

Darrell Fair

In September 1998, 31-year-old Darrell Fair was arrested at his home for a shooting during an armed robbery outside of a nightclub in the south side of Chicago, resulting in the death of Chris Stubblefield. Fair and a co-defendant, Lamont Reeves, were charged with the crimes, and Fair was taken to Area 2 of the Chicago Police Department, where he was interrogated by detectives Przepiora, Porter and McDermott, as well as Assistant State's Attorney (ASA) Adrian Mebane for roughly 30 hours. Upon his arrest, Fair explained to the arresting officers that he had asthma and needed his medication, but he was not allowed to take this medication with him. During the course of the interrogation, Fair was kicked in the leg, and threatened with being shot while one of the detectives held his service weapon. He continued to ask for his medication but was denied it, and was also denied food until he agreed to confess to the crime.

The most troubling part of the interrogation is a confession written by ASA Mebane. On the signature line of the first page, Mebane printed Darrell Fair's name, however Fair never signed it himself. This signature represents a waiver of rights, and without Fair's signature, the written confession is lacking in credibility. According to Mebane, Fair refused to sign the statement without seeing a lawyer first. When asked about why the waiver was not signed by Fair, Mebane had an inconsistent and vague response. He stated that Fair would have signed there and "if he had wished to sign he probably would have signed there indicating that he understood his rights". Based on this statement alone, it appears that Fair was not read his rights properly and gives credibility to Fair's accusations of abuse at Area 2.

Furthermore, none of the corrections made by ASA Mebane, apparently at the request of Fair, were signed by Fair. Once again, Mebane's reasoning for this omission is both confusing and contradictory. In court, Mebane initially claimed that Fair only refused to sign the second half of the statement, however, the statement proves that Fair did not sign any of the pages because he was not given access to a lawyer. Thus, once again Mebane decreases his credibility in the court as well as the credibility of the confession and Fair's involvement in the crime.

Fair's co-defendant Lamont Reeves signed a detailed statement by ASA Margie Sampson on August 28, 1998. In it, he describes the events of the crime in a completely different manner. In Reeves' version of events, Fair picked him and his friend Chris up in his white Camaro and already had the gun under the hood of the car, and the group drove straight to the club where the crime was committed. At the club, Reeves stated that Fair got out of the car, and another occupant named Chris was showing the necklace they were attempting to steal from the victim. Reeves said he got in a fight with Stubblefield and that Reeves eventually got the gun out from under the hood and shot the victim while he was trying to run away.

According to Fair's statement, Reeves put the gun under the hood of his Camaro and the group drove around for about 4-5 hours before heading to the scene of the crime. Fair's statement claimed he stayed in the car while Reeves got out and grabbed his gun under the hood of the car, approached the person accompanying Stubblefield, snatched his chain and shot him.

While it is not necessarily uncommon for co-defendants to have slightly different accounts of a crime, these two contradict each other in almost every way. Another notable fact to consider is

that Reeves signed every page of his confession, while Fair refused to even sign the first page of his confession, which points further towards Fair's credibility.

Fair filed a motion to suppress his confession based on the fact that it was coerced. His claims largely match those he made to the TIRC except for when he was threatened with a gun – which was later taken out of the motion for reasons unknown. This motion was denied and at the jury trial his verdict rested almost entirely on his confession as there was no physical evidence other than the car that linked Fair to the crime. He was sentenced to 50 years. After his conviction, he also filed a *pro se* motion claiming ineffective assistance in getting his original motion through as well as failing to raise the issue of direct appeal, which was also denied based on procedural grounds without an evidentiary hearing.

Fair filed another motion in March 2016 to have his case looked at under the Torture Act, which deals with victims of abuse at Area 2 during the Jon Burge era. One of the detectives who interrogated Fair, Det. McDermott, worked under Burge, however the court initially argued that because Fair's abuse occurred after Burge had already been released from duty in 1993, his motion was not under the jurisdiction of the Torture Act. The Appellate Court found that, although the alleged abuse occurred after Burge was released, McDermott had nonetheless worked under Burge and thus the wording of the Torture Act was expanded to include those who had at some point worked under Burge. The court concluded that Fair's claims were inside of the jurisdiction of the TIRC and that Fair's case was eligible for review of the TIRC.

The TIRC concluded after its investigation that there is sufficient evidence of abuse for judicial review. These findings were based on the troublesome statement written by ASA Mebane and his lack of a comprehensive explanation, as well as the lack of physical evidence in court, the history of abuse by detectives at Area 2, the contrasting nature of Fair's statement and that of his co-defendant Reeves, and Fair's consistency in his claims over the years.

Darrell Fair is currently incarcerated at Stateville Correctional Center serving his 50 year sentence.