

2017

ANNUAL REPORT

FROM THE OFFICE OF
KANE COUNTY STATE'S ATTORNEY
JOSEPH H. McMAHON

A MESSAGE FROM THE KANE COUNTY STATE'S ATTORNEY



It was my privilege in 2017 to serve as your state's attorney for a seventh year. I love this job, and I thank you for the opportunity to serve you and all of Kane County.

Serving as the chief legal and law-enforcement officer in economically and socially diverse Kane County, Illinois' fifth-most populous county, has its unique challenges. However, I am committed to ensuring that those challenges do not interfere with the honesty and integrity you demand of us and we expect of ourselves. Those who live and work in Kane County expect and deserve a fair and effective criminal justice system, independent of outside influence. They expect our office to act with integrity, efficiency and in the best interests of public safety. Our office worked hard in 2017 to meet those expectations, proving again that there need not be a choice between public safety and a fair and compassionate criminal justice system. We can have both.

It is our experience that most people who become entangled in the criminal justice system do so because they made a poor decision, or because of addiction or mental health issues. Kane County's court system has many effective means to address these issues to help restore people to be productive members of the community. We work with these defendants and their advocates to get offenders back on the right track. We believe that this approach, along with a commitment to harshly confront violent and career criminals and those who seek to harm everyday citizens, goes a long way toward maintaining the public's trust.

Another way to maintain your trust is through open communication. This report, which highlights our office's work to keep Kane County communities safe, is part of that open communication. I look forward to continued successes in 2018.

Thank you for the privilege of serving you. I am deeply grateful to oversee this office of 120 hardworking public servants who are dedicated to protecting everyone who lives in, works in and enjoys Kane County.

JOSEPH H. McMAHON



Joseph H. McMahon
Kane County State's Attorney

ABOUT THE OFFICE

The Kane County State's Attorney's Office employed 120 attorneys and administrative staff in 2017. The attorneys were assigned to felony, misdemeanor, traffic, abuse & neglect, juvenile, child support and civil courtrooms.

Our 59 assistant state's attorneys are dedicated and highly educated public servants, with most having earned academic honors either during their college studies, law school or both. Several of our attorneys served in the U.S. Armed Forces before attending law school.

The state's attorney's office is the chief prosecuting authority and legal advisor for Kane County, its elected officers and state officials when requested.

The office has locations throughout Kane County, in Aurora, Elgin, Geneva and St. Charles.

You can learn more about us through our Website at <http://saopublic.co.kane.il.us>, our Facebook page (search for Kane County State's Attorney's Office) or our Twitter page [@KaneSAO](https://twitter.com/KaneSAO).



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Annual Report for 2017

Office of Kane County State’s Attorney
Joseph H. McMahon

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On the cover: Bright orange daylilies are in full bloom to greet visitors to the Kane County Judicial Center in St. Charles Township.

“The (prosecuting) attorney is the representative not of an ordinary party to a controversy, but of a sovereignty whose obligation to govern impartially is as compelling as its obligation to govern at all; and whose interest, therefore, in a criminal prosecution is not that it shall win a case, but that justice shall be done.

As such, he is in a peculiar and very definite sense the servant of the law, the twofold aim of which is that guilt shall not escape or innocence suffer. He may prosecute with earnestness and vigor – indeed, he should do so. But, while he may strike hard blows, he is not at liberty to strike foul ones. It is as much his duty to refrain from improper methods calculated to produce a wrongful conviction as it is to use every legitimate means to bring about a just one.”

– *Berger v. United States*, 1935

Kane County State's Attorney's Office



2017

2017 in Review

This report is a review of the duties, achievements and performance of the Kane County State's Attorney's Office in 2017.

The office had many achievements as it worked toward goals of public safety and justice.

State's Attorney Joe McMahon led the office for the seventh year. He is the 42nd person to serve as state's attorney for Kane County.



Much of our focus in 2017 was on guns and drugs.

Our office authorized charges against numerous defendants for the illegal purchase or illegal possession of guns.

Two investigations involved cooperation between local and federal authorities and yielded charges against a total of 25 offenders. Additionally, the Aurora Police Department focused on the cause of a rash of gang shootings. Their efforts resulted in the seizure of a number of illegal guns and corresponding charges involving gang members (pages 8-9).

Our office saw a 42 percent increase in the number of new illegal narcotics cases due in part to the alarming popularity of heroin; about 18 percent of these cases involve heroin, while nearly half of the cases (48 percent) involved cocaine. The coroner reported 67 opiate-related deaths in 2017 (pages 10-11). Additionally, Kane was one of six Illinois counties to sue pharmaceutical makers in 2017 for the misleading marketing of opioid painkillers (pages 29-30).

Overall, the Criminal Division prosecuted a wide variety of complex crimes. The office conducted approximately 482 total trials, and resolved 5,129 cases by plea agreement, not including traffic offenders who pleaded guilty online.

Criminal Division attorneys screened more than 2,600 felony investigations from 34 police agencies (Page 31). In all, we authorized 2,413

new felony files, and prosecuted 4,537 new misdemeanor cases.

The number of new felony filings represents a 6.6 percent increase from 2016 and is the highest number of new felonies in five years. 2017 marked the second consecutive year that felony filings increased after eight years of steady decline starting in 2008.

The 4,537 new misdemeanor files is a seven percent decrease from 2016. Among those misdemeanors were approximately 1,143 new domestic violence cases, which is consistent with the previous five years, a reminder that domestic violence crosses all social and economic barriers and requires our constant attention.

The number of homicides in Kane County jumped to 15 in 2017 after hovering in the low double-digits the previous three years. We filed first-degree murder charges in six cases, including two early in 2018, and involuntary manslaughter in two cases. Five homicides, most believed to be gang motivated, remain under investigation. We filed no charges in two cases because the offender committed suicide.

Our office resolved five murder cases in 2017. Three defendants were convicted of first-degree murder and sentenced to the Illinois Department of Corrections; a fourth, who was convicted late in 2016, was sentenced to prison in 2017, and a fifth defendant was convicted of a lesser charge. (Pages 9 & 17)

We reviewed and took appropriate action on 2,510 alleged probation violations, 813 of which were new alleged criminal offenses by offenders who had been sentenced to probation.

We addressed 65 post-conviction matters.

We improved our outreach to the Kane County community as the combined followers on our social media pages grew by about 1,100 to more than 4,600 followers.

Lastly, our office in FY2017 continued to work in a cost efficient manner. We accomplished our work and finished the year under budget for the seventh year in a row.

2017 in Review

COURTROOM HIGHLIGHTS



Christopher Whetstone

60-year prison sentence for first-degree murder (Page 17)



James Melvin

Awaits a mandatory life prison sentence for predatory criminal sexual assault (Page 15)



Gary Bennett

50-year prison sentence for first-degree murder (Page 9)



Modesto Alarcon

60-year prison sentence for unlawful possession of a controlled substance (heroin) with intent to deliver (Page 11)



Rich Schmelzer

45-year prison sentence for first-degree murder (Page 9)



Leamon Cavitt

34-year prison sentence for unlawful possession of a controlled substance (cocaine) with intent to deliver (Page 11)



Robert Craig

11 consecutive sentences of life in prison for predatory criminal sexual assault (Page 15)



Carl C. Walker, Sr.

16-year prison sentence for aggravated domestic battery (Page 17)



Noel Buhay

45-year prison sentence for predatory criminal sexual assault of a child (Page 15)



William Dodd

26-year prison sentence for armed robbery with a firearm (Page 11)

Felony Trials Bureau

Violent Crime & Street Gangs

Our office devoted considerable effort to addressing violent street gang crime in 2017. However, not all violent crime is caused by street gangs. Regardless of motive, our office works with local and federal law enforcement to prosecute individuals responsible for endangering the community with violent behavior.

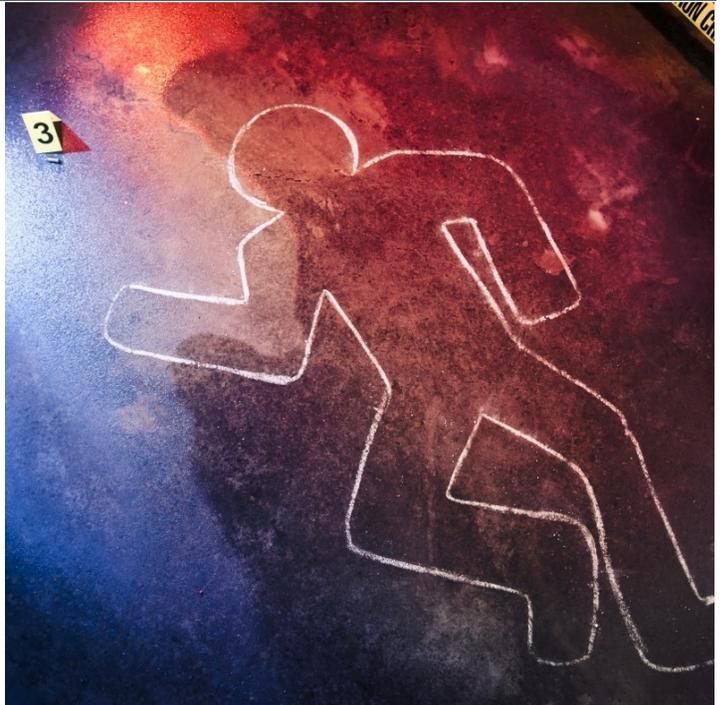
Our office considers the following crimes to be violent: murder, attempted murder, armed violence, voluntary manslaughter, criminal sexual assault, aggravated criminal sexual assault, predatory criminal sexual assault, arson, aggravated arson, robbery, armed robbery, kidnapping, aggravated discharge of a firearm, aggravated battery with a firearm, aggravated battery, aggravated battery of a victim younger than 12, aggravated battery of a victim older than 60, aggravated battery with great bodily harm, and vehicular hijacking. Our treatment of these offenses as violent broadens the statutory definition of violent crime because of the affect these crimes have on victims.

Our office assigns its most experienced prosecutors and devotes the necessary resources to these cases to assure a just outcome for victims and the community.

Kane County police agencies in 2017 reported 15 homicidal deaths. Of those, our office charged nine defendants with first-degree murder in six cases, and two defendants with involuntary manslaughter in two cases. Two were not charged because the offender committed suicide.

Five homicides remain under investigation. Prosecutors communicate regularly with police in these cases to ensure offenders are held accountable. However, many crimes involve gang-affiliated witnesses who refuse to cooperate.

The 15 homicides represent a notable



increase compared to recent years; police reported 11 homicides in 2016, 10 homicides in 2015 and 11 homicides in 2014.

Our office resolved four murder cases in 2017. Julia Gutierrez, Gary Bennett and Christopher Whetstone were convicted of first-degree murder. Daniel Rak was convicted of a lesser offense.

First-degree murder charges were pending against 22 defendants at year's end.

Violent crimes are not solved without partnerships with law-enforcement agencies at all levels. These partnerships in 2017 were important in several cases that resulted in charges in gun-related offenses. Among them:

- A Homeland Security, Bureau of Alcohol, Tobacco, Firearms and Explosives, and Elgin police investigation yielded charges against three people in an alleged scheme involving the illegal purchase of 19 long guns.
- A months-long ATF and Aurora police

Violent Crime & Street Gangs

investigation yielded charges against 22 gang members involving alleged illegal gun sales and drug deliveries.

- After gang-related shootings began to spike, Aurora police implemented a strategy built on interdepartmental information sharing to reduce the violence and seize a large number of illegally possessed guns. During a 4-week period in the fall, Aurora police

seized 10 guns and our office authorized multiple gun-related charges against 10 street-gang members.

Many of the violent crime investigations conducted in 2017 demonstrate the effective relationships between our office, federal agencies and Kane County police agencies. The investigations were complex and involved experienced prosecutors to ensure that offenders are held accountable.

NOTABLE DISPOSITIONS IN 2017

- **Gary Bennett:** Sentenced to 50 years' imprisonment for first-degree murder and concealing a homicidal death. Bennett owed money to the victim, Keith Crawford, and shot him in the back of the head to avoid repaying the debt. Bennett then disposed of Crawford's body, which has never been found.
- **Rich Schmelzer:** Sentenced to 45 years' imprisonment for first-degree murder after he drove from Texas to East Dundee to kill his 85-year-old grandmother, Mildred Darrington. Schmelzer had become deeply in debt as a result of a lavish lifestyle that was well beyond his means, so he killed his grandmother hoping to expedite his inheritance.
- **Shaun Ramirez:** Sentenced to 22 years' imprisonment for trying to slash an acquaintance to death with a knife. After an argument, Ramirez cut a large chunk from the victim's right forearm as he was trying to leave the scene.
- **Eugene Tasiar:** Sentenced to 20 years' imprisonment for robbing at knifepoint an Elgin business he frequented.
- **Jorge Chavez:** Sentenced to 16 years' imprisonment for intentionally injuring an Elgin police officer who was trying to serve him with an arrest warrant.
- **Darnell Wynn:** Sentenced to 12 years' imprisonment for attempting to kill the victim by brutally and repeatedly stomping on his head long after he'd lost consciousness.
- **Aaron Tolamac:** Sentenced to 12 years' imprisonment for attempted murder. Tolamac texted an acquaintance to step outside his home. When he did, Tolamac fired four shots at him.
- **Michael Moser-Booth:** Sentenced to 12 years' imprisonment for stabbing someone in the neck in an Aurora bar. Moser-Booth knew the victim and had targeted him.
- **Lawrence Baldwin:** Sentenced to 10 years' imprisonment for forcing his way into someone's home, implying he had a gun and taking \$600 from the victim.
- **Ronald Anderson:** Sentenced to 10 years' imprisonment for stealing electrical wire from a contractor. While free on bond, Anderson burglarized a Geneva residence and stabbed the homeowner when he caught Anderson in his garage and chased after him.
- **Jose Sanchez:** Sentenced to nine years' imprisonment for multiple gun offenses. Sanchez, a street gang member, fired a handgun multiple times and then illegally sold the gun.
- **Gheronica Suggs:** Sentenced to 6½ years' imprisonment for firing six shots from a handgun outside of an open Aurora business in the middle of the afternoon on Thanksgiving Day 2015. Co-defendant **Darrious Harris** was sentenced to three years' imprisonment for his role in the incident.

Crime

Narcotics & Money Laundering

Narcotics Unit prosecutions involve controlled substances and marijuana, trafficking, drug-related asset forfeitures and drug-related bulk currency money laundering.

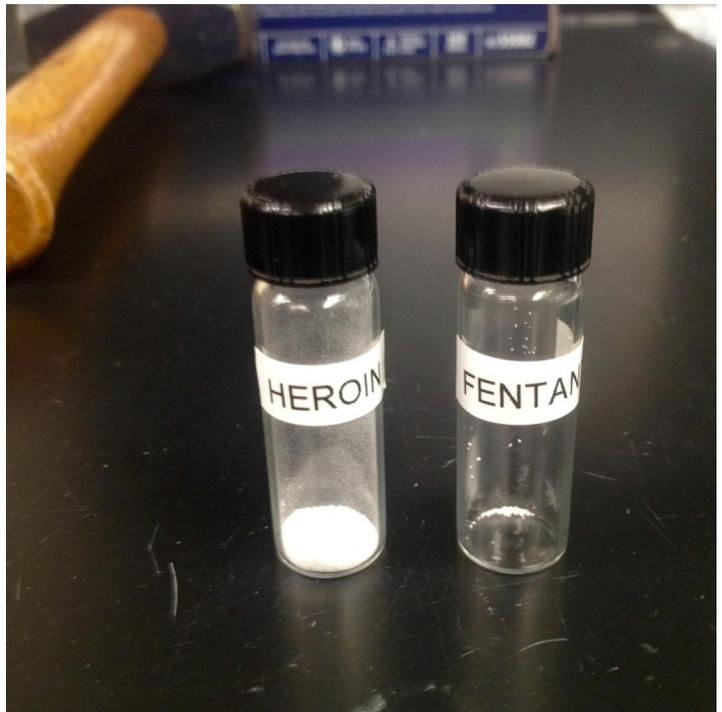
The unit aggressively prosecutes drug dealers to send a clear message that the illegal drug trade is not welcome in Kane County and that there are consequences for participating in it. The unit also steers certain drug users toward treatment.

Drugs often play a role in criminal activity, and available evidence points to a strong correlation between street gangs and illegal drug dealing. By reducing trafficking and the supply of illegal drugs we reduce drug-related crime and promote a safer community.

The unit comprises three assistant state's attorneys and one administrative assistant. It prosecutes the most serious and most complex cases, such as those involving large quantities of illegal drugs and assets. Drug cases involving lesser quantities are assigned to all ASAs.

The unit works in cooperation with federal agencies such as the Federal Bureau of Investigation, the Drug Enforcement Administration, the Bureau of Alcohol, Tobacco and Firearms, and Homeland Security Investigations, as well as local law-enforcement agencies and police departments, and the Illinois State Police's North Central Narcotics Task Force.

Although the unit reported a significant increase in new cases in 2017 – about 42 percent more compared to 2016 – it is important to note that these statistics



Each of these 2-inch tall vials holds a lethal amount of illegal drugs, heroin on the left and fentanyl on the right. It only takes a miniscule amount of fentanyl mixed with heroin to make heroin deadly to an unsuspecting heroin addict or first responder.

reflect only known activity, which generally is reflected to law enforcement in arrests and prosecutions.

We charged approximately 447 felony narcotics cases in 2017 in which the most serious offense was a drug offense such as possession, possession with intent to deliver, or delivery of controlled substances and marijuana, or trafficking. Of the new cases, approximately 48 percent involved cocaine, 18 percent involved heroin and 12 percent involved marijuana.

We resolved approximately 315 felony narcotics cases in 2017. Of those cases, approximately 38 percent involved cocaine, 20 percent involved heroin and 14 percent involved marijuana.

Heroin and opiate use continues to be in

Crime

Narcotics & Money Laundering

the spotlight locally and nationally. The Kane County Coroner's Office reported 67 opiate-related deaths in 2017, the same as 2014 and 2015 combined.

In response to heroin's lethal nature, our office continues to take a hard line on heroin cases. We assess each case individually to determine if the offender should go to prison or receive treatment.

Opioid synthetics were more present in 2017 – Kane County law enforcement reported evidence of fentanyl in 2017. These drugs are far more potent than heroin, and small amounts are deadly to users, as well as unsuspecting first responders.

Other synthetic drugs such as MDMA (ecstasy) and methamphetamine have not been significantly present.

NOTABLE DISPOSITIONS IN 2017

- **Modesto Alarcon:** Received the maximum sentence of 60 years' imprisonment for possessing in his Aurora home more than 8kg of heroin with an approximate street value of \$1.35 million. He was charged in 2014 after one of the largest heroin seizures by a Kane County law-enforcement agency.
- **Leamon Cavitt:** Sentenced to 34 years' imprisonment for buying 1kg of cocaine from undercover officers, injuring an officer and endangering others as he fled the scene after he realized he was under arrest, and then leading police on a lengthy car chase.
- **William Dodd:** Sentenced to 26 years' imprisonment for robbing a police officer at gunpoint during an undercover drug deal. Co-defendant **John Dodd**, his cousin, was sentenced to 21 years' imprisonment for his role in the crime.
- **Carlos Garcia-Perez:** Sentenced to 15 years' imprisonment for possessing 1kg of cocaine he sought to sell.
- **William Ingram:** Sentenced to 15 years' imprisonment for possessing cocaine near a church that he intended to deliver near an Elgin church.
- **Pedro Giles:** Sentenced to 14 years' imprisonment for selling 86 grams of cocaine to undercover officers in 2002. Giles fled the jurisdiction after he posted bond. He was recaptured 12 years later in Texas.
- **Kendall Randolph:** Sentenced to 13 years' imprisonment for possessing more than 400 grams of cocaine he planned to sell.
- **Rumaldo Anzaldua:** Sentenced to 12 years' imprisonment for selling 112 grams of cocaine to undercover officers. Anzaldua fled while free on bond, but was convicted and sentenced despite his absence. He is wanted on a warrant.
- **Kentrell Montgomery:** Sentenced to 12 years' imprisonment for selling heroin within 1,000 feet of two Elgin churches.
- **Roosevelt Williams:** Sentenced to 12 years' imprisonment for selling cocaine near an Elgin church. Williams is a career drug dealer.
- **Caleb Frazier:** Sentenced to 10 years' imprisonment for selling a rifle and cocaine to a police informant. Frazier is a gang member.
- **Paul Benevides:** Sentenced to 10 years' imprisonment for selling cocaine to an undercover officer. Benevides is a gang member.
- **John Monteleone:** Sentenced to six years' imprisonment for knowingly possessing more than 200 grams of a controlled substance that is illegally distributed as synthetic cannabinoid.

Crime Forfeitures

The law allows state's attorneys to seek forfeiture of all assets including cash involved in felony drug deals, as well as vehicles used to commit certain crimes.

Our office works in conjunction with police agencies on forfeiture proceedings under 720 ILCS 5/36-1, or **Article 36**.

This statute allows police to seize vehicles that have been used, with the knowledge and consent of the owner, in the commission of certain crimes. These crimes include driving while license suspended or revoked for DUI, felony DUI, aggravated fleeing and eluding, reckless homicide, stalking and burglary.

The statute's primary purpose is to enhance public safety by repressing crimes facilitated by vehicles. Seizing the vehicles removes a tool criminals use to commit offenses.

We use this law in conjunction with the criminal court and criminal charges. We return property seized by law enforcement when we find evidence of innocent ownership.

Article 36 Forfeitures in 2017

- Seized 67 vehicles; 24 of these forfeiture cases are pending
- Forfeited 27 vehicles to the seizing police agency either to be used by that agency or sold
- Returned 9 vehicles to a lienholder
- Returned 7 vehicles to the registered owner under the innocent owner exception

To deter the use and distribution of illegal drugs in Illinois, the **Drug Asset Forfeiture**



Procedure Act allows for the civil forfeiture of property that is used either to facilitate or is proceeds from a violation of felony drug laws.

Under this forfeiture statute, police may seize assets that are profits from drug deals, or that were used in the commission of certain drug offenses.

Drug Asset Forfeitures in 2017

- Kane County's 34 police agencies seized more than \$585,500 in assets pursuant to the statute
- Nearly \$804,000 in seized assets was forfeited
- The bulk of the forfeited assets went to the seizing police agency to be used for the enforcement of drug laws
- Vehicles, electronics and jewelry were seized, as well

Special Victims Special Prosecution

Special Prosecution Bureau attorneys handle adult sexual crimes, complex financial crimes and many domestic violence-related crimes because these offenses require a specialized approach.

We place emphasis on these types of crimes for several reasons – their prosecution necessitates the assigned assistant state’s attorneys to have specialized abilities in the respective areas. Sexual crimes and financial crimes, for example, become more complex each year as perpetrators use computers and other technologies to commit their crimes and also to disguise and hide their activity from authorities.

The ASAs who prosecute these crimes must understand intricate and evolving procedures necessary to obtain evidence from sources who often are unwilling to assist in a prosecution. Also, victims of these crimes generally require greater attention and sensitivity. The ASAs assigned to this bureau have significant experience working with such victims.

The bureau comprises eight ASAs. Three work exclusively on misdemeanor domestic violence cases, and five are assigned to prosecute felony criminal cases. The bureau also is staffed by advocates who are adept at meeting victims’ specialized needs.

The bureau in recent years has prosecuted a number of cases involving human trafficking and child sexual exploitation. Our work with federal authorities and the Aurora Police Department resulted in charges against 14 persons; 10 have been convicted, including two in 2017 (see right column), and four are pending. Also, the Illinois Appellate Court rejected a challenge to one of the convictions.

NOTABLE IN 2017

- **Matthew Young:** Sentenced to 11 years’ imprisonment for writing bad checks to suburban businesses and fraudulently setting up back accounts using the personal identifying information of multiple victims without their knowledge.
- **Tiffany Marsh:** Sentenced to seven years’ imprisonment for identity theft and forgery. While free on bond after she failed in an attempt to withdraw money from a bank using someone else’s personal identifying information, she successfully withdrew money from someone else’s account at a different bank.
- **Martha Strauss:** Sentenced to five years’ imprisonment for stealing more than \$600,000 from her employer, a St. Charles business. She was ordered to repay the money to the victim.
- **Shane Lewis:** Sentenced to six years’ imprisonment for paying to have a sexual encounter with what he believed would be a 14-year-old girl and a 15-year-old girl. He was convicted of involuntary sexual servitude of a minor, traveling to meet a minor and grooming.
- **Anthone Caradine:** Sentenced to six years’ imprisonment for traveling to meet a minor to engage in commercial sex. Caradine also was convicted of involuntary sexual servitude of a minor and grooming for agreeing to pay for sex with two minor girls.
- **Joseph McGhee:** Sentenced to five years’ imprisonment for violating an order of protection. After he was given the court order prohibiting him from contacting the victim, McGhee repeatedly attempted to contact the victim in person and by telephone.

Special Victims Child Advocacy Center

Child sexual abuse and assault cases are difficult and complex. This is because of the relationship of the child to the abuser, the emotional nature of the cases, the timing of the disclosure of the abuse, the frequent reluctance of parents or guardians to cooperate in the investigation because of their relationship to the abuser, and language barriers.

Because of this, the state of Illinois has guidelines for the function of child advocacy centers statewide to address these complexities. The guidelines allow for a specialized investigative and prosecutorial protocol that is sensitive to the child victims and their relationships with their abusers.

National statistics show that most child sex assault and abuse victims are abused by someone they know, often by a person entrusted with their care. In Kane County, records show that number has historically hovered around 98 percent.

The Child Advocacy Center, located in downtown Geneva, investigates and prosecutes cases of child sexual assault and abuse. The center helps direct victimized families to services to help them return to a place of safety.

The CAC is staffed by four assistant state's attorneys, three full-time and three part-time investigators, three DCFS investigators, three case managers/advocates and an administrative assistant.

The CAC in 2017 conducted 388 investigations, a 15 percent increase from the 330 cases investigated in 2016. The CAC charged 57 cases, down from the 66 cases charged in 2016.

The CAC resolved 34 cases by trial or guilty plea, and closed 217 investigations.



The Kane County Child Advocacy Center, located near downtown Geneva, is a unit of the State's Attorney's Office. The CAC investigates prosecutes cases of child sexual assault and abuse.

The CAC conducted 550 child forensic interviews, facilitated 38 medical examinations for children, and assisted law-enforcement agencies in a number of courtesy interviews of children who were victims of or witnesses to other crimes.

In total, 637 children were referred to the CAC, an increase of about 18 percent from the 528 children referred in 2016.

The CAC in recent years has seen an increase in the number of reported allegations of child sexual abuse. We do not believe this is because of an increase in this type of criminal activity, but rather because of improved awareness about how to respond to and report such abuses.

Much of this is because of Erin's Law, which requires public schools to implement

Special Victims Child Advocacy Center

a child sex-abuse awareness and prevention program.

In addition, our office working in conjunction with Court Appointed Special Advocates of Kane County, has engaged in a joint public relations campaign to improve awareness about how to make a report.

Finally, the CAC in 2017 earned re-accreditation by the National Children's Alliance. Accreditation means CAC staff are up to date with the standards and best

practices of prosecuting child sex abuse cases.

Abuse & Neglect cases generally result from an investigation in which the Illinois Department of Children and Family Services determines that a child has been abused, neglected or is dependent on the state for care.

The unit in 2017 opened 51 new files and closed 143 cases. As files can remain open for many years, no correlation should be drawn between those numbers.

NOTABLE DISPOSITIONS IN 2017

- **Robert Craig:** Sentenced to 11 consecutive natural life prison sentences for repeatedly sexually assaulting the same three children over an 11-year period between 1999 and 2010. The children were younger than 13 years old during the assaults. Craig knew the victims.

- **Noel Buhay:** Sentenced to 45 years' imprisonment for repeatedly sexually assaulting a foster child who was living with his family. The victim was younger than 12 years old. Buhay faces similar charges in a second case, and if convicted could be sentenced to spend the rest of his life in prison.

- **James Melvin:** Convicted of predatory criminal sexual assault and multiple counts of aggravated criminal sexual assault for sexually assaulting the victim, a child younger than 12 whom he knew. Melvin awaits sentencing and faces a mandatory life prison term because of a prior conviction of predatory criminal sexual assault in Cook County.

- **Orane Foster:** Sentenced to 27 years' imprisonment for repeatedly sexually assaulting

a young child he knew. The victim lived in the home where Foster was staying at the time of the assaults.

- **Angel Gallegos-Ortiz:** Sentenced to 21 years' imprisonment for sexually assaulting a young child he knew over 18 months.

- **Miguel Martinez:** Sentenced to 13 years' imprisonment for sexually assaulting and sexually abusing two young children he knew.

- **Marcus Arvizo:** Sentenced to 11 years' imprisonment for sexually assaulting three young children he knew.

- **Nicholas Glucksmann:** Sentenced to seven years' imprisonment for causing abusive head trauma to an infant that lived in his household.

- **Joel Becerril:** Convicted of multiple counts of predatory criminal sexual assault and aggravated criminal sexual abuse. He awaits sentencing.

- All convicted child sex offenders are required register in accordance with the Illinois Child Sex Offender Registration Act.

High-volume Courtrooms

Traffic, Misdemeanor & DUI

Traffic and misdemeanor courtrooms see the greatest volume of our cases, and they are where the criminal justice system is most accessible to the general public.

We staffed five courtrooms in 2017 to prosecute traffic, misdemeanor and DUI cases: Courtrooms 203 and 209 at the Kane County Judicial Center, along with Aurora Branch Court, Elgin Branch Court and Kane Branch Court. Eleven assistant state's attorneys and six support personnel are assigned to those six courtrooms.

Offenders in these courtrooms face a variety of sentencing options in addition to jail, such as remote alcohol monitoring, victim impact panels, alcohol counseling, mandatory urine testing, deferred prosecution and community service.

ASAs assigned to these courtrooms ensure public safety by holding defendants accountable for misdemeanor offenses, advocating for victims of misdemeanor offenses and advocating for safety on the roads through enforcement of traffic laws.

In addition, newer ASAs gain valuable experience in these courtrooms as they develop their litigation skills with guidance and supervision from veteran prosecutors.

2017 by the numbers

- Charged 4,537 new misdemeanor files.
- Of the new misdemeanor files, 955 were misdemeanor DUI files. This does not include 523 misdemeanor DUI cases being prosecuted by the municipality where it was charged.
- The most common misdemeanor offenses not involving drugs, DUI or domestic battery were resisting a peace officer, battery, retail theft,

obstructing ID, disorderly conduct and criminal damage to property.

- Charged approximately 1,143 new misdemeanor domestic violence cases, which are addressed on Page 16.
- Prosecuted more than 26,000 new traffic citations. More than 36,000 additional traffic citations were prosecuted by the municipality in which the offense occurred.
- Conducted two No-Refusal anti-DUI initiatives, on July 4 and Nov. 22. Thirteen police agencies participated in each with a total of seven drivers charged with DUI-related offenses. We have used No-Refusal initiatives since 2008 to hold DUI offenders accountable and keep our roads safe.

NOTABLE IN 2017

- **Anthony Potochney:** Pleaded guilty to aggravated DUI for his role in an Oct. 7, 2016, crash that killed a 9-year-old girl and injured two of her friends. Potochney was drunk and traveling at about 85 mph in a 35 mph zone at the time of the crash. He awaits sentencing.
- **Paris Lisy:** Sentenced to seven years' imprisonment for a fatal DUI crash that killed a 78-year-old Aurora woman and injured a second person. A toxicology test revealed the presence of tetrahydrocannabinol in Lisy's blood.
- **Aaron Nash:** Sentenced to two years' probation for driving a limousine while he was younger than 21 years old. The vehicle crashed into a traffic attenuator on I-90 and flipped onto its roof, killing a passenger and injuring several other passengers and the driver.

High-volume Courtrooms

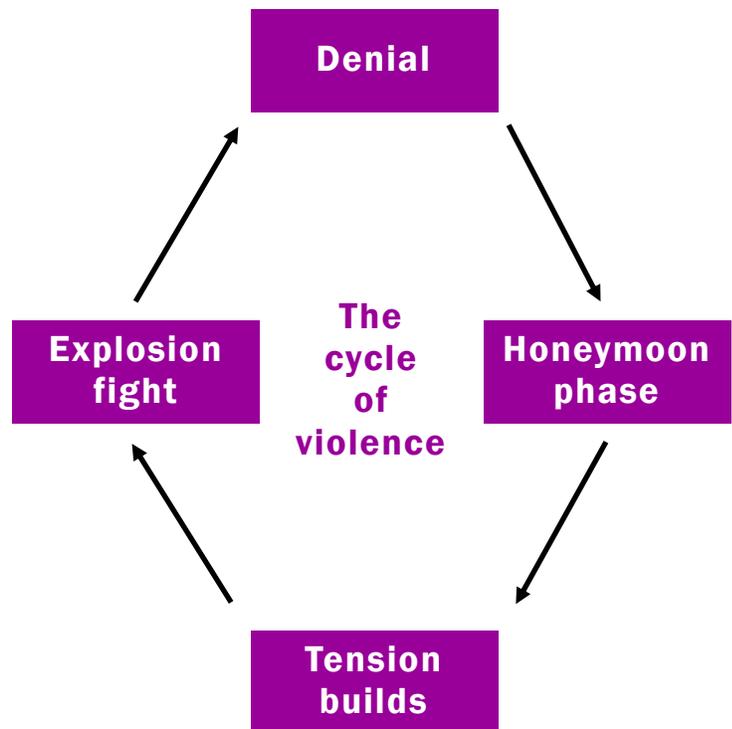
Domestic Violence

Domestic violence prosecutions, whether of misdemeanor charges or complex felony cases, are among the most challenging our assistant state's attorneys handle on a daily basis.

Frequently the challenge involves a victim who, during the trial, recants an earlier description of the crime, or the challenge is the inability to track down a victim who has moved from the jurisdiction. Additional challenges relate to the constancy of domestic violence. As most crime has generally been on the decline the last decade, domestic violence occurrence remains relatively constant.

The Domestic Violence Unit comprises three assistant state's attorneys who work exclusively on misdemeanor domestic violence cases. Felony domestic violence cases are assigned to felony assistant state's attorneys throughout the office. Two advocates work on misdemeanor domestic violence cases to ensure that victims have access to the many services we provide, such as processing orders of protections, restitution, and perhaps of utmost importance, being the good listener.

The Domestic Violence Unit is a component of the office's Special Prosecution Unit, recognizing that domestic-related cases require special attention by those in law enforcement. This commitment continued in 2017, as the office worked together with local police, social service agencies – in particular domestic violence shelters Mutual Ground of Aurora and Community Crisis Center of Elgin – to see that domestic violence victims receive the justice they deserve.



A typical cycle of violence in domestic abuse.

NOTABLE IN 2017

- Charged 1,143 new misdemeanor domestic violence cases, which is consistent with the number of new DV cases filed in recent years.
- **Christopher Whetstone:** Sentenced to 60 years' imprisonment for first-degree murder for shooting to death his girlfriend, 22-year-old Rachel Taylor of Aurora.
- **Julia Gutierrez:** Sentenced to 22 years' imprisonment for murdering her husband, 53-year-old Eduardo Gutierrez, by serving him a drink laced with a deadly dose of a sedative.
- **Carl C. Walker Sr.:** Sentenced to 16 years' imprisonment for choking his girlfriend during an argument. Walker has a lengthy history of forcible felonies.
- **Luis Bustos:** Sentenced to eight years' imprisonment for beating and strangling his girlfriend.

Court Alternatives

Deferred Prosecution

Deferred Prosecution observed its 22nd year in 2017.

Formalized in 1995, Deferred Prosecution has proven beneficial to offenders by allowing them to keep a conviction off their records. The program relieves jail overcrowding and courtroom caseloads. The continued success of the program relies on support from the criminal justice system and the community.

Deferred Prosecution provides an opportunity for offenders to avoid a permanent conviction from being entered on their records while holding them accountable. The five programs target first-time offenders.

All programs provide appropriate access to mental health, substance abuse, and medical treatment, as well as case management, education, housing, and job training. Participants are evaluated to determine risk of recidivism and appropriate levels of supervision. Requirements vary but typically include community service, fees, drug testing and restitution, and may include substance abuse or mental health treatment, employment and education.

Upon successful completion, charges are dismissed. Overall, the completion rate averages 75 percent or greater.

By the numbers

Fiscal year	<u>2015</u>	<u>2016</u>	<u>2017</u>
Applicants	767	677	579
Graduates	451	432	382
Terminated	175	116	135

Felony/Misdemeanor

For first-time, non-violent offenders who have not been previously convicted.

KANE SAO

DEFERRED PROSECUTION

- **Felony/Misdemeanor.** For first-time offenders.
- **Misdemeanor drug/alcohol.** Intensive drug and alcohol education.
- **Domestic Violence.** Keeps families together safely; requires offenders to receive counseling.
- **Solicitation/Prostitution.** Educates about the risks of both practices.
- **Felony drug.** Requires substance abuse education, drug testing.

Application and program fees are assessed on a sliding scale up to \$1,500 and collected in monthly installments. Average participation time is 6-12 months.

In 2017

- 202 applied for the program with 143 graduates and 39 negative terminations. Cumulatively 4,998 defendants have completed this program with an overall success rate of 78 percent.
- Participants paid \$57,728 in restitution. Cumulatively more than \$2.66 million in restitution has been collected for victims. Restitution is required and must be paid before discharge.
- Collected \$125,983 in application and program fees.
- Participants performed 5,426 hours of community service work at charitable organizations. Since 1995, participants have completed 444,184 hours of community service.
- Also: 21 participants obtained high school diploma or GED, 6 enrolled in ESL

Deferred Prosecution

classes, 23 completed an individual counseling program, 75 completed a substance abuse evaluation and subsequent treatment recommendations, 25 completed the Parenting Support Program, 4 completed the Anger Management Program, 103 completed the Theft Awareness Program and 69 completed the Decision Pathways Program.

Misdemeanor Drug/Alcohol

For first-time, nonviolent misdemeanor drug and alcohol offenders. Application and program fees are assessed on a sliding scale up to \$1,000 and are collected monthly throughout the agreement.

Participation averages 6 to 12 months.

In 2017

- 37 applicants, 41 graduates, 10 negative terminations. Cumulatively the program has had 1,756 graduates with a success rate of 75 percent.
- Collected \$18,416 in program fees.

Domestic Violence

For first-time misdemeanor domestic battery offenses.

Application and program fees are assessed on a sliding scale up to \$400 and are collected monthly.

Average participation time is 12 months.

In 2017

- 262 participants, 155 graduates, 65 negative terminations. Cumulatively the program has had 674 graduates, with a success rate of 77 percent.
- Collected \$54,344 in program fees.

Prostitution/Solicitation

For first-time nonviolent, misdemeanor

“Deferred Prosecution’s value is in holding people accountable while restoring them to productive members of the community.”

— Kane County State’s Attorney
Joe McMahon

prostitution or solicitation offenders. Application and program fees are assessed up to \$1,000 and collected monthly throughout the agreement.

Average participation time is 12 months.

In 2017

- 6 participants, 3 graduates and 0 negative terminations with a success rate of 100 percent.
- Collected \$1,000 in program fees.

Felony Drug

For first-time nonviolent drug offenses. Application and program fees are assessed on a sliding scale up to \$1,500 and are collected in monthly installments throughout the participant’s agreement.

Average participation time is 12 months.

In 2017

- 72 participants, 40 graduates and 20 negative terminations. Cumulatively, the program has had 194 graduates and 74 negative terminations, giving the program a cumulative success rate of 74 percent.
- Collected \$40,602 in program fees.
- 13 participants completed the required Drugs of Abuse class

Civil Division

The Civil Division is required by law to represent all county-wide elected officials and serve as legal counsel for Kane County and all of its departments. The Civil Division does not represent private citizens or private interests.

In addition, the Civil Division is charged with investigating complaints regarding violations of the Open Meetings Act, violations of the Illinois Environmental Protection Act, labor negotiations, contract review, electoral board representation, presentment of petitions for involuntary commitment, tax-rate objections and advising various public boards.

These duties include litigation in state and federal court, as well as before various state and federal agencies, and representation of taxing bodies in all tax objection cases.

The division comprises seven attorneys and one administrative assistant.

The focus of the Civil Division's emphasis and resources varies from year to year. The division continued to respond to a large number of Freedom of Information Act requests. FOIA requests jumped beginning in 2015 after the Illinois Supreme Court clarified what is eligible for public viewing under the act.

The division processed 43 FOIA requests in 2017. FOIA requests can require the expenditure of significant resources in terms of time and paper. Some requests that were filled in 2017 required multiple days and hours to process.

In addition in 2017, the division responded to a number of lawsuits that required the significant expenditure of resources on litigation that took place in state and federal courthouses.



The Civil Division of the Kane County State's Attorney's Office is in the old Kane County Courthouse in the middle of historic downtown Geneva.

The division also noted an increase in the number of tax-rate objections that were filed against Kane County taxing districts.

Included in the Civil Division is an advocate who serves victims over age 60 and persons with disabilities. The advocate coordinates with agencies, nursing homes and the general public regarding situations that might involve illegal exploitation of the elderly and disabled.

Most of these cases in 2017 involved financial exploitation and aggravated battery charges.

In addition, the advocate attends monthly meetings held by Senior Services Associates to review difficult cases and also attends quarterly meetings of the Elder Fatality Review Committee.

Specialty Courts

Mental Health Court

Mental health and mental illness continue to be growing areas of concern and a significant public health issue across the country. Public health officials estimate that mental illness affects one in five families in the United States. Left untreated, mental illness often results in serious consequences for the individual, as well for society as a whole. Those same officials estimate that overall cost of untreated mental illness in the U.S. surpasses \$100 billion annually.

The state's attorney's office plays a significant role in helping to address mental health issues in Kane County. The office, through the Civil Division represents the people of Illinois in mental health proceedings under Illinois' Mental Health Code.

Appropriate medication and treatment are highly effective in treating mental illness, and up to 90 percent of individuals who receive treatment have drastically reduced symptoms and an improved quality of life. However, some individuals who suffer from mental illness refuse to be treated. When that happens, the courts – and therefore the state's attorney's office – can become involved.

The state's attorney's office “shall represent the people of the State of Illinois in court proceedings” under the Mental Health and Developmental Disabilities Code and “shall ensure that petitions, reports and orders are properly prepared.”

After consultation with psychiatric medical providers, the state's attorney may bring to hearing petitions for the involuntary commitment and medication of people who are a danger to themselves or others who are in need of psychotropic medication.

Mental health petitions are filed either for



involuntary admission or for involuntary administration of psychotropic medication. When possible, pending petitions are heard in the facility where the respondent/patient is hospitalized. In Kane County, this means court is held at Elgin Mental Health Center, St. Joseph's Hospital in Elgin and Mercy Medical Center in Aurora.

The burden of proof to be met is clear and convincing evidence before a mental health petition can be granted.

We review relevant records and work with psychiatrists, social workers and often the patient's family to prepare for hearings.

In 2017, 217 mental health petitions were filed in Kane County. Specifically, 177 of those were for involuntary admission, 36 were for involuntary administration of psychotropic medication and four were for production of records.

Specialty Courts

Treatment Alternative Court

The Kane County Treatment Alternative Court is a specialty court program for criminal defendants with mental illness, co-occurring disorders, or developmental disabilities.

Treatment Alternative Court, or TAC, is intended to be a systematic approach that brings together community-based agencies to address defendants' needs and to provide comprehensive case management to facilitate positive behavioral change ultimately to reduce future criminal activity and incarceration.

Additional program objectives are to create effective interactions between mental health and criminal justice systems, improve public safety, and reduce the length of confinement of mentally ill defendants.

TAC participants typically are involved in some form of mental health treatment every weekday, including individual therapy, group therapy, case management meetings, psychiatric appointments and home visits.

To successfully complete TAC a participant must remain fully engaged in all recommended treatment, make progress in treatment and maintain his or her stability.

The state's attorney's office reviews each TAC application to determine whether a defendant is statutorily eligible and appropriate for TAC based upon the defendant's current offense and criminal history.

An assistant state's attorney who primarily focuses on mental health issues and the cases of defendants who engage in criminal activity because of mental health concerns is a member of the TAC treatment team.



Group therapy is an important component to Treatment Alternative Court, which is available to certain Kane County defendants with mental health concerns.

The treatment team meets once a week before court to discuss the progress of each TAC participant.

TAC is limited to approximately 20 participants at a time.

2017 by the numbers

- 40 defendants applied to TAC and 15 were accepted
- 6 defendants successfully completed TAC with 4 discharges for failure to complete the program
- There were a total of 26 participants
- Many TAC participants carry over from one year to the next

Children Child Support

The Child Support Division is responsible for the establishment of paternity and support obligations, the modification and enforcement of existing support orders, and the collection of unpaid support and maintenance obligations on behalf of the Illinois Department of Healthcare and Family Services.

In Illinois, HFS is responsible for the administration of the child support program as mandated by federal law, Title IV-D of the Social Security Act.

Our office's Child Support Division provides legal representation to HFS in the judicial enforcement of the child support program.

Four attorneys, one administrative assistant, and five paralegals work in the division.

2017 by the numbers

- Collected \$27 million from all open Title IV-D cases
- The \$27 million collected from noncustodial parents represents a 214 percent increase from the \$12.6 million the division collected in 2006. The amount our office collects each year has steadily increased over the last decade
- The division received 906 new legal action referrals from HFS for judicial enforcement. Among the new referrals:
 - 151 cases for the determination of paternity
 - 292 cases for the establishment of new support obligations
 - 113 cases to modify existing orders
- A large number of miscellaneous legal action referrals, ranging from petitions to intervene in pending family law cases, motions for determination of arrearage and the setting of payments for an arrearage, petitions to extend support beyond the age of 18, and petitions for rule to show cause for the nonpayment of support.
- Handled 6,413 cases in court, which was an average of 123 cases per week set for hearing.
- Collected \$53,000 in cases in which bonds had to be paid as restitution on arrearages resulting from guilty pleas of a conviction for nonpayment of child support.



Children Juvenile Delinquency

The Juvenile Delinquency Unit is responsible for prosecuting all felony and misdemeanor offenses committed by minors under age 18. The unit comprises three assistant state's attorneys and one administrative assistant.

The unit in 2017 filed 328 new petitions to adjudicate delinquency and five truancy petitions. Also, 36 new offenses were charged as petitions to revoke and 13 new offenses aggravated existing cases.

The total of 369 cases was a 26 percent decrease from 2016, and part of a continuing downward trend in the number of juvenile cases in Kane County. This decrease is attributable to a broad commitment to resolve fewer cases through the courts, instead allowing schools, police and juvenile court services to offer diversion options. In addition, the unit resolved 245 petitions to adjudicate and 435 cases involving petitions to revoke probation or supervision.

Of the cases that were closed, 14 minors were sent to the Illinois Department of Juvenile Justice in keeping with a state mandate that juveniles be sent to IDJJ only as a last resort. Eleven juveniles were sent to a residential treatment program.

In addition, our office filed petitions on six juveniles seeking transfer to adult court.

The Illinois General Assembly is committed to reforming the state's juvenile justice system in response to research that shows that juveniles behave more impulsively than they do rationally, that the court should intervene less frequently with juveniles, and that additional protections are needed to prevent juveniles from becoming entrenched in the court system.



The reform efforts are visible in legislative changes in recent years, from raising the cut-off age for juveniles to 18 from 17, to reducing the number and type of offenses that can result in commitment to IDJJ, and to ensuring that juveniles younger than 15 have an attorney present during custodial interrogations on specific serious crimes.

Working with juvenile justice officials, Kane County court officials, and a number of Kane County social service agencies, our office has addressed these concerns by supporting juvenile diversion programs, being more selective in which cases require court intervention, decreasing imprisonment, and by utilizing effective, evidence-based juvenile rehabilitation programs.

One means to these goals has been the re-establishment of the Kane County Juvenile Justice Council (Page 25.)

Children Juvenile Justice Council

The Juvenile Justice Council is charged with improving juvenile justice related issues in Kane County.

Justice system stakeholders comprise the council's board of directors, while the larger council consists of partners from local community agencies and service providers, schools and other community alliances. As outlined by statute, State's Attorney Joe McMahon chairs the group.

The board of directors meets monthly, the full council meets quarterly and subcommittees meet as needed.

The council's purpose is to support collaboration among agencies and programs to better address juvenile delinquency, as well as develop and implement a plan to prevent juvenile delinquency. Although the council makes recommendations to more effectively utilize services, it is not a direct service provider.

Anyone interested in addressing other concerns should direct inquiries, along with supporting evidence, to Julia Ankenbruck, the council coordinator.

The council in 2017 engaged in many initiatives designed to ensure that at-risk youths have opportunities to be successful:

- Partnered with the Kane County Health Department and the Kane County Regional Office of Education to develop training for restorative practices trainers. This training is targeted to school officials and others who work with youths to build stronger communities to ultimately reduce and prevent criminal activity among youths.
- Developed a universal needs assessment to be shared among those responsible for the care of youths and families to connect them with services to meet unidentified needs. The assessment is in the pilot phase and is being administered by the Family Service Association of Greater Elgin.
- Compiled relevant information to help youths understand the process to expunge certain arrests from their permanent records to ensure they're not hampered as adults by poor decisions made as adolescents.
- Hosted trainings to address issues such as youths and drug use and implicit bias and how it negatively affects minorities
- Partnered with Water Street Studios in Batavia to host a youth art show



Crystal Jauregui, a student at Fred Rodgers Magnet Academy in Aurora, displays her painting from the Juvenile Justice Council's art show. The show was held to help youths express emotions about hazards youths face, such as mental illness, bullying and addiction.

Crime Victims Victim Services & Rights

The Kane County State's Attorney's Office is mandated by the Illinois Crime Victims' Bill of Rights to provide services to victims of violent crimes.

Our victim advocates implement these requirements through education, information and support. The unit's intent is to ensure that victims of violent crime can navigate and understand the criminal court system.

Our office in 2017 had 10 full-time advocates with three bilingual advocates. These advocates were assigned to the Victims' Rights Unit, the Domestic Violence Unit, the Child Advocacy Center and the Juvenile Delinquency Unit.

The advocates offered guidance and support in court during trials and hearings, prepared protective orders, made referrals to social service agencies, informed victims about the Attorney General's Crime Victims' compensation application and offered assistance in completing the application.

The Victims' Rights Unit advocates were assigned to handle our most violent crimes and vulnerable victims including child abuse, domestic violence, elder exploitation, juvenile delinquency and sexual violence. These advocates in 2017 assisted more than 850 crime victims in cases such as first-degree murder, criminal sexual assault, driving under the influence, stalking, domestic battery, aggravated battery and arson.

In addition, the unit co-facilitated the Homicide Support Group for family members who have lost their loved ones. Numerous assistant state's attorneys also work with the Homicide Support Group. The unit maintained staff expertise with



Crime victims often feel as though they are alone and confused with no one to trust once a case is part of the court system. Victim advocates of the Kane County State's Attorney's Office work to guide victims through the complex and emotional proceedings.

regular training of current practices and regular communication with the assistant state's attorneys who are prosecuting the cases.

Our office learned late in 2017, after the beginning of FY2018, that we would no longer receive funding from the Illinois Criminal Justice Information Authority for mandated victim services.

The ICJIA's decision caused the elimination of a portion of the victim services unit, which has provided support to victims of violent crime for more than 20 years.

In light of the ICJIA's decision we are working to determine how best to maintain our commitment to assist crime victims, as well as perform our mandated duties to crime victims.

Working with police

Screening and charging

Felony calls by agency, 2017

<u>Agency</u>	<u>No.</u>
Aurora P.D.	742
Elgin P.D.	634
Carpentersville P.D.	195
Kane County Sheriff	190
St. Charles P.D.	176
Batavia P.D.	132
Geneva P.D.	68
North Aurora P.D.	68
South Elgin P.D.	67
Montgomery P.D.	57
Illinois State Police District 15	44
Kane County Child Advocacy Center	42
West Dundee P.D.	37
Hampshire P.D.	32
Other agency	25
Sugar Grove P.D.	21
Algonquin P.D.	18
East Dundee P.D.	17
Elburn P.D.	10
Huntley P.D.	10
North Central Narcotics Task Force	10
Pingree Grove P.D.	10
Sleepy Hollow P.D.	8
Campton Hills P.D.	7
Gilberts P.D.	5
Illinois State Police District 2	5
Fox Valley Park District	3
Illinois Secretary of State Police	3
Maple Park P.D.	3
Bartlett P.D.	2
Elgin Community College P.D.	2
Illinois Gaming Board	2
Kane Co. Forest Preserve Police	1
Waubensee Community College P.D.	0
2017 TOTAL	2,646
Previous	
Yearly	<u>2016</u> <u>2015</u> <u>2014</u>
Totals	2,629 2,533 2,623



St. Charles Officer John Losurdo (second from left) with his Kane County Officer of the Year award. With him are (from left) Kane County State's Attorney Joe McMahon, his wife, Jennifer Losurdo, and St. Charles Police Chief Jim Keegan.

Our office in 2017 worked with all 34 police agencies in Kane County, as well as outside agencies such as the North Central Narcotics Task Force, Federal Bureau of Investigations, Drug Enforcement Administration, Department of Homeland Security, Illinois Gaming Board, and Illinois Secretary of State Police. Assistant state's attorneys screened more than 2,600 investigations for felony charges.

Aurora and Elgin police made more than half of the requests for felony charges, followed by Carpentersville, the Kane County Sheriff, St. Charles and Batavia.

Our thanks to everyone at all of the police agencies we work with. Our many successes are not possible without the hard work of all officers, investigators, detectives, command staff, administrators and support staff at each of these agencies.

We extend special thanks to the Kane County Major Crimes Task Force, which is made up of officers and investigators from many Kane County police agencies, for its investigative assistance with complex crimes.

Special Report

Crisis Intervention Team

The Kane County State's Attorney's Office, in conjunction with the Kane County Sheriff's Office presented two Crisis Intervention Team training sessions for police officers.

The specialized training provides officers with tools to better respond when a subject is having a mental health crisis.

The first 40-hour training, with 26 officers, took place Oct. 16-20 at the Kane County Sheriff's Office. The second, with 24 officers, took place at Elgin Community College's Center for Emergency Services near Burlington. In all, 50 officers from 17 police agencies have received training.

The training was presented with the assistance of the Illinois Law Enforcement Training and Standards Board.

The Aurora Police Department and the Elgin Police Department also contributed resources to the trainings.

National CIT training curriculum was developed by the National Alliance on Mental Illness, the University of Memphis CIT Center, CIT International and the International Association of Chiefs of Police.

The National Alliance on Mental Illness states that CIT training, "teaches a new set of skills ... the words, approach and body language that convince a person to get help, or defuse a potentially violent encounter."

Presenters included psychologists, social workers, former police officers and assistant state's attorneys.

The office expects to conduct four additional trainings in 2018.

Kane County State's Attorney Joe McMahon said: "I'm thrilled that we were able to present this training to Kane County police officers. It is so important for the overall



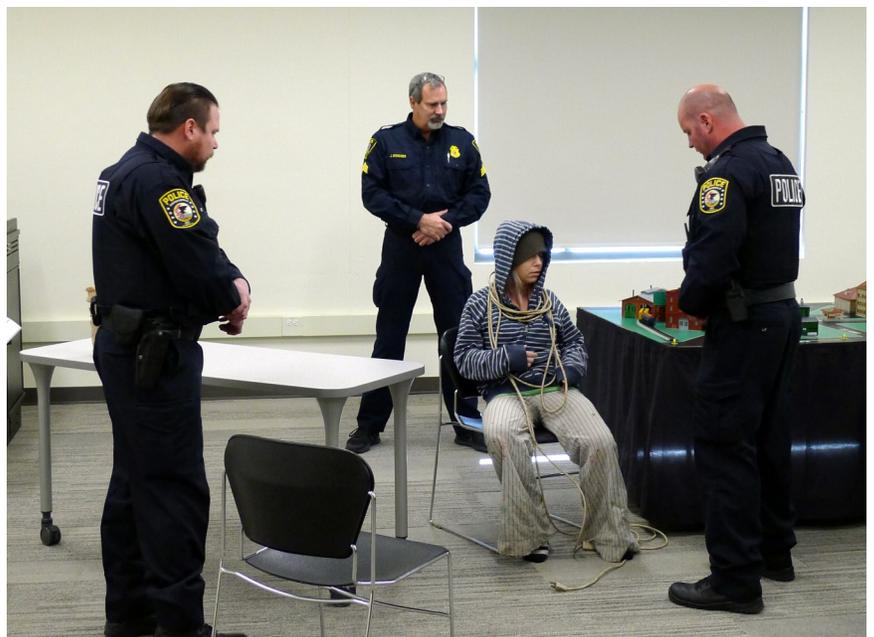
Kane County Sheriff's Lt. Chris Collins provides instructions during one of the two Crisis Intervention Team trainings sponsored by the Kane County State's Attorney's Office and the Kane County Sheriff's Office in 2017. A total of 50 officers participated in the two trainings.

health of a community that officers have the best possible tools at their disposal when they respond to a complex situation. This training not only could save the life of a person in crisis, it also could save the officer's own life. Thanks to the members of the Kane County Board for generously funding this project, to Sheriff Donald Kramer for his leadership, and to the Fox River Valley Initiative for its support and for creating awareness in the community about the importance of CIT training."

Kane County Sheriff Don Kramer said: "The residents of Kane County are the benefactors of having all police trained in CIT. It took over two years of collaboration between the Kane County State's Attorney's Office and the Kane County Sheriff's Office to bring about having CIT training taught in-house. That means the training will be available to more officers with the possibility of having all 1,200 police officers in Kane County trained over the next five years."

Special Report

Crisis Intervention Team



CLOCKWISE FROM TOP: The first group of Kane County police officers to receive Crisis Intervention Team training from the Kane County State's Attorney's Office; (from left), Carpentersville Officer Chris Dee, Elgin Officer Jim Roscher, local actor Lisa Dawn Curran and Carpentersville Officer Nate Hartley engage in a role-playing scenario in which Curran plays a suicidal woman; Kane County Sheriff's Deputy Gabe Velazquez and local actor Jamie Black engage in a role-playing scenario in which Black plays an unemployed, suicidal man.

Special Report

Opioid Lawsuit

Kane County, along with DuPage, Lake, McHenry and Will counties on Dec. 21 sued some of the nation's largest pharmaceutical companies and physicians over the aggressive and fraudulent marketing of prescription opioid painkillers.

This corporate-caused drug epidemic is being fought by countless Illinois families and has led to thousands of overdoses and hundreds of deaths in 2017 alone.

In the individual county complaints filed in Illinois state court, the counties seek relief including compensatory and punitive damages for the millions of dollars they spend each year to combat drug-related crimes and the public nuisance created by the drug companies' deceptive marketing campaign. In addition to monetary damages, the counties seek to enjoin the defendants and prohibit them from their continued unfair and deceptive acts and practices.

The defendants include Purdue Pharma, Abbott Laboratories, Teva Pharmaceuticals, Johnson & Johnson, and Ortho-McNeil-Janssen Pharmaceuticals, along with several doctors who wrote medical papers to help the companies market the drugs.

"Over the last six years in Kane County 257 people died from opiate use. That's more than all of the gang and domestic violence murders and reckless homicides over the same period," Kane County State's Attorney Joe McMahon said.

"Opioid addiction affects every resident of Kane County. Opioid addiction translates into higher healthcare costs, higher crime rates, more complex social issues, and lower workplace productivity. It destroys lives and it tears apart families. It has created a debt that is being paid by our neighbors, our families and our friends,



Kane County State's Attorney Joe McMahon announces at a Dec. 21 news conference in Wheaton that Kane County is suing some of the national largest pharmaceutical companies for practices that led to the current deadly heroin epidemic.

every single day. The increased costs are being borne by small businesses, school districts, law enforcement, public health officials and taxpayers, and it's time that everyone in the supply chain from manufacturers to distributors to the sales people who have pushed this poison into our community are held accountable."

According to Illinois Department of Public Health data, opioids contributed to nearly 1,200 overdose deaths in Illinois in 2016. The IDPH reports that more Illinoisans died from an opioid-related drug overdose (due to heroin and prescription opioid pain relievers) in 2014 than from homicide or motor vehicle crashes. Illinois is one of 14 states that has seen an 8.3 percent increase in overdose deaths.

Kane County has seen a rise in the number of deaths and overdoses related to opioids.

Special Report

Opioid Lawsuit



Public safety and public health leaders from Kane County and others suburban Chicago counties gathered Dec. 21 in Wheaton to announce the lawsuits against pharmaceutical companies for their deceptive marketing of opioid painkillers. CLOCKWISE FROM TOP: Kane County Sheriff don Kramer, Coroner Rob Russell, State's Attorney Joe McMahon, Board Chairman Chris Lauzen and Health Department Director Barbara Jeffers; Lake Co. board Chairman Aaron Lawler, McHenry Co. State's Attorney Pat Kenneally, Will Co. State's Attorney Jim Glasgow, DuPage Co. State's Attorney Bob Berlin, DuPage Co. Board Chairman Dan Cronin, Lauzen, McMahon, Lake Co. State's Attorney Mike Nerheim; Chicago Tribune reporter Ted Gregory asks questions about the lawsuit while television cameras record the event.

2017 in photos



Training

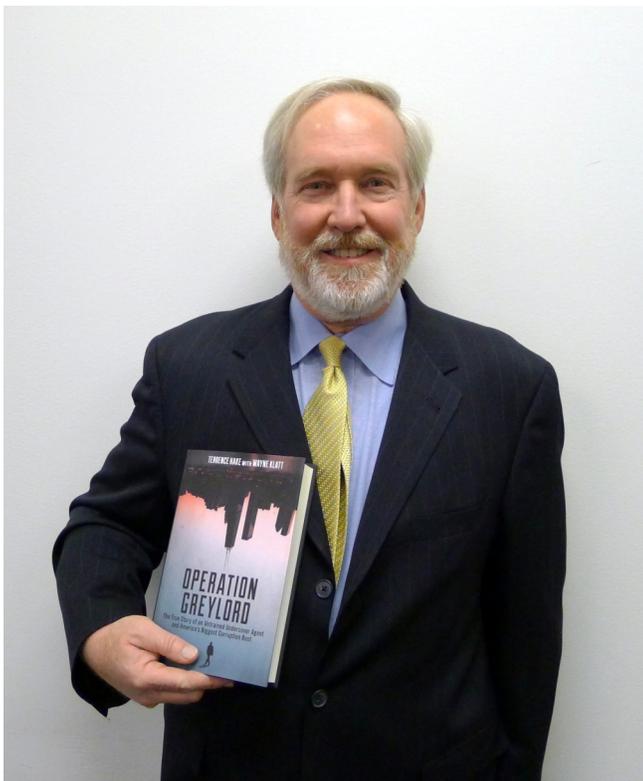


Annual all-day police training

The office on March 2 conducted its annual all-day police training for Kane County officers. About 95 officers attended. TOP: Steve Anderson, Chief of Police for Oak Creek, Wis., talks about how his department responded to the Aug. 5, 2012, shooting at the Oak Creek Sikh Temple that left six people dead and four injured. RIGHT: Since the hate-inspired mass shooting Chief Anderson and Capt. Mike Bolender have conducted trainings around the country to help police prepare for how to respond to a mass shooting.



Training



Professional development

The Kane County State's Attorney's Office provides monthly training to assistant state's attorneys on a variety of subjects. CLOCKWISE FROM TOP: Dr. Alexandra Tsang talks about mental health issues in court; Cook County ASA Eric Leafblad talks about defense rebuttal; and author and former Cook County ASA Terry Hake spoke about his experiences with Operation Greylord, the 1980s investigation into corruption in the Cook County judiciary.

Outreach & Engagement



Child Advocacy Center Day of Hope

The Kane County Child Advocacy Center, with assistance from its nonprofit support group Friends of Child Advocacy, on April 20 hosted its third annual Day of Hope in recognition of Child Abuse Awareness and Prevention Month, and in honor of victims of child sexual abuse.



Photos courtesy of the Kane County Chronicle

Outreach & Engagement



Education

Kane County Assistant State's Attorney Jake Matekaitis speaks to local Boy Scouts about some of the criminal law issues that confront teenagers, such as alcohol use. One of the scouts wore goggles that simulate alcohol impairment.

Outreach & Engagement



National Night Out

State's Attorney Joe McMahon in August joined the Elgin Police Department for its National Night Out event. CLOCKWISE FROM TOP: Joe talks with a family at Good Shepherd Lutheran Church and Preschool; Joe and Elgin police meet with residents at Edgewater by Del Webb; Joe is flanked by Lt. Chris Jensen (left) and Sgt. Jim Lullo.

Outreach & Engagement



Law Enforcement Youth Academy

Forty-seven students participated in this year's Law Enforcement Youth Academy. Participants, who are students from Kane County high schools, work with the Aurora Police Department, the Kane County Sheriff's Office and the Kane County State's Attorney's Office to learn about the physical and mental requirements of a career in law enforcement. The academy is coordinated by the Kane County SAO's Pam Bradley, pictured at right with Aurora Police Cmdr. Keith Cross. Thanks to the Aurora Police Department and the Kane County Sheriff's Office for their valuable contributions and assistance. This year produced the academy's 15th class.



Outreach & engagement



ABOVE: Assistant State's Attorney Bill Engerman, chief of the Felony Trials Bureau, speaks June 14 at a training sponsored by the Kane County Bar Association. LEFT: Participants in the St. Charles Police Department's Youth Academy stopped by the State's Attorney's Office on June 17 for a tour and to learn about the prosecution's role in law enforcement.

Practice & Policy



TOP: Joe McMahon hosted state's attorneys from around northern Illinois on Sept. 28 as part of the state's Best Practices for Prosecution Committee; RIGHT: Joe McMahon and other regional law-enforcement officials participated in a heroin summit hosted by U.S. Rep. Randy Hultgren on Aug. 22 in Campton Hills; ABOVE: Kane County Sheriff Don Kramer (from left) Illinois State Rep. Anna Moeller, Joe McMahon and Tim Carpenter, the Illinois state director for Fight Crime Invest in Kids met Aug. 18, asking for legislative support of programs and funding to keep young, at-risk children out of the court system.

Life in the SAO



TOP: Katy Karayannis (left) and Hillary Sadler (right) joined the office in late 2017 as Kane County Assistant State's Attorneys. Katy and Hillary were among four assistant state's attorneys hired by the office in 2017. The others were Michelle Katz and Lindsey Lachanski.

RIGHT: Inspired by Notre Dame University's history of football success, Assistant State's Attorneys Megan Baxter (from left), Erin Brady and Kathy Watson, presented the office with a sign that reads, "Prosecute Like A Champion Today." The three are Notre Dame alumni.



Life in the SAO



ABOVE: Jan Halsey talks with local reporters on her last day of employment with the office. Jan worked for Kane County for 47 years before she retired from our office in early September; LEFT: Longtime SAO administrative assistant Carol Winter also retired in 2017 after 19 years with the office.

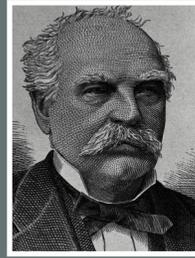
Life in the SAO



State's Attorney's Office employees, along with others who work in the Kane County Judicial Center gathered outside Aug. 21 to watch the first total solar eclipse visible from coast to coast across the United States. Unfortunately, the view of the eclipse was hampered by overcast skies.

Kane County State's Attorneys

1837 – 1839	Alonzo Huntington
1839 – 1840	Norman H. Purple
1840 – 1841	Onslow Peters
1841 – 1842	Seth B. Farwell
1842 – 1844	Orsamus D. Day
1844 – 1847	Benjamin F. Fridley
1847 – 1851	Burton C. Cook
1851 – 1852	Phineas W. Pratt
1852 – 1853	Amos B. Coon
1853 – 1856	M.F. Boyce
1856 – 1857	Amos B. Coon
1857 – 1861	Col. Edward S. Joslyn
1861	Eugene Canfield
1861	Amos B. Coon
1861 – 1865	Charles J. Metzner
1865 – 1869	Leander R. Wagner
1869 – 1872	Charles J. Metzner
1872 – 1876	Albert J. Hopkins
1876 – 1880	Henry B. Willis
1880 – 1884	Terrence E. Ryan
1884 – 1888	John A. Russell
1888 – 1892	Frank G. Hanchett
1892 – 1900	Frank M. Joslyn
1900	Fred W. Schultz
1900 – 1904	William J. Tyers
1904 – 1908	Frank R. Reid
1908 – 1916	William J. Tyers
1916 – 1928	Charles L. Abbott
1928 – 1936	George D. Carbary
1936 – 1940	Charles A. O’Conner
1940 – 1950	Charles G. Seidel
1950 – 1951	Richard C. Hamper
1951 – 1964	John C. Friedland
1964	Charles L. Hughes
1964 – 1972	William R. Ketcham
1972 – 1976	Gerry L. Dondanville
1976 – 1980	Eugene Armentrout
1980 – 1988	Robert J. Morrow
1988	Robert F. Casey
1988 – 1992	Gary V. Johnson
1992 – 2000	David R. Akemann
2000 – 2004	Mary E. (Meg) Gorecki
2004	M. Katherine Moran (special state’s attorney)
2004 – 2010	John A. Barsanti
2010 –	Joseph H. McMahon



Alonzo Huntington



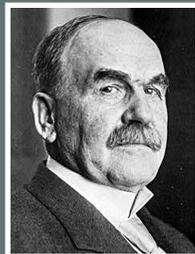
Norman H. Purple



Burton C. Cook



Col. Edward Joslyn



Albert J. Hopkins



Frank M. Joslyn

For biographical information about past state’s attorneys, visit [our office’s Website](#).

