**Section 3500.386 Factors Considered in Decisions**

a) The Commission will consider all relevant factors in making its decision. These factors may include:

1) Whether the person has consistently claimed to have been tortured;

2) Whether the claim was first made shortly after the incident in question;

3) Whether the claim is corroborated by medical evidence;

4) Whether the claim is corroborated by observations made by others of the physical and emotional condition of the claimant shortly after the alleged torture;

5) Whether the claim is strikingly similar to other claims of torture contained in the Reports of the Chicago Police Department's Office of Professional Standards, and the Report of the Special State's Attorney, regarding their investigations of Jon Burge and police officers under his command, and/or to evidence introduced at the criminal trial of Jon Burge;

6) Whether the officers accused are identified in other cases alleging torture;

7) Whether the claim of torture is consistent with the Office of Professional Standards' findings of systematic and methodical torture at Area 2 under Jon Burge;

8) The length of time, if any, since the accused officer had served under Jon Burge;

9) Whether the strength of the evidence against the claimant, in a particular case, could bear on a possible motive for having coerced a confession.

b) None of the factors listed in subsection (a) are dispositive, and the Commission has the right to weigh these and other factors as it sees fit in any individual case.

(Source: Added at 38 Ill. Reg. 18988, effective September 19, 2014)