

Ronald Kitchen and Marvin Reeves Wrongfully Imprisoned and Finally Exonerated



Ronald Kitchen

Ronald Kitchen and Marvin Reeves were wrongfully imprisoned for the murders of 5 people killed in 1988 on the south side of Chicago. They were convicted on the basis of a false confession given by Kitchen after being tortured by the police and from testimony provided by Willie Williams. Kitchen was 22, and Reeves was 29.



Marvin Reeves

These were the facts of the case, according to the transcript of Kitchen's appellate decision to the Illinois Supreme Court in 1994: On July 27, 1988, two 26-year-old women and three of their children were found murdered in a residence on 6028 South Campbell Street in Chicago. The police arson unit found evidence that a fire had been intentionally set to cover up the murders - all of the victim's bodies were charred, but the medical examiner's office determined that there was "no carbon monoxide in the blood and no evidence of soot in the trachea." Four of the victims died of suffocation and asphyxia, and one was strangled before the fire was set. ¹

Willie Williams had learned from the Chicago media that a \$2000 reward was being offered for providing information about the murders. On August 5, 1988 Williams telephoned John Smith, a police detective who had previously arrested him for another crime he had committed, and told Smith that Kitchen and Reeves worked for a major cocaine dealer on the south side, Jimmy Peoples. He stated that the victims were regular purchasers of drugs. Williams also claimed to Smith that he telephoned Kitchen from prison and that Kitchen told him that he and Reeves had murdered the women because they were owed \$1225 for drug purchases. Williams later stated that he too worked for Peoples and had driven Kitchen and Reeves to the victims' home several times earlier in 1988 to deliver drugs and collect money.

Two weeks after the murder, no one had yet been charged with the crime. The case was attracting extensive media coverage. Police Commander Jon Burge decided to lead the investigation. Burge, Detective Smith and Assistant State's Attorney Mark Lukanich obtained a court order to transfer Williams from Vandalia Correctional Center to the Cook County Jail where he was placed in protective custody. They obtained another court order which allowed them to listen in on subsequent phone calls between Williams and the two men he had labeled as perpetrators. Williams called Kitchen and Reeves 36 times between August 12th and 22nd, 1988 but was unable to "elicit any incriminating information about the murders". ²

Kitchen and Reeves were arrested three days later, on August 25th, 1988, and brought to the Area 3 station for questioning. Kitchen was tortured at the hands of Detective Michael Kill and Commander Burge. He provided this description to the National Police Accountability Project “handcuffed to a metal loop on the wall of the interrogation room. When he refused to answer questions, Burge and Kill beat him in the face, back chest, and groin with their fists and kicking him in the back, ribs and groin. When Kitchen asked to call his lawyer another detective grabbed a receiver from a phone and hit him [with that] on the side of the head.”³ Detective Smith also participated in the assault on Kitchen, striking him in the genitals with a blackjack and slamming a telephone book at his head. The beatings accompanied by racial slurs and verbal abuse continued several times over a period of 16 hours. Finally, under such coercion, Kitchen agreed to sign a statement, which was drafted by Assistant State’s Attorney Mark Lukanich. Kitchen confessed to being at the crime scene but not participating in the crime. He implicated Reeves.

Kitchen asked for medical treatment but was denied it. Richard Fitzgerald, the judge at the bond hearing, was made aware of the physical injuries; he ordered that Kitchen receive medical treatment at Cook County Hospital. Kitchen was treated for “testicular trauma with pain medication and a scrotal support”.⁴ The condition was serious enough to warrant several follow up visits to the hospital over four months.

Reeves was also subjected to physical trauma and abuse by the police, according to his attorney at the bond hearing. (Reeves did not give a statement). Yet, police officers repeatedly testified that no torture took place of either Kitchen or Reeves.

Williams testified at both the Kitchen and Reeves trials. He denied receiving any favors from the police for his role in the case; nevertheless, he was released from prison one year before his sentence had expired and his girl friend was given money to pay her rent.

Both Kitchen and Reeves were indicted for the murders and for arson. The appellate case record stated that no “suitable” fingerprints identifying Reeves could be found on an empty gas canister or on a plastic container with charcoal lighter fluid purportedly found in Reeve’s car. Kitchen and Reeves were both convicted of committing the murders, and Reeves was also convicted of aggravated arson. Circumstantial evidence pointed to the possibility that the victims were murdered by a family member. The husband, brother-in-law and lover of one the victims all failed polygraph exams by Poilive concerning their alibis. An eyewitness placed the husband at the scene of the crime on the night of the murder.

In 1990 Kitchen was sentenced to the death penalty for the murders. Reeves was tried separately and sentenced to life in prison. After their convictions Kitchen and Reeves filed petitions to suppress their confessions, but the motions were denied. They appealed. The appellate court upheld Kitchen’s conviction in a split decision, despite the fact that Kitchen’s attorney had heard Kitchen’s screams while in police custody, yet was not allowed by the judge to testify to that effect at the suppression hearing. In 1995 Reeve’s conviction was reversed, and he was ordered to stand a new trial because Williams’ testimony and the prosecutors’ opening and closing remarks were found to be *Bruton v. United States (1968)* violations. (The Bruton case held that a

defendant's 6th amendment rights to confront and cross examine witnesses are violated when a non-testifying co-defendant's confession naming the defendant as a participant in the crime is introduced at their joint trial, even if the jury is instructed to consider the confession only against the defendant.) Reeves was retried and again found guilty, a decision later upheld by the appeals court.

In 1995 Kitchen filed for a post-conviction petition, focusing on the issue of torture and coerced confession. The court dismissed his petition, and he again appealed. The Illinois Supreme Court held that the denial of the petition violated Kitchen's right to due process and warned the judge and prosecutor not to engage in such due process violations in the future.

Kitchen spent 13 years on death row. In 2003 he received clemency as a result of Governor Ryan's decision to eliminate the death penalty in Illinois; Kitchen's sentence was changed to life without parole. That same year the Bluhm Clinic at Northwestern University School of Law joined with Kitchen's and Reeves' attorneys to overturn their convictions.

In that period, a special prosecutor conducted a four year criminal investigation of Burge and the detectives who worked for him. As a result of this investigation Judge Biebel in the Criminal Division of the Cook County Circuit Court removed the State's Attorney's office from all post-conviction proceedings involving torture allegations, because State's Attorney Dick Devine had previously represented Jon Burge in civil suits. He ordered then Attorney General Lisa Madigan to assume responsibility for handling these cases. While the investigation was underway, the Kitchen and Reeves cases were put under a stay, halting further progress on their cases.

Among the many sordid facts later revealed in the special prosecutor's investigation was previously suppressed information-- exculpatory evidence that constituted *Brady v. Maryland* (1963) violations. (The Brady case held that prosecutors must turn over evidence to the defendant that might exonerate the defendant.) This evidence included files on Willie Williams which contained "a large number of contacts between the prosecutors and Williams" from August to October 1988 and the disappearance of Williams' master file.

The Bluhm Clinic and the law firms representing Kitchen and Reeves ultimately convinced Attorney General Madigan to re-investigate their cases. In July, 2009, Judge Biebel exonerated Kitchen and Reeves and released them, after Madigan and their defense lawyers requested dismissal of the charges.

In 2009 Mr. Kitchens and Mr. Reeves each received \$199,000 from the Illinois Court of Claims to compensate them for wrongful imprisonment, and in 2013 each received \$6.15 million in legal settlements from the City of Chicago as a result of the investigations into police conduct under Commander Jon Burge. In a telephone interview with a *Chicago Tribune* reporter after the announcement of the settlement in 2013 Reeves said, "so as far as the money, it's a small token...because the trauma never goes away."⁶ Kitchen went on to write a book about his ordeal, *My Midnight Years: Surviving Jon Burge's Police Torture Ring and Death Row*, which was released in 2018.

¹ People v. Kitchen: 1994: Supreme Court of Illinois Decisions. Illinois Case Law
<https://law.justia.com/cases/illinois/supreme-court/1994/7102707.html>

² Taylor, G.Flint, (2010)Three Chicago Torture Victims Exonerated, Another Granted a New Trial,
Police Misconduct and Civil Rights Law Report, Volume 9, #14, pp.3-5

³ Ibid.

⁴ Ibid.

⁵Ibid.

⁶ Durdick, H. September 5, 2013. More Burge Torture Settlements:\$12.3 million. *Chicago Tribune*
<http://www.chicagotribune.com/news/ct-xpm-2013-09-05-chi-more-burge-torture-settlements-123-million-20130905-story.html>