

Man freed from Death Row sues city, alleging torture

Hobley is first of 4 pardoned to file suit in case

By Steve Mills
Tribune staff reporter

One of four Death Row inmates pardoned by Gov. George Ryan before he left office in January filed a federal lawsuit Thursday accusing Chicago police of torturing and framing him for setting a 1987 fire that killed seven people, including his wife and infant son.

Madison Hobley, who spent 13 of his 16 years in prison on Death Row, alleged in the lawsuit that South Side police officers under former Cmdr. Jon Burge tortured him and planted evidence.

"We're alleging they covered it up as part of an ongoing conspiracy," said attorney Andrea Lyon, who represented Hobley on appeal for several years and filed the federal lawsuit with lawyer Jon Loevy.

Hobley's lawsuit is the first filed by the four inmates Ryan pardoned.

The lawsuit names Burge, six detectives and the City of Chicago.

Burge could not be reached for comment.

A police spokesman said the department does not comment on pending litigation. A spokeswoman for the Law Department also declined to comment, saying city lawyers had not seen the lawsuit. But the police have repeatedly denied any misconduct occurred in the case.

Burge is not accused of any specific torture of Hobley, but detectives were accused of beating Hobley and placing a plastic bag over his head to cut off his air supply in an unsuccessful effort to get him to confess.

Hobley alleges detectives

manufactured a confession, though he said he never confessed, planted a gas can at the scene and lied at Hobley's trial.

Hobley, now 42, was convicted in 1990 and sentenced to death for setting a Jan. 6, 1987, fire that killed his wife, young son and five other people at 1121-23 E. 82nd St. The prosecutors said Hobley wanted to kill his wife and son so he could be with a girlfriend.

But the case had been marked by problems.

The Chicago police detective who said Hobley confessed to him later testified he threw away his notes when he spilled



Madison Hobley says Chicago police officers tortured him, framed him for the murder of seven people and lied at his trial.

coffee on them and they got wet and torn.

An arson investigator's initial report indicated the fire started on the ground level of the building. The alleged confession had Hobley saying he started the fire outside his third-floor apartment. Then, at

the trial, the detective said the fire could have started anywhere.

In addition, one key witness has recanted, and the Tribune found police reports suggesting another key witness was given help by police.

Burge was fired by the Chicago Police Board in 1993 for his role in the torture of Andrew Wilson, who was being questioned in the murders of two police officers. Wilson was convicted and sentenced to death but his conviction was overturned.

Hobley now lives in Baltimore with his wife.