



STATE OF ILLINOIS
 JB PRITZKER, GOVERNOR
PRISONER REVIEW BOARD

Donald Shelton, Chair

EN BANC MINUTE SHEET
OPEN SESSION— June 28, 2023

The Illinois Prisoner Review Board met in open *en banc* session at 3000 South Dirksen Parkway, Springfield, Illinois, on June 28, 2023, at the 9:00 a.m. session to discuss and deliberate parole eligibility for the following individuals in custody:

C81714	Bell, Rudy *
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The meeting was called to order by Donald Shelton, Chair.
 Roll call was taken by Recording Secretary Alexandria Bryan.

<u>MEMBER</u>	<u>PRESENT</u>	<u>ABSENT</u>
Mr. Jared Bohland	X	
Mr. Matthew Coates	X	
Ms. Julie Globokar	X	
Ms. Darryldean Goff	X	
Mr. Jeffrey Grubbs		X
Mr. Rodger Heaton	X	
Ms. LeAnn Miller	X	
Mr. Donald Shelton, Chair	X	
Ms. Robin Shoffner	X	
Ms. Carmen Terrones	X	
Ms. Krystal Tison	X	
Mr. Kenneth Tupy	X	

11 Members Present 1 Members Absent

The Board heard the case of Rudy Bell C81714 as detailed in the individual case minutes.

Minutes from May 25, 2023 for approval: (RS-MC)

Open Executive Session: (JB-DS)

Closed Executive Session: (RS-LM)

Meeting was adjourned by (LM-KT) Leave.



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Individual in custody's Name: Rudy Bell IDOC Number: C81714

The Illinois Prisoner Review Board met in open *en banc* session at 3000 South Dirksen Parkway, Springfield, Illinois, on June 28, 2023, at the 9:00 a.m. session to discuss and deliberate parole eligibility for Rudy Bell C81714.

Members present were Mr. Bohland, Mr. Coates, Ms. Globokar, Ms. Goff, Mr. Heaton, Ms. Miller, Ms. Shoffner, Ms. Terrones, Ms. Tison, Mr. Tupy, and Mr. Shelton, Chairman.

Recording Secretary: Alexandria Bryan.

PRESENTATION OF INTERVIEW AND FILE

The basis for the Board's decision, at this time, is as follows:

PRESENTATION OF INTERVIEW AND FILE

Mr. Rudy Bell C81714 was interviewed live via Webex virtual platform from Hill Correctional Center on March 2, 2023. Mr. Rudy Bell was represented by Ms. Nadia Woods, Ms. Rachel Lindner and Mr. Brian Johnson of the Illinois Prison Project. Others present for the hearing included Mr. Rudy Bell's sister Ms. LaTanya Sands, his daughter Ms. Angela Bell, his friend Mr. Milton Golden, and another friend Mr. Anthony Moore. Mr. Rudy Bell was dressed in regular clothing and appeared in good health. He does use a cane to assist with walking due to need for knee replacement. Mr. Rudy Bell was well spoken and respectful throughout the interview.

Counsel made opening arguments, followed by statements made by non-counsel behalf witnesses, and then Mr. Rudy Bell answered my questions through the interview without issue.

An opening statement was made by Ms. Nadia Woods confirming that Mr. Rudy Bell is supported by family and respected by many. Counsel and the petitioner respectfully disagree with the Prisoner Review Boards prior opinions that release would deprecate the seriousness of the offense. She states that Mr. Rudy Bell is serving a sentence that is three to four times longer than typical for murder. She stressed that although Mr. Rudy Bell maintains his innocence, he does express remorse for the family. They clarify that Mr. Rudy Bell knew the victim of the murder and that he was saddened by his passing. Mr. Rudy Bell regrets his lifestyle as a gang member.

Mr. Rudy Bell is serving a 100-to-200-year sentence as the result of a 1977 conviction out of Cook County for Murder. His current date for Mandatory Supervised Release is February 25, 2068 with a Maximum Discharge Date of February 25, 2071. Mr. Rudy Bell was 25 years old at the time of the offense. Mr. Rudy Bell is currently 71 years old having served 45 years in custody.



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STATEMENT OF FACTS

On April 2, 1977, the petitioner, along with 3 other co-offenders, jumped from a vehicle and executed the victim, Mr. Tyrone Smith. The victim had just pulled up to his home in his own car. The victim's mother, girlfriend, and aunt were in the vehicle as the victim walked to his trunk.

The petitioner and his accomplice both carried shotguns, and both fired at the victim leaving behind expended shells. The victim suffered multiple gunshot wounds, both from two separate 9mm pistols and the shotgun blasts. A later examination linked the shotgun shell at the scene with shells recovered from the petitioner's home, with forensics verifying a match. Mr. Rudy Bell was identified primarily by a witness across the street who watched the offense happen, Ms. Audriana Thomas. Ms. Audriana Thomas and her friend, Mr. Robert Anderson, were standing a few doors north when the shooting occurred. Ms. Audriana Thomas saw four people get out of a dark blue car when it pulled alongside the victim's car. She then saw guns go off and recognized Mr. Rudy Bell and his co-defendant, Mr. Miller, as two individuals whom she knew from the neighborhood. Petitioner was subsequently arrested on July 13, 1977.

The petitioner was a confirmed member of the street gang known as the Moorish Americans formed by former Blackstone Rangers gang leader Mr. Jeff Fort, and the petitioner was also a high-ranking member and enforcer for the El Rukn street gang. The state's attorney was aware of the El Rukn's efforts to intimidate Ms. Audriana Thomas and prevent her from testifying against the petitioner. She was therefore put into protective custody for the weeks leading up to trial. The defense attorney persuaded the trial judge to have witness Ms. Audriana Thomas perform a pre-trial interview. For her safety, the interview was scheduled at the State's Attorney Office on September 1, 1977.

Despite attempts to relocate and protect Ms. Audriana Thomas, the El Rukn gang persisted in attempts to intimidate her into not testifying throughout the summer of 1977. El Rukn General Derrick Porter acted as a "paralegal" for Defense Attorney Swano. Mr. Derrick Porter paid Ms. Audriana Thomas to leave Illinois and go to California. She returned prematurely and was then taken hostage by Mr. Derrick Porter and other El Rukn gang members and held against her will in the Crest Hotel. After Ms. Audriana Thomas was able to elude them, it became clear that Ms. Audriana Thomas couldn't be intimidated. Attorney Swano provided the El Rukns with police reports and discovery documents which listed her home address, and Mr. Jeff Fort ordered her killed to protect the petitioner and co-offender.

At approximately 6:30 a.m. on September 1, 1977, El Rukn hitman Mr. William Doyle along with others attempted to carry out the order and followed a car believed to contain Ms. Audriana Thomas from her house. These individuals were members of Mr. Rudy Bell's faction of the El Rukns. They actually followed a car being driven by Ms. Audriana Thomas' sister, Ms. Rowena James, along with her parents and son. They pulled up next to Ms. Rowena James at a stop light and executed her by shooting her twice in the head with a shotgun believing that they were in fact executing the key witness in the petitioner's trial, Ms. Audriana Thomas. Ms. Audriana Thomas was informed of the execution of her sister while awaiting interview at the state's attorney's office later that morning.

The next day, the Chicago Police Department executed search warrants on the El Rukn headquarters referred to as "The Fort". It was fortified with iron doors, barred windows, and armed members of the



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El Rukn gang. Police discovered a copy of Mr. Tyrone Smith's (the murder victim) homicide file in one of the rooms. This supported the investigators theory that the murder of Ms. Rowena James was connected to the murder of Mr. Tyrone Smith, and that the intended target was the key witness Ms. Audriana Thomas, and not her sister Ms. Rowena James.

Ms. Audriana Thomas still testified at trial despite everything that had occurred. Ms. Audriana Thomas was terrified for her daughter Ms. Bonnie Bell. Petitioner was ultimately convicted of murder on March 5, 1978.

Following trial, at least two members of the gang were able to find and confront Ms. Audriana Thomas despite efforts to conceal her whereabouts. The witness' daughter, Bonnie, testified at a post-trial hearing which was attended by many gang members. Police arrested one gang member at the trial and found in his wallet a photo of Bonnie as well as the out of state phone number of Ms. Audriana Thomas who was still under witness protection.

In a 3-page letter to the Prisoner Review Board in 2016, The US Attorney's Officer for the Northern District of Illinois stated, "The Tyrone Smith/Rowena James murders are two of the most infamous of the many dozens of killings carried out by members of the El Rukn Organization in the 1970's and 1980's. Mr. Rudy Bell has never expressed any remorse for the murder of Mr. Tyrone Smith. Mr. Rudy Bell was a hardened killer in 1977 and there is no evidence that has changed. He remains a danger to society." This letter clarifies the structure of the El Rukns in the southside of Chicago as lead by Mr. Jeff Fort and followed by approximately 30 generals including Mr. Rudy Bell and his co-offender who were used to enforce his orders including committing murders at his direction. The El Rukn organization engaged in Narcotics trafficking and extortion and used violence to protect territory and drug operations.

In 1989, under the Federal RICO Act, Mr. Doyle was convicted of the murder of Ms. Rowena James and for conspiracy to Commit the Murder of Ms. Audriana Thomas and was sentenced to natural life. It has always been the prosecution's theory that Ms. Rowena James was mistaken for her sister, Ms. Audriana Thomas, and that the El Rukns meant to eliminate the witness to Mr. Tyrone Smith's murder.

Co-offender Mr. Orville Miller also sentenced to 100 to 200 years. Mr. Orville Miller was released to parole via En Banc decision in 2019 after coming off a 5-year set and despite Cook County Opposition apparently in large part due to medical conditions.

Mr. Rudy Bell's most recent appeal was denied in 2021. He is working on a new appeal at this time but was halted by a prohibition of contact with the co-offender by administration at the prison.



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STATEMENTS AS TO THE OFFENSE

Mr. Rudy Bell does not acknowledge the facts of the crime, nor does he take responsibility for his actions or the actions of the gang in relation to the subsequent murder of the witness' sister. In 2022, Mr. Rudy Bell stated that he had no knowledge of the incident as he was at a party in Milwaukee, Wisconsin with the co-offender, friends, and family. He maintained his innocence in the crime. In 2021, he stated that he would not lie to the Board by admitting any involvement. Mr. Rudy Bell continues to maintain his innocence today stating he had nothing to do with it. Mr. Rudy Bell states that he found out about the crime after being locked up for it. Mr. Rudy Bell states that there were lots of things he did do, but this situation was not his. Mr. Rudy Bell maintains that he was framed for the murder after being threatened to be killed or locked up.

Mr. Rudy Bell states that he feels remorse for the family in that he feels bad for the family of Mr. Tyrone Smith having been harmed by gang violence. States that he knew the victim of the murder and he was saddened by his passing.

Mr. Rudy Bell does admit to being an El Rukn gang member at the time of the offense.

It was brought to Mr. Rudy Bell's attention that he has claimed to have renounced his gang affiliation as far back as 1987, but institutional records show gang activity on multiple occasions including as recently as 2006. There is no record of formal renunciation. He was asked what he would like the board to hear from him regarding these tickets and about his alleged renunciation. Mr. Rudy Bell stated that the 2006 ticket for gang activity as the result of having possession of a photograph which he claims the institution cleared before giving it to him. He stated that he was done with the gang a little before 1987. He argues that the El Rukn organization was done by 1983. Mr. Rudy Bell stated that the reason he got out was because he saw the effects of gang involvement as well as the droves of young men coming to prison because of it. He also reflected on the effects of his own gang involvement.

Mr. Rudy Bell was asked if he was still in contact with co-offender Mr. Orville Miller, and if not, then when did the communication cease. Mr. Rudy Bell stated that he is no longer in communication with him. Mr. Rudy Bell stated that he stopped contact when prison administration blocked him from having contact with Mr. Orville Miller four to five months prior to the interview. Mr. Rudy Bell stated that administration was claiming that Mr. Orville Miller was still gang affiliated. Mr. Rudy Bell and his counsel stated that they were working on a new appeal with Mr. Orville Miller, which came to a halt because of this communication being blocked.

It was also brought up that in the past Mr. Rudy Bell had questioned the integrity of the witnesses as well as the evidence as part of his argument of innocence, and he was asked if he still maintained that belief. Mr. Rudy Bell stated that the intimidation of the witness did occur, but that he was not involved in it. Mr. Rudy Bell stated that he became aware of the witness intimidation when he saw it on the news.



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CRIMINAL HISTORY

Mr. Rudy Bell has a lengthy criminal history including over thirty prior arrests under numerous aliases in the eight years leading up to the holding murder conviction. These include five previous arrests for murder or attempted murder for which he was found either not guilty or charges were dismissed/not prosecuted. It has been previously argued that other witnesses could have been intimidated as well in other cases. Other arrests include four for intimidation, eight for battery or aggravated battery, five for robbery or armed robbery, six for unlawful use of a weapon, and others for attempt burglary, criminal damage, criminal trespass, disorderly conduct, and possession of cannabis.

Mr. Rudy Bell's response to his criminal history in this year's interview was that he was young and points out that there are no convictions on the "serious arrests".

INSTITUTIONAL ADJUSTMENT

As for family support and social history, Mr. Rudy Bell still has support from friends and family at this time. Per 2022 offender overview, Mr. Rudy Bell's mother passed away in August 2022. He maintains close contact with his siblings, cousins, and friends through letters and phone calls. His last in person visit was in 2011 by his cousin. Visits have been limited due to COVID and due to the distance from Chicago to Galesburg.

Mr. Rudy Bell does have some health issues. His counsel pointed out that he isn't seeing a physical therapist as often as needed. Mr. Rudy Bell's engagement in programs and services has been limited as of late. He took part in a youth mentoring program at Pontiac in the 1980's. Mr. Rudy Bell has completed anger management as well. He states his health prevents further involvement.

Mr. Rudy Bell has 5 minor and 7 major tickets from 2006 to present including: 2006 gang activity; 2012 dangerous contraband for a broken nail clipper; 2020 damage to property for jamming cell door; 2022 unauthorized movement for being out of his cell; 2022 major unauthorized movement for hiding in the shower, and latest on April 9, 2023 for unauthorized movement and abuse of privileges as he was out of his cell for a shower but instead was found on the phone without authorization.

In response to the 2020 ticket, Mr. Rudy Bell argued that nothing was ever damaged or jammed in the door. He states that a guard left the cell door open, Mr. Rudy Bell kept it open that way, and another guard found him with an open cell door.

In response to the 2022 ticket for hiding in the shower, Mr. Rudy Bell admits that some guys hide in the shower to avoid returning to their cell or to try getting back on the phone, but he was actually just trying to get a shower on a hot day after being denied a shower. Ironically, Mr. Rudy Bell has since received another two tickets after our interview for manipulating shower access to use the phone without permission.



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Mr. Rudy Bell has 4 pages of tickets on the old forms prior to 2000. There are 105 tickets in total including gang tickets in 1982, 1996, and 2006 despite claiming gang renunciation around 1987.

Mr. Rudy Bell also went on a hunger strike in 2021 to protest his living conditions and was moved to another housing unit as a result.

Mr. Rudy Bell shares that he is currently a practicing Muslim, and he attributes his life changes to the practice of Islam and its teachings.

As for education and vocational achievements, Mr. Rudy Bell obtained his GED in 2017.

As for his institutional work history, Mr. Rudy Bell has earned certificates for tailoring, custodial, and for healthcare. Mr. Rudy Bell states that he worked as a “phone man” back before the system changed and you would take a phone to different cells. Mr. Rudy Bell states he recently applied to work for the hospital as well as for IDOC industries but was denied due to the length of his sentence.

Mr. Rudy Bell states that he voluntarily mentors’ other inmates all of the time.

PAROLE PLANS

Mr. Rudy Bell is currently accepted at both Precious Blood Ministries as well as St. Leonard’s for residential services. He is also able to stay with his daughter, Ms. Angela Bell, in Oak Lawn, Illinois. His sister Ms. LaTanya Sands would love for him to be released to her in Florida.

Mr. Rudy Bell would qualify for certain aid and states that there are jobs waiting for him should he be released. Mr. Rudy Bell has secured employment as a street outreach coordinator with Positive Move, a non-profit founded by his mentee Mr. Sammie Young. He also has workforce training available through re-entry organizations. Mr. Rudy Bell would seek treatment for his for his various health concerns; but nothing medically would hinder his parole.

Mr. Rudy Bell’s sister Ms. LaTanya Sands testified in support, stating that she missed her brother, that they just lost their mother a few months ago, and she would gladly accept him in Florida if that were an option. She stated that despite him falling in with the wrong crowd, they were raised well in their family. She stated that he could be an example for the young people in the community.

Mr. Rudy Bell’s daughter testified in support stating that Mr. Rudy Bell did his best to parent her from prison. She describes him as resilient, and that she believes in his rehabilitation. She stated that his goal is to help other young men avoid the same outcome.

Mr. Rudy Bell’s friend and founder of Roll Call, Milton Gold, testified in support stating that Mr. Rudy Bell changed him when he was committing crimes by mentoring him at both Cook County Jail as well as later on at Pontiac Correctional Center. He argues for Mr. Rudy Bell’s ability to mentor youth the same way after release.



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Mr. Rudy Bell's friend Mr. Anthony Moore testified in support stating he has known Mr. Rudy Bell since they were teenagers and considered Mr. Rudy Bell to be one of his earliest mentors. Mr. Anthony Moore offered to help connect Mr. Rudy Bell to varying organizations and to support him as needed.

Per the 2022 offender overview, IDOC counselor recommended that anger management and electronic monitoring be ordered if he would be granted parole. Mr. Rudy Bell's counsel stated that he has supportive and wrap-around services available to him from Roll Call, Southwest Organizing Project, Precious Blood Ministries, and the Chicago Torture Justice Center.

Mr. Rudy Bell stated that if he were paroled, he looks forward to spending time with his kid and grandkids. He has never met his grand or great grandkids in person. He plans on giving back to the community by being a productive citizen, staying busy and out of trouble, and mentoring young men.

OPPOSITION TO PAROLE RELEASE

In 2016 the US Attorney's Office wrote a letter of opposition with information that was shared earlier in this presentation.

In 2020, Cook County State's Attorney opposed this petition with a six-page letter citing his continued claims of innocence as well as his questioning the integrity of witnesses. They pointed out that this was of particular concern given the actions taken against the witness in this case.

There are numerous confidential letters of opposition as well.

EN BANC HISTORY

The year of first consideration for parole was in 1986. Mr. Rudy Bell has come up for parole consideration at En Banc 27 times prior to today. Mr. Rudy Bell has received a 2-year set in 1995. He received 3-year sets in 2004, 2007, 2010, and 2013.

The Prisoner Review Board has voted unanimously to deny until August of 2020. The most recent vote in July of 2022 was to deny with a vote of 6 to 2 with one abstained.

DISCUSSION

Summary of discussion for parole consideration:

Ms. Nadia Woods, Mr. Rudy Bell's attorney, stated that Mr. Rudy Bell has maintained his innocence for the last 45 years that he has been incarcerated. Mr. Rudy Bell is always smiling and thanking her on every call. She stated that Mr. Rudy Bell was a child when he joined the gang, and he was living in poverty and felt as if this was the way to provide for his family. Mr. Rudy Bell acknowledges his choices about being in a gang. Ms. Nadia Woods stated that Mr. Rudy Bell has a job waiting for him as a Youth Outreach Worker for a nonprofit organization to mentor youths. She stated that Mr. Rudy Bell



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cut any communication with his codefendant, Mr. Orville Miller. She stated that Mr. Orville Miller was released in 2015, and he had 60 more years on his sentence than Mr. Rudy Bell does. Ms. Nadia Woods stated that Mr. Rudy Bell appears to be in good health, but does have some concerns. She stated that Mr. Rudy Bell has 8 agencies willing to work with him when he is paroled from Illinois Department of Corrections. Ms. Nadia Woods stated that there was no documentation of any witness or victim intimidation. She stated that Mr. Rudy Bell is not a public safety risk at this time. She stated that in 2006 Mr. Rudy Bell was given a ticket for a photo being in his possession because the facility was not able to determine if the people in the photo were alleged gang members. Mr. Rudy Bell states that he was “framed” and that this is his way of interpreting his innocence.

Ms. Angel Bell, Mr. Rudy Bell’s daughter, stated that Mr. Rudy Bell’s family has everything ready for him to transition into society and to be a productive citizen. She stated that she is looking forward to seeing him give back to society. She stated that Mr. Rudy Bell wants to give back and help mentor young men so that they do not follow in those footsteps. She stated that he wants the time outside of prison to provide and contribute to society, and he is remorseful for the choices he made.

Ms. Shoffner questioned Mr. Rudy Bell’s gang affiliation and if he renounced from the gang formally.

Ms. Nadia Woods stated that Mr. Rudy Bell says that he renounced from his gang in 1987. That he let the Correctional Officers, his mentees, and everyone know that he was no longer affiliated with his gang. She stated that Mr. Rudy Bell did not want to formally renounce with the prison, but this was his way of renouncing.

Ms. Angela Bell stated that Mr. Rudy Bell has always maintained his innocence, but he stated that becoming a gang member at 14 years old was a bad choice, but he made that choice out of fear.

Mr. Coates questioned why Mr. Rudy Bell has limited access to programming.

Ms. Nadia Woods stated that Mr. Rudy Bell has limited access to programming due to his 100–200-year sentence, and his health conditions.

Ms. Terrones questioned how the outside agencies were able to contact Mr. Rudy Bell and if they have created a re-entry plan for Mr. Rudy Bell to sustain in the community with a safety component due to him being a previous gang member.

Ms. Nadia Woods stated that Mr. Rudy Bell has a Case Manager, Ms. Johnson, that communicates with him by phone. Once Mr. Rudy Bell is on parole Mr. Johnson will enroll him in training and programming to assist him. Ms. Johnson will also be available for Mr. Rudy Bell to contact if he has any issues. Ms. Nadia Woods stated that Mr. Rudy Bell is currently in the Legacy Program that is funded by the Illinois Department of Corrections. This program is for low-risk individuals who have peer recommendations. She stated that Mr. Rudy Bell has currently been in the program for 3 months. She stated that he also will be assigned to an accountability coach once paroled, through Roll Call. Ms. Nadia Woods stated that he will be at a transitional house if paroled and he is dedicated to his growth and has no interest communicating with people on the gang path.



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Mr. Tupy stated that in 2020 the State's Attorney wrote a letter saying that by the age of 25 years old Mr. Rudy Bell has 2 pending murder charges, as well as being arrested more than 20 times.

Ms. Nadia Woods stated that Mr. Rudy Bell has a lot of support and programming set up to keep him on track and he will not end up in prison again.

Ms. Shelton, Chairman, stated that there are a lot of grievances written by Mr. Rudy Bell.

Ms. Nadia Woods stated that she discussed the grievances that Mr. Rudy Bell was filing and that since speaking with him he has not filed anymore. She stated that Mr. Rudy Bell was filing grievances about the living conditions within the facilities, and that having clean water was a serious issue for him. She stated that a lot of the language being used within those grievances are from "jail house lawyers" that are instructing Mr. Rudy Bell on what to say, as well as instructing him that he can obtain money by filing these grievances due to the quality of the water and food.

Ms. Globokar stated that Ms. Thomas claimed he was standing in front of the house, and it conflicts with the statements made.

Ms. Nadia Woods stated that was an inconsistency with Ms. Thomas's statements. She stated that she flagged the inconsistencies to note that Mr. Rudy Bell did not live at that home.

End of discussion.

DECISION AND RATIONALE

Motion to deny parole (JB-KT). Motion prevails by a 9-2 vote. Members voting in favor of the motion were Mr. Bohland, Mr. Coates, Ms. Globokar, Mr. Heaton, Ms. Miller, Chairman Shelton, Ms. Tison, and Mr. Tupy. Members dissenting were Ms. Shoffner, and Ms. Terrones.

Motion for a 3-year set (JB-LM). Motion prevails by a 6-5 vote. Members voting in favor of the motion were Mr. Bohland, Mr. Coates, Ms. Goff, Ms. Miller, Ms. Tison, and Mr. Tupy. Members dissenting were Ms. Globokar, Mr. Heaton, Chairman Shelton, Ms. Shoffner, and Ms. Terrones.

After thorough consideration of Mr. Rudy Bell's case, the Board voted to deny parole. The Board feels that parole release at this time would not be in the interest of public safety, as there is a substantial risk that Mr. Rudy Bell would not conform to reasonable conditions of parole release, and that parole release at this time would deprecate the serious nature of the offenses and promote a lack of respect for the law.

"The Board makes a specific finding that the release of victim protest letters could subject a person to actual risk of physical harm. The Board further notes that, pursuant to Illinois law, victim statements are confidential and privileged."