only saw one of the offender's shoes and red pants. However, he identified Allen in the lineup and in court. Allen was the only person in the lineup wearing red jogging pants.

All three witnesses identified Robert Allen in a lineup in which he was the only person wearing red jogging pants. All three had been shown a photo of Robert Allen by Detectives McDermott and Maslanka prior to the line-up.

In the Trak Auto Robbery case Scott Volk, the assistant manager, testified that he was approached by two men who asked him for help finding some items. He then directed them to where the items were located. The taller man of the two stepped up behind him and placed a gun to the back of his neck. Volk then said he wasn't going to take it anymore, turned his head and was shot. Volk was able to identify the clothing of the men. However, he did not get a good look at their faces. Volk was only able to identify Tony Anderson as the offender after viewing police photographs. However, at Robert Allen's trial, when prompted by the State's Attorney, Mr. Volk identified Robert Allen as one of the men who robbed Trak Auto.

Initially, one of two witnesses to the Trak Auto robbery, Ricky Norwood, had been unable to positively identify Robert Allen. However, at Robert Allen's trial, when also prompted by the State's Attorney, Mr. Norwood identified Robert Allen as one of the men who robbed Trak Auto.

Of two witnesses to the Robins Drug Store robbery, one was unable to identify Allen. Also, it must be noted that in the Robins Drug Store robbery, another individual by the name of Joe Williams was picked out of the lineup and identified as the offender. Joe Williams was never charged in the Robins Drug Store robbery. **[Update: Tony Anderson is the a.k.a for Joe Williams. Joe Williams a.k.a Tony Anderson was in fact charged and convicted of the Robins Drug Store robbery.]**

Three witnesses in the Joyeria Nathaly Jewelry Store robbery identified Allen only because he was the one person in the line-up wearing red jogging pants, and the robber had also worn red jogging pants.

Allen was tried for each robbery separately. The handgun discovered during his initial arrest was introduced at each trial as the weapon used to commit each crime, although there was no forensic or material evidence tying the gun to any of the crimes. There was no evidence linking Allen to

the gun found in the car, The gun had neither Allen's nor Anderson's fingerprints. Allen's Aunt and Uncle, Mr. & Mrs. Williams testified on his behalf. Mr. Williams is also the biological uncle of Tony Anderson.

Given that Allen did not confess, his attorneys decided not to mention that he and Anderson had been tortured. His defense depended on the lack of evidence against him. Robert Allen was charged only because Tony Anderson implicated him in his tortured confession. This was never introduced at any of Allen's trials. Anderson was only mentioned at Allen's trial as the driver in the initial vehicle stop. The only evidence against Allen was McDermott's testimony, the inconsistent testimony by the witnesses, and the gun recovered from the stolen vehicle that Anderson was driving.

Robert Allen was wrongfully convicted of attempted first-degree murder of Scott Volk, armed robbery, and armed violence for the armed robbery of the Trak Auto Store. He received 55 years for attempted murder, 55 years for armed violence, and 30 years for each of three armed robberies, a total of 125 years. With some of the sentences being served concurrently, Robert Allen's expected discharge date is 2055.

It is necessary to take into account the many injustices individuals suffer, on a daily basis, by the police or by the criminal justice system in general. Robert Allen was illiterate and was convicted based on illegal identifications elicited by the detectives who tortured him. He was only even charged because of the coerced confession given by his friend and co-defendant Tony Anderson.

It is not uncommon for poor and illiterate or semi-literate Black men to be railroaded in our criminal justice system. Allen is a victim of the Burge torture gang, but because he did not confess, the frame-up of this man is being dismissed.

Both Detective McDermott and Detective Maslanka, who interrogated and tortured Robert Allen and Tony Anderson, both testified in the trial of Jon Burge that they engaged in torture, in exchange for immunity from prosecution.

Robert Allen's case demands a hearing on the torture he suffered and the illegal manipulation of false identifications in his frame-up. Pending this hearing, he should be immediately released from custody of the Illinois Department of Corrections.