

Free Gregory Nash



Gregory Nash

On October 12, 1983 Gregory Nash was arrested by two police detectives, Frank Glynn and George Basile, for the alleged robbery and attempted murder of George Greenlee, a Chicago police officer. The shooting had taken place several weeks earlier. At the time of the shooting Greenlee was off duty. Detectives Glynn and Basile arrested Nash, largely on the basis of testimony from a confidential informant. He was arrested without a warrant. He was 21 years old.

Detectives Glynn and Basile took Mr. Nash to the Third District (the police station at 71st and Cottage Grove). Nash was initially interrogated there for several hours by Glynn and Assistant States Attorney Gerald Nora. Then Detective Basile transported Nash to Area 2 and left him with Detective Glynn and another Detective, John Paladino. All three detectives-- Glynn, Basile, and Paladino-- were under the supervision of Commander Jon Burge.

These are Nash's allegations of police misconduct, threats, abuse and torture:

--While in the car on the way to the Third District station one of the officers told Nash they were 'going to send him up for 60 years'.

--While at the Third District station or in Area 2, Nash remembered Detective Glynn threatening him, stating, 'We ain't that easy at the 111th, which referred to Area 2. Detective Basile slapped Nash when he stated that he didn't know about a police officer being shot.

--Nash was held in Area 2 from October 12th until October 15th. On October 12th he was handcuffed and chained to a wall with the lights turned off. After 3-4 hours from his arrival on October 12th, three or four police officers came into the room. One put a plastic bag over Nash's head, and someone began striking him with a stick with something attached to it that could have been keys. These acts occurred multiple times over the next two days. Nash stated that the room light was always out during the beatings, so that he could not identify which officers were doing it.

During the period between October 12th and 15th Nash participated in at least two police lineups concerning several armed robbery cases, in which he was also a suspect. He was taken back to the Third District on October 14th for those and then transferred back to Area 2 later that day.

A jury trial was held in the Circuit Court of Cook County on October 2-4, 1984 about a year after the arrest (Case # 83-CR-10658). There were several discrepancies between Nash's testimony and police accounts of what took place from the time of the arrest until Nash's removal from Area 2.

First, there was disagreement about how Nash's rights were protected during the initial stage of the police investigation. Glynn testified that, while at the Third District station, both he and Assistant State's Attorney Nora had advised Nash of his *Miranda* rights and that Nash understood them. In contrast, Nash testified that he was held in the Third District station for four hours, not advised of his rights, and not allowed to make a phone call.

Second, Detective Glynn testified that no one had threatened, abused or struck Nash while in the Third District. In contrast, Nash stated that Basile had slapped him.

Third, Glynn testified that Nash was given food and cigarettes several times while in Area 2. In contrast Nash claimed that he was not given food until agreeing to sign a confession at 11 PM on October 14th.

Fourth, Glynn testified that Nash confessed to the attempted murder in the Third District station and that ASA Nora had drafted a handwritten statement for Nash to sign the evening of his arrest, October 12, 1983. In contrast, Nash stated that he did not sign any confession until October 15 after asking for the beatings to stop and to be allowed to eat. At that time, he signed multiple confessions, not only to the attempted murder case, but to additional crimes. The conflicting date of the confessions became a key element in the trial. During Nash's testimony, the Judge admonished:

'If somebody has dummed up that statement, I don't need to hear anything more about what they did or didn't do. This statement was either taken at 8:00 PM on October 12th and Gregory Nash is committing a big perjury on the stand, or the State's Attorney and the police officers put a dummy date on this...Somebody is lying through their teeth...It is the State's burden to establish that the statement was taken approximately two hours after he (Nash) came into custody...and if what he (Nash) is saying is even close to the truth, it is obvious to me that the police are suborning perjury on dummied up police reports. In which case, out of hand, I will suppress everything that is in these. But somebody is lying through their teeth...There is one issue that is here: the time and date that is on the report is accurate or somebody has phoned it up.'

Fourth, the confidential informant was never identified or called to testify in court.

Prior to the trial, Nash's attorney had filed a motion to suppress his confessions. The motion was denied. The judge stated, "...the State has indicated that even if I were to suppress the statements, they would still go forward with this case because they have other evidence." This evidence concerned several cases of armed robberies.

At the sentencing hearing in the Greenlee case on October 30, 1984, Detective Glynn testified that he had been working in Area 2 on October 14, 1983, to investigate a series of robberies. He stated that two robbery victims had identified Nash in a lineup, that Nash had waived his *Miranda* rights, and that he signed a typed confession that had been drafted by ASA Nora. Both robbery victims testified at the October 30th sentencing hearing. Nash was sentenced to 60 years imprisonment in the Greenlee case.

A second jury trial was held on January 10 and 11 1985, concerning one of the alleged robbery cases (83-CR-10567). Just prior to the January 10th trial, a suppression hearing was held on January 8th. During this hearing information about the Greenlee case was also presented. Nash again stated that he had not shot anyone. Detective Glynn again affirmed that no one had hit, struck, kicked or in any way mistreated Nash while in Area 2. Glynn stated that Nash had signed a statement drafted by ASA Nora on October 13th in the rape and armed robbery case of Lorraine Lee and John King. Nora testified that between 11:15 PM October 14 and 1:15 AM October 15, Nora took eight typed statements from Nash, for this case and for other robberies. Nash testified that after 11 PM on October 14th Glynn and Nora showed him a desk with papers. Nash again asked to make a phone call and get something to eat and again reiterated his request to stop the beating. Nash said they would accommodate him if he signed. Nash signed them without reading them. Although Nash had spoken with Nora and Glynn on the 12th he again testified that he did not sign any statements until late in the night on October 14th.

Nash was sentenced to a 60-year term in the Lee & King case. Ultimately, he was sentenced total of 120 years. On November 7, 1985, the Appellate Court upheld Nash's sentence for attempted murder in the Greenlee case, but reduced the sentence for attempted armed robbery to 15 years and cast out the armed violence convictions in the Lee & King case (App. Case No. 84-2747).

Nash filed numerous post-conviction petitions and appeals between 1984 and 2013. He did not include torture allegations as the reason for his appeals, because his attorneys advised against raising the issue. On July 28, 2013 Nash filed a claim with the Illinois Torture Inquiry & Relief Commission. TIRC reviewed publicly available documents and subpoenas concerning Nash. TIRC also asked for records from the Public Defender but never received them. Police Department records were " cursory in nature and did not provide relevant information." On January 18, 2017 the Commission ruled that Nash's claim merited judicial review, highlighting these conclusions:

--All of the officers whom Nash accused of torture had been accused by others "who were in custody at the same time that Nash was arrested. Many were arrested after Nash and were later exonerated or pardoned based on their coerced confessions."

--"In addition, courts have specifically recognized a pattern and practice of police torturing individuals suspected of harming police officers". (*Wilson v. City of Chicago et al.*, 1993; *People v. Patterson*, 2000). TIRC noted that Greenlee's brother was also a police officer in the Third district but did not comment further about it. It is possible that this fact may be of relevance in determining the veracity of police conduct in this case.

--Detectives Glynn and Paladino had been accused of torture in at least two other cases in which "bagging and beating" was used. Detective Basile had been accused in multiple other cases, two of which involved physical abuse. Glynn testified that Paladino and another officer, John Byrne were involved in the Nash case while he was in Area 2. Byrne, too, had been accused of multiple torture cases, including three "bagging and beating" cases.

“Glynn, Basile and Paladino have asserted their Fifth Amendment privilege in subsequent proceedings relating to allegations and investigations of torture. While not an admission of guilt, in light of the significant volume of torture allegations against these officers, a fair inference can be drawn that they physically abused individuals in order to obtain confessions.”

--The “critical details” given by Nash about his torture“ had not changed in 30 years. He testified under oath consistently during two separate hearings in 1984 and 1985 that he was repeatedly beaten by Chicago police officers with a wooden object and plastic bag placed over his head..”

--ASA Nora testified that during a two hour period from October 14th to the 15th, (approximately 11:15 PM-1:15 AM) he was able to “Mirandize Nash, interview him about eight separate crimes, and type eight separate confessions...Such an extraordinary level of productivity is implausible. Instead, it suggests the multiple pre-written statements may have been presented to Nash, as he claimed. “

--“Regarding Nash’s failure to cite torture allegations in post-conviction and appellate findings, Nash explained that he relied on the advice of counsel and he was ignorant of the law. Nash’s explanation is plausible.”