

2016

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 honor in 2016 to be re-elected as your state's attorney to serve a third term. I remain committed to the best interests of justice and public safety.

Serving as the chief legal and law-enforcement officer in Illinois' fifth-most populous county and one of the 125 most populous counties in the nation has its unique challenges. However, I am committed to ensuring that those challenges do not interfere with

the honesty and integrity that you demand of us and we expect of ourselves. The citizens of Kane County expect and deserve a fair and effective criminal justice system, independent of outside influence, and they expect our office to act with integrity, efficiency and the best interests of public safety at the forefront. Our office worked hard in 2016 to meet those expectations, and we proved again that there need not be a choice between public safety and a fair judicial system. We can have both, and we work hard to deliver 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 they have issues with addictions or mental health. The Kane County court system has numerous effective means to address those issues to help restore people to be productive members of the community, and we work with these defendants and their advocates to get defendants back on the right track. This approach, we believe, along with a commitment to harshly confront violent and career criminals, and those who seek to harm everyday citizens, goes a long way toward building and maintaining the public's trust.

One way to earn and 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 2017.

Thank you for the privilege of serving you as your state's attorney. 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 2016. 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](#).



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Annual Report for 2016

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

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On the cover: The iconic arched entrance of the old Kane County Courthouse on Third Street in Geneva. The building opened in 1857.

“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



2016

2016 in Review

This report is a review of the duties, achievements and performance of the Kane County State's Attorney's Office in 2016.

The office in 2016 had many notable achievements that went a long way toward our goals of public safety and justice.



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

Much of our focus in 2016 was on children.

The Child Advocacy Center successfully prosecuted several high-profile child sexual abuse cases involving offenders who were in positions of trust and authority. The cases resulted in convictions and sentences of imprisonment. (Pages 13-14)

The Special Prosecution Bureau successfully prosecuted many cases involving the sexual exploitation of children that resulted in sentences of imprisonment. (Page 9)

We also focused on young offenders as the Juvenile Delinquency Unit continued to address changes in the law that guide the juvenile court system with an eye on more effective restorative justice for juvenile offenders. (Pages 23-24)

Overall, the Criminal Division prosecuted a wide variety of complex crimes. The office conducted approximately 460* total trials.

Criminal Division attorneys screened more than 2,600 felony investigations from 34 police agencies (Page 26). In all, we authorized 2,258* new felony files, and prosecuted 5,132* new misdemeanor cases.

Although the number of new felony filings represents a seven percent increase from 2015, it was consistent with the number of felony filings from 2014, and marked the first time in nine years

that the number of felony filings increased compared to the previous year.

Despite the increase in felony filings, the 5,132* new misdemeanor files is a seven percent decrease from 2015. Among those misdemeanors were approximately 1,210 new domestic violence cases, which is consistent with the previous three years, a reminder that domestic violence crosses all social and economic barriers and requires our constant attention.

The number of homicides in Kane County remained steady in 2016 at 11, after 10 homicides in 2015 and 11 homicides in 2014. First-degree murder charges were filed in seven of the cases, and four homicides, most believed to be gang motivated, remain under investigation.

Our office resolved two murder cases in 2016. Three defendants in two cases were convicted of first-degree murder and were sentenced to imprisonment in the Illinois Department of Corrections. (Pages 7-8)

We reviewed and took appropriate action on 2,866 alleged probation violations, 968 of which were new alleged criminal offenses by offenders who had been sentenced to probation.

We improved our outreach to the Kane County community as the combined followers on our social media pages grew by about 1,000 to more than 3,500 followers.

Lastly, our office in FY2016 continued to work in a cost efficient manner. We accomplished our work and finished the year more than four percent under budget.

NOTE: Near the end of 2016, the 16th Judicial Circuit implemented a new case management system that is expected to improve our efficiency and effectiveness in prosecutions and crime prevention. However, timing of this system's implementation means we are not able to provide more exact statistics relative to criminal cases from 2016. As it relates to this report, numbers that are accompanied with an asterisk are educated approximations. We expect to be able to provide more exact statistics in this report in future years.*

Felony Trials Bureau

Violent Crime & Street Gangs

Our office considers the following offenses to be violent crimes: 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 expands upon the statutory definition of violent crime.

The office proactively prosecutes the offenders of these crimes by assigning its most experienced prosecutors and devoting the necessary resources to these cases to assure a just outcome. Also of importance is the protection and fair treatment of the community's most vulnerable victims.

Our office in 2016 filed first-degree murder charges against seven persons in seven homicides. In total, Kane County police agencies reported 11 homicides in 2016. Four of those homicides remain under investigation.

Assistant state's attorneys meet constantly with police agencies on open investigations to ensure that the persons responsible for committing them are held accountable for their crimes.

Kane County's 11 homicides in 2016 is consistent with recent years; 10 homicides were reported in 2015 and 11 were reported in 2014.

Our office resolved two murders in 2016. Richard Schmelzer, and brothers Jaquan Green-Hosey and Dimitri Green-Hosey all



were convicted of first-degree murder. Charges in 19 murder cases are pending.

Violent crimes are not solved without partnerships with law-enforcement agencies at all levels.

Our office in 2016 collaborated with the Bureau of Alcohol, Tobacco, Firearms and Explosives, the Department of Homeland Security, and the FBI in conjunction with three separate investigations involving firearms sales, possession and distribution, and illegal drugs.

As a result of our work with ATF, 10 offenders, all convicted felons, were charged for unlawfully purchasing guns. Our office is prosecuting six of the 10 offenders. The remaining four cases are being prosecuted by the Office of the U.S. Attorney for the Northern District of Illinois.

In a separate investigation, 13 offenders were charged with drug or gun crimes as a

Violent Crime & Street Gangs

result of our work with the FBI. These charges included drug deliveries, and unlawful gun possession and sales.

Also, our office's work with the Department of Homeland Security, Elgin Police, and ATF resulted in the seizure of 31 weapons from a storage locker in Elgin. Among the weapons seized were five fully automatic long guns, a grenade launcher and hand grenades, and .50 caliber rifles

and semi-automatic rifles.

These investigations demonstrate the trust that federal agencies have in our office. The investigations were complex and involved experienced prosecutors who took on additional responsibilities to ensure that law-enforcement efforts were directed toward the ultimate goal of removing illegal guns and drugs from Kane County communities.

NOTABLE DISPOSITIONS IN 2016

- Dimitri Green-Hosey was sentenced to 105 years' imprisonment after he was convicted for the 2014 first-degree murder of Arin Williams of Aurora. His brother, Jaquan Green-Hosey, was sentenced to 25 years in prison after he pleaded guilty for his role in the murder. The men robbed Williams at gunpoint after they told him they wanted to buy marijuana from him, and then shot him in the head.
- Armando Delgado was sentenced to 28 years' imprisonment for attempted murder after he fired multiple gunshots into a car he believed contained rival gang members.
- Luis Lomeli was sentenced to 22 years' imprisonment for a multi-county crime spree. Lomeli and three others planned a robbery to finance a night of alcohol and drug use. They stabbed a man nearly to death and stole his money in Aurora, unsuccessfully tried to rob a man in Montgomery, then bought drugs in Ottawa and killed the man who sold them the drugs. Lomeli was sentenced to 45 years in prison for the LaSalle County murder.
- Tranon Meeks was sentenced to 21 years' imprisonment for armed robbery. Meeks had arranged to buy marijuana from a man. When the man arrived at Meeks' home, Meeks robbed him at gunpoint of cash, a cell phone, miscellaneous items and the marijuana.
- Michael Morales was sentenced to 15 years' imprisonment for being in possession of a handgun he was prohibited by law from possessing. At the time he was arrested in the case Morales was a known gang member. Co-defendant London Gray was sentenced to nine years' imprisonment for his role in the case.
- Brett Ledbetter was sentenced to 10 years' imprisonment for firing multiple gunshots at an Elgin home. Ledbetter knew the home was occupied at the time. No one was injured.
- Erik Esparza was sentenced to nine years' imprisonment for unlawfully possessing a handgun and pointing it at an Aurora police officer. Co-defendant Rene Muro was sentenced to 6 years, 7 months' imprisonment for his role in the incident.
- Jerome Murry was sentenced to five years' imprisonment for his role in a gang fight that took place inside a convenience store with customers present.
- Rich Schmelzer was convicted of first-degree murder after he drove from Texas to East Dundee to kill his 85-year-old grandmother. He awaits sentencing, and faces between 20 and 60 years' imprisonment.

Special Victims Special Prosecution

Recognizing that certain types of crimes require special handling, the Special Prosecution Bureau prosecutes all adult sexual crimes, complex financial crimes, and the vast majority of domestic violence-related crimes.

We place emphasis on these types of crimes for several reasons. Prosecuting these crimes necessitates the assigned assistant state's attorneys to have specialized abilities in the respective areas. Predatory 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 illegal actions from law enforcement.

The ASAs who prosecute these crimes must understand the intricate procedures necessary to obtain evidence from sources who often are unwilling to turn over what is needed. Also, victims of these crimes generally require a greater degree of advocacy. The ASAs assigned to the 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 is particularly proud of its recent prosecutions in human trafficking and child sexual exploitation. Our work with Homeland Security Investigations and the Aurora Police Department resulted in charges against 10 persons; Eight have been convicted and two are pending. (See the column to the right for details.)

NOTABLE DISPOSITIONS IN 2016

- Juan Calderon was sentenced to 16 years' imprisonment for sexually assaulting a woman he knew in a gas station parking lot after the two became embroiled in a heated argument.
- Stephawn Johnson was sentenced to 11 years' imprisonment for sexually assaulting a woman he met at a party.
- Adam Gornowich was sentenced to eight years' imprisonment for systematically stealing more than \$350,000 from his employer for more than three years.
- Late in 2015 several defendants were charged for attempting to have sexual encounters with children. Some defendants traveled from outside Kane County to meet the children for sexual favors, and some paid to have sex with children. Instead they were arrested by Aurora police and Homeland Security investigators who have been working to combat child sex exploitation and child sex trafficking. Many of those defendants were convicted in 2016:
 - Eric Ziemba of Oswego was sentenced to seven years' imprisonment for involuntary sexual servitude of a minor and traveling to meet a minor for sex.
 - William Shyu of Lisle was sentenced to seven years' imprisonment for involuntary sexual servitude of a minor and traveling to meet a minor for sex.
 - Marek Gacierz of Chicago was sentenced to six years' imprisonment for involuntary sexual servitude of a minor and traveling to meet a minor for sex.
 - Ruryk Michel was sentenced to 33 months' imprisonment for traveling to meet a minor for sex.
 - Nabeel Afsar of Hanover Park was sentenced to 33 months' imprisonment for traveling to meet a minor for sex.

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 protect the public from the dangers of illicit drugs and the associated dangers of the illegal drug trade, and to send a clear message to drug dealers that their activities, which pose a serious threat within the community, are not welcome and that there are consequences for illicit drug dealing.

Drugs often play a role in criminal activity. By reducing trafficking and the supply of illegal drugs, we reduce drug-related crime and create a safer community.

The unit works in cooperation with federal agencies such as the Federal Bureau of Investigations, 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.

Three assistant state's attorneys and one administrative assistant work in the unit, which 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.

In response to the alarming popularity of heroin, which many public safety and public health officials have deemed an epidemic, the office continues to take a



Eight kilograms of cocaine packed in six bricks worth about \$800,000 were seized from a drug dealer and are being held as evidence.

hard line on cases that involve heroin to ensure that those who possess it understand its inherent dangers or receive treatment to become free of addiction.

In 2016 we charged approximately 303 felony cases 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 42 percent involved cocaine, 18 percent involved prescription medications such as opioid painkillers like Vicodin and OxyContin, and prescription psychotropic medications like Xanax and Valium, 17.5 percent involved heroin, and 12 percent involved marijuana. The

Crime

Narcotics & Money Laundering

remaining cases involved hallucinogenics, methamphetamine, synthetics and amphetamine.

Of the drug cases that were closed, about 32 percent of defendants were sentenced to the Illinois Department of Corrections.

Nationally, heroin use continues to be in the spotlight. Heroin is prevalent in Kane County, but its reach can only be

estimated. Law enforcement can only track known activity, which generally is connected to arrests and prosecutions. However, available evidence indicates that Kane County's heroin problem is not abating.

Synthetic drugs such as methamphetamine, MDMA (ecstasy) and fentanyl have not been significantly present.

NOTABLE DISPOSITIONS IN 2016

- Jesus Montes was sentenced to 20 years' imprisonment after he was found guilty for being in possession of 16 kilos of cocaine that he planned to sell, along with other materials consistent with drug dealing, such as ledgers, packing materials, cutting agents and more than \$200,000 cash. The cocaine had an approximate value of \$1.6 million.
- Modesto Alarcon was convicted for possessing in his Aurora home nine kilograms 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. He awaits sentencing, and faces between 15 and 60 years' imprisonment.
- Gerardo Contreras-Gonzalez was sentenced to 15 years' imprisonment for possessing 800 grams of crystal methamphetamine, 600 grams of cocaine and 9,100 grams of marijuana, all worth perhaps as much as \$1.3 million, items commonly associated with selling illegal drugs, and illegal guns. Local and federal authorities found the contraband in Contreras-Gonzales' home, which was used as a distribution center.
- Victor Rivera was sentenced to 10 years' imprisonment for shooting an acquaintance after a disagreement and for possessing more than 27 grams of cocaine in an unrelated incident.
- Armeer Asad was sentenced to 7½ years' imprisonment for possessing 99 grams of heroin and 900 grams of marijuana he was transporting to northern Minnesota to sell.
- Michael Turner was sentenced to six years' imprisonment for selling cocaine in close proximity to a municipal park.
- John Monteleone was sentenced to six years' imprisonment for possessing large amounts of illegal synthetic marijuana at his home and for possessing and selling the synthetic marijuana at his Algonquin business.
- Katharyn Stanish was sentenced to five years' imprisonment for providing cocaine and heroin to a man who ingested them with her, and then overdosed and died.

Crime Forfeitures

By law, state's attorneys are allowed 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 numerous police agencies on such forfeiture proceedings under **Article 36** of the state's criminal code – 720 ILCS 5/36-1.

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 driving under the influence of alcohol, felony driving under the influence, aggravated fleeing and eluding, reckless homicide, stalking, and burglary.

The primary purpose of the statute is to enhance public safety by repressing crimes facilitated by vehicles. Seizing the vehicles removes a crime tool from criminals.

Article 36 Forfeitures in 2016

- 47 vehicles were seized; 15 of these forfeiture cases are pending.
- 22 vehicles were forfeited to the seizing police agency, either to be used by that agency or sold.
- 9 vehicles were returned to a lienholder.
- 8 vehicles were returned 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 2016

- Kane County's 34 police agencies seized more than \$511,000 in assets pursuant to the statute.
- Nearly \$680,000 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 Child Advocacy Center

Child sexual assault and abuse cases are among the most difficult and complex that we prosecute.

This is true for many reasons, including 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 near 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, six investigators, three DCFS investigators, three case managers/advocates and an administrative assistant.

In 2016, the CAC conducted 330 investigations, a seven percent increase from the 308 cases investigated in 2015.

The CAC charged 66 cases, down slightly from 70 cases charged in 2015.



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 resolved 38 cases by conviction or plea, and closed 292 investigations.

The CAC conducted 505 child forensic interviews, facilitated 34 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, 528 children were referred to the CAC, an increase of about six percent from the 498 children referred in 2015.

The CAC in recent years has seen an increase in the number of reported allegations of child sexual abuse. However, we do not believe that 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.

Special Victims Child Advocacy Center

The office, working 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.

In addition, a relatively new law requires public and private schools to educate all students and educators about improper contact between children and adults and what to do when it is suspected.

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 2016 opened 139 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 2016

- David Wright was sentenced to 23 years' imprisonment for sexually assaulting a young child he knew over 10 years. Wright's victim was testifying at his trial when Wright told his lawyer that he wished to plead guilty.
- Armando Romero-Gutierrez was sentenced to 20 years' imprisonment for sexually assaulting a child he knew. The victim was younger than 12.
- Ray Tonsul was sentenced to 19 years' imprisonment for sexually assaulting a child he knew and for photographing the child partially nude.
- Paul Martin was sentenced to 18 years' imprisonment for sexually assaulting a child younger than 12 whom he knew.
- Donald Fifelski was sentenced to 17 years' imprisonment for sexually assaulting two children he knew who were younger than 12 years old.
- Jose Corona was sentenced to 12 years' imprisonment for having sexual contact with two students he knew through his job as a truancy liaison officer at East Aurora High School.
- Martin Munoz-Perez was sentenced to 12 years' imprisonment for sexually assaulting a child he knew. The victim was younger than 12 years old.
- Olibar Modesto was sentenced to 10 years' imprisonment for sexually assaulting a child he knew who was younger than 12 years old.
- Jay Davies was sentenced to eight years' imprisonment for sexually assaulting a child he knew.
- Glen Baum was sentenced to seven years' imprisonment for maintaining a sexual relationship with a teenager he knew in his role as a vocational instructor at Kaneland High School.
- Florencio Rivera was sentenced to 6½ years' imprisonment for sexually abusing a child he knew who was younger than 13 years old.
- Christopher Lee was sentenced to four years' imprisonment for having sexual contact with a student he knew through his job at St. Charles North High School.

High-volume Courtrooms

Traffic, Misdemeanor & DUI

The traffic and misdemeanor courtrooms see the greatest volume of our cases, and they are where the public is most exposed to the criminal justice system.

We staffed six courtrooms in 2016 to prosecute traffic, misdemeanor and DUI cases: Courtrooms 203, 209 and 217 at the Judicial Center, along with Aurora Branch Court, Elgin Branch Court and Kane Branch Court. Eleven assistant state's attorneys and eight support personnel are assigned to those six courtrooms.

Offenders in these courtrooms face a variety of sentencing options that don't involve jail, such as remote alcohol monitoring, victim impact panels, alcohol counseling, mandatory urine testing, deferred prosecution and community service.

The primary duty for ASAs assigned to these courtrooms is to ensure public safety by holding defendants accountable for misdemeanor offenses, to advocate for victims of misdemeanor offenses and to advocate for safety on the roads through the enforcement of Illinois' traffic laws.

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

2016 by the numbers

- Charged 5,132* new misdemeanor files.
- Of the new misdemeanor files, 910* were new misdemeanor DUI files.
- The most common misdemeanor offenses not involving drugs, DUI or domestic battery are trespassing, battery, resisting a peace officer, retail theft, disorderly conduct and criminal damage to property.

- Charged approximately 1,210* new misdemeanor domestic violence cases, which are addressed on Page 17.
- Prosecuted the majority of more than 65,000* new traffic citations issued in Kane County. Some traffic citations are prosecuted by the municipality in which the offense occurred.
- Conducted one No-Refusal anti-DUI initiative, on March 17. Seventeen police agencies participated and five drivers were charged.

NOTABLE DISPOSITIONS IN 2016

- Cheri Bookman of Elgin was sentenced to 13 years' imprisonment for her fifth and sixth DUI offenses. She was free on bond for the fifth offense when she committed the sixth offense. Her blood-alcohol concentration for the sixth offense was .247.
- Roy Lightfoot was sentenced to eight years' imprisonment for a DUI crash in which three children in the other car were injured and the driver suffered a spinal fracture. Lightfoot's blood-alcohol concentration was .294.
- Quinn Gabnay was sentenced to seven years' imprisonment for a DUI crash that forced the victim's left leg to be amputated. Gabnay's blood-alcohol concentration was .192.
- Christian Floyd of Carmel, Ind., was sentenced to 90 days in jail for participating in a practice called "swatting." Mr. Floyd was playing an online computer game when he placed a stealth 911 call to falsely report that a serious crime was being committed at his opponent's home in South Elgin.

High-volume Courtrooms

Domestic Violence

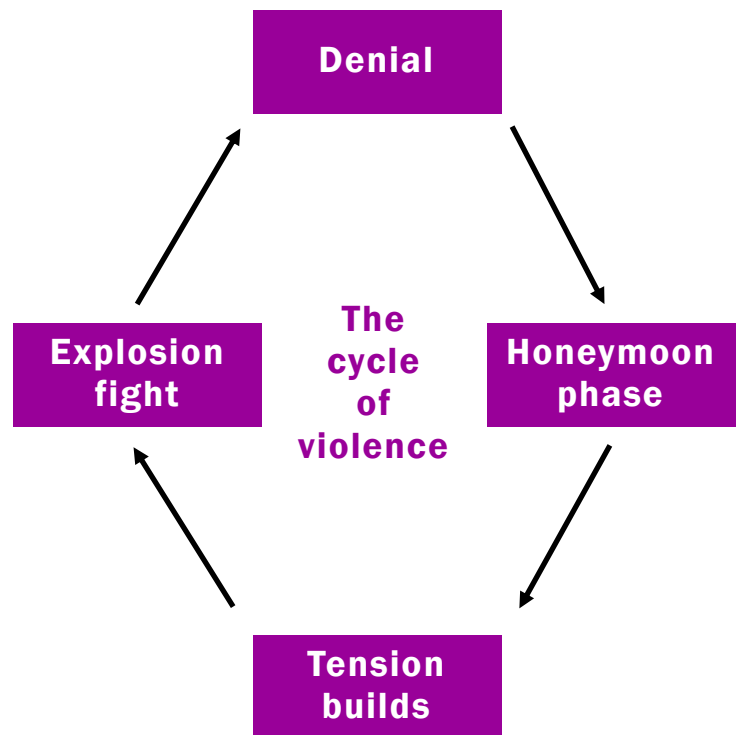
Domestic violence prosecutions, whether of misdemeanor charges or complex felony cases, continue to be among the most challenging that assistant state's attorneys handle on a daily basis.

Each case presents a challenge to overcome to see that justice is served. 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.

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.

In addition, two victim advocates work exclusively 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 who understands what the victim is going through that so many domestic violence victims do not otherwise have.

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 2016, 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 - and the judiciary to see that domestic violence victims receive the justice they deserve.



A typical cycle of violence in domestic abuse.

NOTABLE IN 2016

- Charged 1,210* new misdemeanor domestic violence cases, which is consistent with number of new DV cases in recent years.
- Gene Reynolds, who has a long history of domestic violence, was sentenced to 15 years imprisonment for a prolonged beating of his girlfriend that left her badly injured.
- Justin Patzer was sentenced to 10 years in prison for violently attacking a family member at Delnor Hospital while they were visiting a sick relative.
- Robert Scholl was sentenced to three years in prison for battering the victim with a child present.
- Marshall Straughter was sentenced to three years in prison for repeatedly abusing his girlfriend.

Court Alternatives

Deferred Prosecution

Our Deferred Prosecution program observed its 21st year in 2016.

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>13-14</u>	<u>14-15</u>	<u>15-16</u>
Applicants	889	767	677
Graduates	593	451	432
Neg. Term	159	175	116

Felony/Misdemeanor

Individuals Diverted Per Year: 150-250

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

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.

cation 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 2016

- 178 applied for the program with 190 graduates and 38 negative terminations. Cumulatively 4,855 defendants have completed this program with an overall success rate of 78 percent.
- Participants paid \$55,148 in restitution. Cumulatively more than \$2.6 million in restitution has been collected for victims. Restitution is required and must be paid before discharge.
- Collected \$105,642 in application and program fees.
- Participants performed 7,990 hours of community service work at charitable organizations. Since 1995, participants have completed 438,758 hours of community service.
- Also: 25 participants obtained high school diploma or GED, 10 enrolled in

Deferred Prosecution

ESL classes, 37 completed an individual counseling program, 137 completed a substance abuse evaluation and subsequent treatment recommendations, 37 completed the Parenting Support Program, 17 completed the Anger Management Program, 135 completed the Theft Awareness Program and 112 completed the Decision Pathways Program.

Misdemeanor Drug/Alcohol

Individuals Diverted Per Year: 150-200

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 2016

- 170 participants, 91 graduates, 44 negative terminations. Cumulatively the program has had 1,715 graduates with a success rate of 75 percent.
- Collected \$74,474 in program fees.

Domestic Violence

Individuals Diverted Per Year: 225-300

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 2016

- 268 participants, 97 graduates, 29 negative terminations. Cumulatively the program has had 519 graduates, with a success rate of 77 percent.
- Collected \$54,523 in program fees.

Prostitution/Solicitation

Individuals Diverted Per Year: 10-25

For first-time nonviolent, misdemeanor

“Deferred Prosecution continues to effectively help people change their behavior to be more productive in 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 2016

- One participant, 6 graduates and 0 negative terminations with a success rate of 100 percent.
- Collected \$1,432 in program fees.

Felony Drug

Individuals Diverted Per Year: 50-100

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 2016

- 60 participants, 48 graduates and 5 negative terminations. Cumulatively, the program has had 154 graduates and 54 negative terminations, giving the program a cumulative success rate of 74 percent.
- Collected \$31,328 in program fees.
- 11 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 41 FOIA requests in 2016. FOIA requests can require the expenditure of significant resources in terms of time and paper. Some requests that were filled in 2016 required multiple days and hours to process.

In addition in 2016, the division responded to a number 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 within the Civil Division is a Seniors and Persons with Disabilities Unit, with two case advocates. The unit coordinates with other agencies, nursing homes, and the general public regarding situations that might involve illegally exploiting the elderly and disabled. Matters that might be criminal in nature are referred to the Criminal Division for further action.

The unit in 2016 noted an increase in aggravated battery charges. Most of the offenders were family member.

In addition, advocates are involved with advocacy groups that work on behalf of the needs of the elderly and disabled.

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's office may petition the court 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 office's obligation is to provide clear and convincing evidence in support of a mental health petition for it to be granted.

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

In 2016, 180 mental health petitions were filed in Kane County. Specifically, 119 of those were for involuntary admission and 61 were for involuntary administration of psychotropic medication.

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 objectives of the program 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



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

is a member of the TAC treatment team. 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.

In 2016, 22 defendants applied to TAC and seven were accepted.

Seven defendants successfully completed TAC with four discharges.

There were a total of 26 participants during 2016.

Many TAC participants carry over from one year into another.

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.

2016 by the numbers

- Collected \$27.3 million from all open Title IV-D cases.
- That amount was an increase of \$1.5 million from the \$25.8 million collected in 2015.
- The division has seen a consistent increase in the amount of money collected from noncustodial parents since 2006, when it collected \$12.6 million.
- The division received 1,124 new legal action referrals from HFS for judicial enforcement. Among the new referrals:
 - 158 cases for the determination of paternity
 - 350 cases for the establishment of new support obligations
 - 108 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 6,940 cases in court, which was an average of 134 cases per week set for hearing.
- Collected \$102,262 in cases that resulted in a plea or finding of guilty on pending petitions for rule to show cause 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 two administrative assistants.

The unit in 2016 filed 393 new petitions to adjudicate delinquency and five truancy petitions. Also, 75 new offenses were charged as petitions to revoke and 32 new offenses were aggravation on existing cases.

The total of 505 cases was a 25 percent decrease from 2015. This decrease is largely attributable to a commitment to resolve fewer cases through court involvement, instead allowing schools, police agencies and juvenile court services to offer diversion options. In addition, the unit resolved 470 petitions to adjudicate and 675 cases involving petitions to revoke probation or supervision.

Of the cases that were closed, 20 minors (31 files) resulted in a juvenile being 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. Seven 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, 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 24.)

Children Juvenile Justice Council

The Juvenile Justice Council is the local governing body working to reform juvenile justice related issues in Kane County.

Justice system representatives comprise the 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. Additionally, the council represents the local juvenile justice system on a variety of other community initiatives and alliances.

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.

Since its restoration in 2014, the council has established a foundation to facilitate collaboration across systems by hiring a consultant to assist with creating a strategic plan. It also participates in a multi-system training and technical assistance program.

The council continues this work through an information-sharing subcommittee.

After reviewing a report that indicated less than one-third of one percent of juvenile cases that can be expunged are actually expunged, an additional subcommittee was established to work on improving the expungement process in Kane County and increasing awareness about the importance of expunging cases.

Through partnerships, the council has been



Julia Ankenbruck is the coordinator of the Kane County Juvenile Justice Council.

able to host a variety of training opportunities that were available to a wide array of participants in 2016:

- Effective Police Interactions with Youth
- Social Justice and Diversity
- Restorative Practices

Additional training opportunities are being developed.

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

Any interest in addressing other concerns should be directed to Julia Ankenbruck, the council coordinator, along with supporting evidence.

Victim Services

Victims' Rights Unit

Victim advocates work with crime victims and their families to navigate the criminal justice system and the Illinois Crime Victims Bill of Rights, and provide information, support, and education to victims and their families of violent crime in Kane County.

The unit comprises five full-time advocates. Three advocates are bilingual. One advocate is certified by the National Organization for Victim Assistance.

Advocates have a variety of duties. They offer guidance to victims during the criminal court process and trials, and help victims prepare for sentencing hearings. They co-facilitate the homicide support group for family members who have lost their loved ones because of a criminal act. They conduct presentations in the community to discuss available services.

The presentations have been given at Mutual Ground of Aurora, Community Crisis Center in Elgin and Waubensee Community College in Sugar Grove and Aurora.

The unit maintains staff expertise with regular training of current practices, and regular communication with the assistant state's attorneys who are prosecuting the cases.

In 2016, the unit assisted more than 900 crime victims in cases that include murder, criminal sexual assault, driving under the influence, stalking, domestic battery, aggravated battery, arson, and aggravated DUI.

In addition staff helped victims with Illinois Attorney General compensation applications, emergency orders of



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. The Victims' Rights Unit of the Kane County State's Attorney's Office exists to ensure victims have an advocate who will help guide them through the proceedings.

protection, and stalking no-contact orders.

Marsy's Law for crime victims and their families took effect in August 2015. The law includes the right to be free from harassment, intimidation and abuse throughout the trial process, the right to notice and to a hearing before a court ruling on access to any of the victim's records, information or communications, the right to be heard at any post-arraignment court proceeding in which a victim's right is at issue and at any court proceeding involving a post-arraignment release decision, plea or sentencing.

The unit continues to work cooperatively with victims and family members to ensure that the criminal justice system works in all facets of their cases.

Working with police

Screening and charging

Felony calls by agency, 2016

<u>Agency</u>	<u>No.</u>
Aurora P.D.	866
Elgin P.D.	646
Kane County Sheriff	197
St. Charles P.D.	173
Carpentersville P.D.	163
Batavia P.D.	85
Kane County Child Advocacy Center	69
South Elgin P.D.	65
Montgomery P.D.	53
Geneva P.D.	51
North Aurora P.D.	37
West Dundee P.D.	30
Illinois State Police District 15	29
East Dundee P.D.	24
Sugar Grove P.D.	24
Hampshire P.D.	23
Elburn P.D.	17
Other agency	14
Algonquin P.D.	12
Huntley P.D.	10
North Central Narcotics Task Force	8
Illinois State Police District 2	7
Campton Hills P.D.	5
Sleepy Hollow P.D.	5
Fox Valley Park District	3
Bartlett P.D.	2
Gilberts P.D.	2
Illinois Secretary of State Police	2
Pingree Grove P.D.	2
Wayne P.D.	2
Illinois Gaming Board	1
Maple Park P.D.	1
Waubensee Community College P.D.	1
Kane Co. Forest Preserve Police	0
Elgin Community College P.D.	0
2016 TOTAL	2,629
Previous	
Yearly	<u>2015</u> <u>2014</u> <u>2013</u>
Totals	2,533 2,623 2,446



Batavia P.D. Watch Cmdr. Eric Blowers (from left), and Officers Justin Howe, Erika Stover and Chris Potthoff were nominated by Batavia Police Chief Gary Schira (center rear) for the annual Kane County Officer of the Year Award.

Our office in 2016 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 the Kane County Sheriff, St. Charles, Carpentersville and Batavia.

Our thanks to everyone at each 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.

In addition, 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

Chicago Crime Commission

The Kane County State's Attorney's Office was honored by the Chicago Crime Commission for its role in a case involving illegal weapons and drugs.

The office, along with multiple law-enforcement agencies in the Chicago area, was honored Nov. 16, 2016, with the commission's Stars of Distinction Award for Law Enforcement Excellence by a Task Force in the Area of Illegal Weapons.

Assistant State's Attorneys Jody Gleason and Bill Engerman received the award, along with members of the Kane County Sheriff's Office's Bomb & Arson Squad, Elgin Police Department, Bureau of Alcohol, Tobacco, Firearms & Explosives' Chicago Field Office, Homeland Security Investigations, the Chicago, Addison, Hoffman Estates, Lombard, New Lenox, Olympia Fields and Streamwood police departments, and the DuPage County and Will County sheriff's offices.

ASA Gleason is the office's First Assistant State's Attorney, and ASA Engerman is chief of the office's Felony Trials Bureau.

In investigating the case, the task force seized two live hand grenades, one grenade launcher, five .50 caliber assault rifles, a .22 handgun with a silencer, 25 other assault style weapons, over 1,000 rounds of ammunition, six ballistic vests, and 1.5 kilograms of cocaine.

Multiple criminal charges in the case were filed in August. The case is pending.

"When we were contacted about this investigation, we acted quickly to ensure that persons involved in these illegal activities were brought to justice and that the public's safety would not be compromised. Our office is honored to be recognized alongside the other local and federal agencies that participated in this investigation," Kane County State's Attorney Joe McMahon said.



The office also was honored by the commission in 2007 for its work with a multi-agency task force that resulted in dozens of indictments in several unsolved homicides.

Most of those cases resulted in convictions

The Chicago Crime Commission is a nonpartisan, nonprofit organization of civic leaders committed to improving the quality of public safety and justice. The commission was founded in 1919 by 35 members of the Chicago business community. It is the oldest citizens' crime commission in the nation.

Special Report

ASA Hatzis recognized

Assistant State's Attorney Lindsay Hatzis was one of 12 young professionals in Kane County named to the Kane County Chronicle's Best Under 40 list, unveiled in late September 2016. Earlier last year, Lindsay was presented with the Kane County Bar Association's Outstanding New Lawyer Award.

Both awards are representative of the quality of Lindsay's work as an assistant state's attorney. Lindsay is assigned to the office's Civil Division.

In nominating Lindsay for the Chronicle honor, former private practice colleague and mentor Ed Petti wrote, in part:

"Over the years Lindsay has been extremely active in the Kane County Bar Association, serving as a director for the Board of Managers, as an editor of the Kane County Bar Association's popular publication, "Bar Briefs." ... This upcoming year she will serve as Editor in Chief of the Bar Briefs. ... She also serves as a mentor for the NIU College of Law Mentoring Program, and volunteers as a presiding judge for the American Mock Trial Association, as an evaluator for the Kane County Mock Trial Tournament, and as an evaluator for the NIU College of Law Mock Trial Competition. Lindsay has made and continues to make significant contributions to her profession and the Kane County community."

The bar association's Outstanding New Lawyer Award is presented to, *"someone who is in their first eight years of practice and who has shown commitment to the Kane County Bar Association through committee involvement and other contributions to the association and/or legal profession. The honoree has also exhibited a commitment to their community and has promoted a positive view of the legal profession through their integrity and professional responsibility. ..."*

Lindsay is a lifelong resident of Kane County and a graduate of St. Charles East High School, the



University of Illinois-Chicago and the Northern Illinois University College of Law.

Lindsay began working for the office in 2008 as an intern. She joined the staff full-time in 2009. She has an array of experience in the office, having worked in the DUI Unit, Domestic Violence Unit, Juvenile Delinquency Unit, Mental Health Court and Felony Division before she was assigned to the Civil Division in 2013.

"Lindsay fits in well with the highly respected lawyers in the Civil Division. She has distinguished herself among the many talented young lawyers in our office, both by her co-workers and by those in the legal community," State's Attorney Joe McMahon said. "These honors are well deserved and are a reflection of the high quality of lawyers who work in this office. Congratulations to Lindsay."

2016 in photos

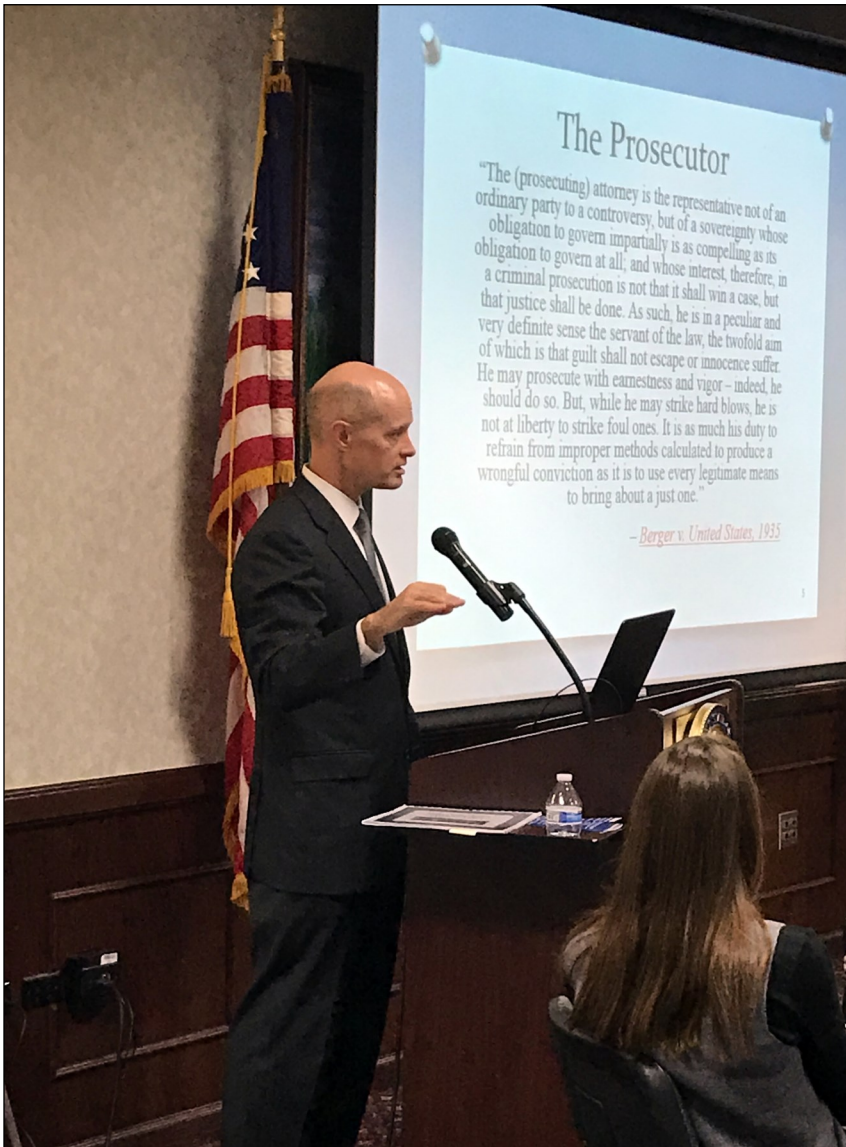


2016 in photos



CLOCKWISE FROM TOP LEFT: Kane County Assistant State's Attorney Bradley Melzer (left) with his brother, Illinois State Police Trooper Gregory Melzer. Gregory, with ISP District 15, was nominated for the Kane County Chiefs of Police Association and Batavia Moose Kane County Officer of the Year Award; ABOVE: Linda Voirin retired in early 2017 after 16 years with the office as an advocate for seniors and people with disabilities; LEFT: Maggie O'Brien (right) is sworn in as a new assistant state's attorney by State's Attorney Joe McMahon. Maggie is one of many Kane County ASAs to intern with the office while in law school and then join the staff as a full-time ASA after passing the Illinois Bar Exam.

2016 in photos



TOP: State's Attorney Joe McMahon in November spoke to high school students about the duties and responsibilities of prosecutors at a leadership conference sponsored by State Sen. Karen McConaughay at Judson University in Elgin. BOTTOM: Kathy Byrne (left) and Dave Berg both retired in 2016 after working for many years as investigators at the Child Advocacy Center. Kathy and Dave were on the original CAC staff in 1994.



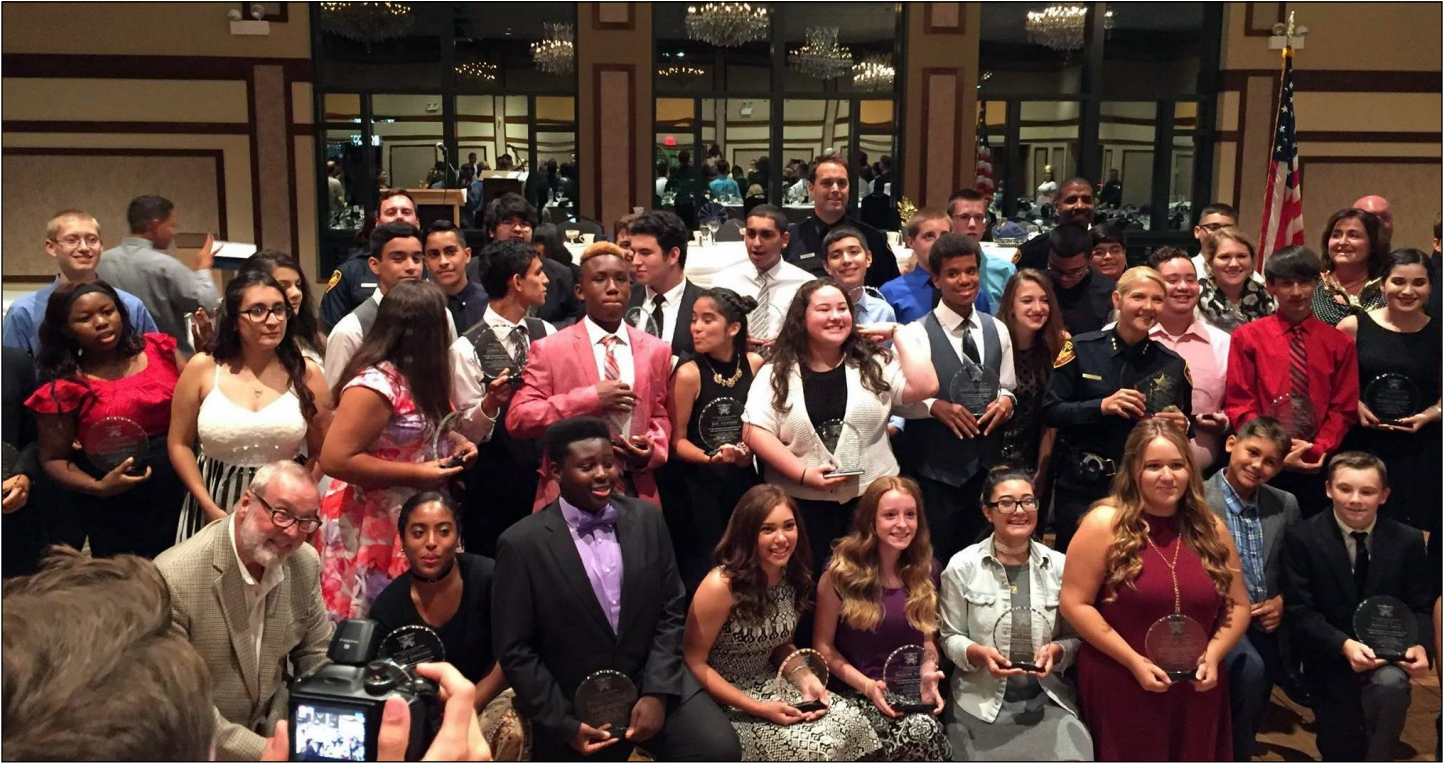
Pushing Back Against Gangs



Civil Action

The Kane County State's Attorney's Office in 2016 again worked with local municipalities to interfere with the sustainability of Kane County street gangs. In March, the office and the city of Elgin sued 16 members of the Spanish Vice Lords seeking to prohibit the gangs from congregating in public. It was the fourth such suit filed by the Kane SAO. In the above photos, State's Attorney Joe McMahon deputizes Elgin police officers, giving them the authority to serve arrest warrants on the named gang members. The previous suits have been successful in reducing gang activity.

Outreach & Engagement



Law Enforcement Youth Academy

Fifty-two 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 Pam Bradley of the Kane SAO. Thanks to the Aurora Police Department and the Kane County Sheriff's Office for their valuable contributions and assistance.

Outreach & Engagement



Child Advocacy Center Balloon Launch for Hope

The Kane County Child Advocacy Center, with assistance from its nonprofit support group Friends of Child Advocacy, on April 22 hosted its second Balloon Launch for Hope in recognition of Child Abuse Awareness and Prevention Month. The community was invited to participate as 308 balloons were released in recognition of the 308 cases of child sexual abuse that were investigated the previous year.



Outreach & Engagement



Education

Kane County Assistant State's Attorney Mike Hoscheit joined Circuit Judge Clint Hull in March at St. Edward High School in Elgin to educate students about the many hazards of growing up in the electronic world of the 21st Century. The Kane County State's Attorney's Office makes assistant state's attorneys available to address student, parent and citizen groups who seek more insight into the law and related topics.



Outreach & Engagement



TOP: Assistant State's Attorneys (from left) Joe Lulves, Michele Niermann, Michael Hoscheit and Erin Gaeke staff the office's Election Complaint Line. The state's attorney's office has provided the complaint line service for every election since the early 2000s. The complaint line allows voters who believe they have experienced voting irregularities to report them for immediate inquiry, the result being a strong faith in the process. In the many years since the complaint line has been offered, every reported issue has been resolved quickly and easily. RIGHT: Guests (from left) Adrienne McCauley of the Fox River Valley Initiative, Barb Thurlby of Hesed House and Bill Scown of the Unitarian Universalist Society of Geneva joined Joe McMahon for his monthly news briefing in October to discuss the state of mental health issues in the criminal courts.



Outreach & Engagement



Legal education

Kane County Assistant State's Attorney Christine Bayer, a member of the Kane SAO's Special Prosecution Bureau, talks about prosecuting human trafficking cases at the sixth-annual Cook County Human Trafficking Task Force conference in August in Chicago. The two-day event featured insightful and informative presentations from local and national experts on human trafficking. The event was presented by the Chicago Alliance Against Sexual Exploitation. ASA Bayer in 2016 prosecuted several cases involving the sexual exploitation of children.

Practice & Policy



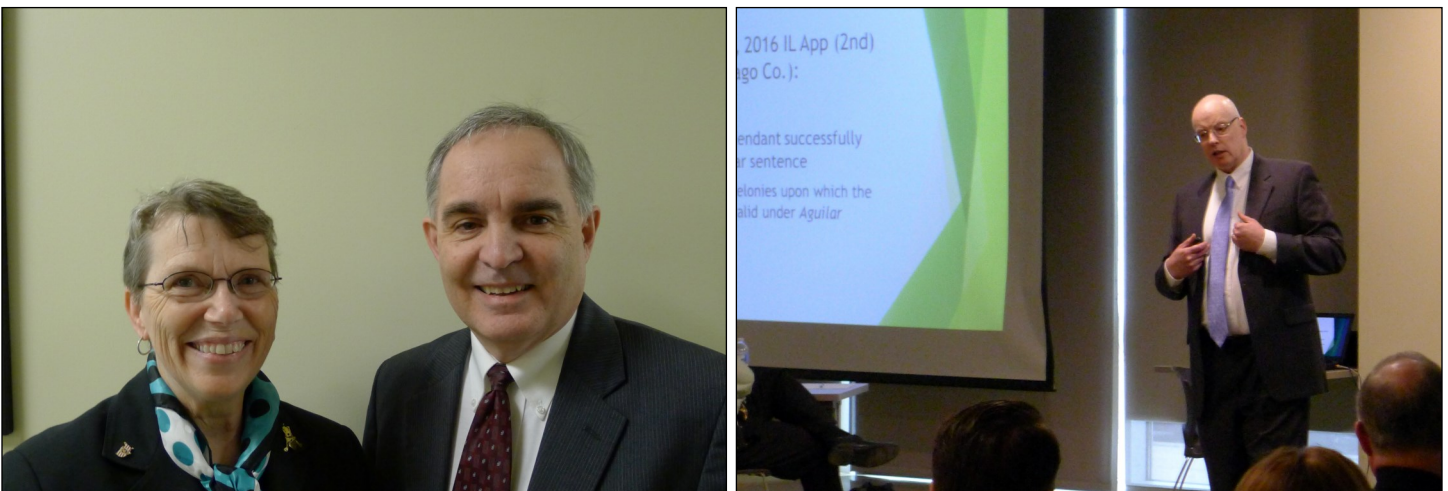
TOP: Kane County State's Attorney Joe McMahon joined more than two dozen high-ranking prosecutors from across the nation at a Boston conference of the National District Attorney's Association in August to discuss important issues in public safety and the criminal justice system, such as best practices, sex trafficking and officer-involved shootings. McMahon is the NDAA's Illinois State Director. LEFT: U.S. Rep. Randy Hultgren of Illinois visited the office in November to talk with Joe McMahon about important issues in the judicial system such as mental health, alternative courts including drug court and Treatment Alternative Court, and the new state-mandated veterans court, which is expected to help address some of the complex issues military veterans encounter when they return from duty.

Access & Transparency



State's Attorney Joe McMahon believes strongly in transparency and prioritizes access to the media. Joe meets monthly with reporters from many news outlets, but also accommodates special interview requests. ABOVE: Joe answers questions from reporter Zully Ramirez of Telemundo Chicago; LEFT: Joe talks with WGN-TV reporter Tahman Bradley.

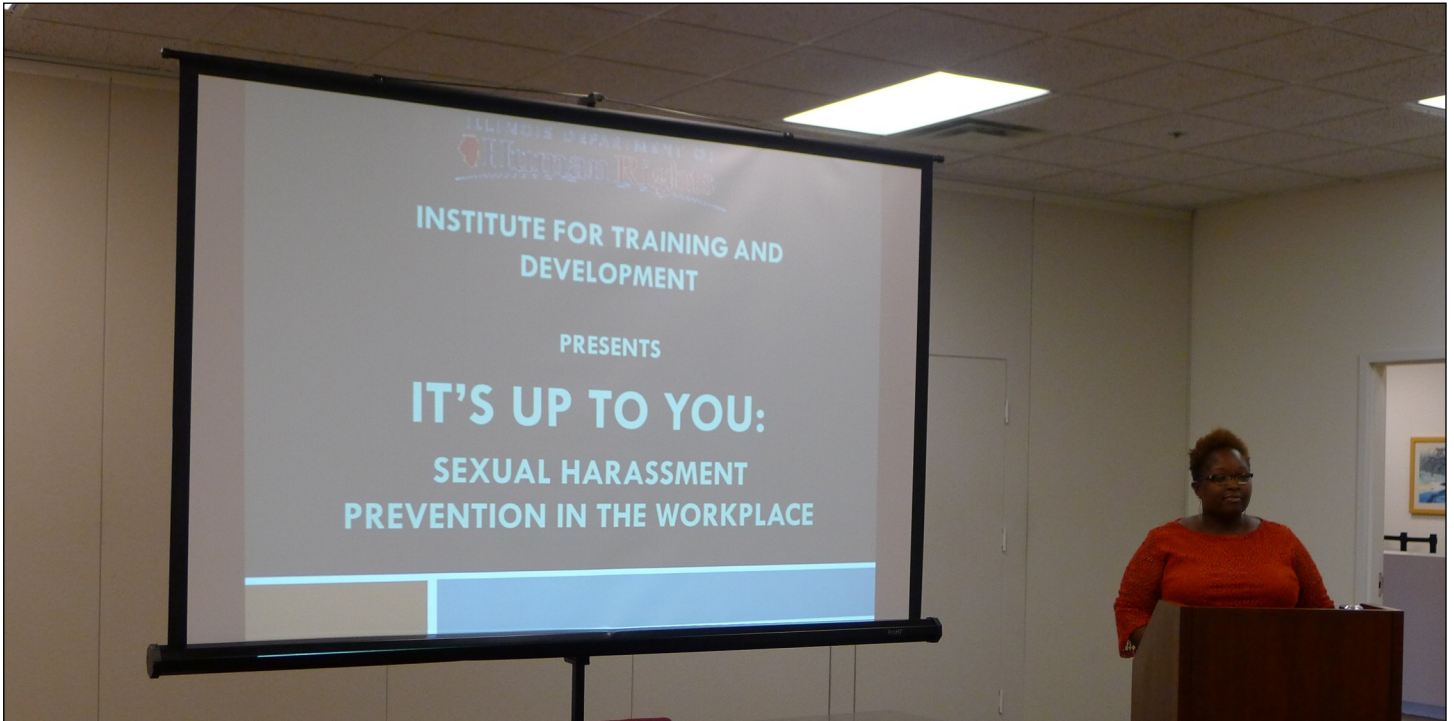
Training



Annual all-day police training

TOP: Jim Needles, assistant special agent in charge of the Bureau of Alcohol, Tobacco, Firearms & Explosives Chicago Field Division, addresses officers during the Kane SAO's police training March 12. The training was a multi-topic full-day event for Kane County police officers. ABOVE RIGHT: Assistant State's Attorney Joe Cullen explains new laws; ABOVE LEFT: Forensic canine handler Sue Stejskal and ASA Greg Sams. Stejskal, from the St. Joseph County (Mich.) Sheriff's Office, explained to attendees how so-called cadaver dogs work in police investigations.

Training



Professional development

The Kane County State's Attorney's Office provides a variety of training opportunities for its staff and those it works with in law enforcement. TOP: Ebony Davis of the Illinois Department of Human Resources visited the office in August to provide training about appropriate behavior and sexual harassment. ABOVE LEFT: Elgin Officer Lorenz Burkett trained the assistant state's attorneys in February about the nuances of recognizing a motorist who is under the influence of drugs. ABOVE RIGHT: The office's Narcotics Unit in September conducted two training sessions for police officers on search warrants and drug prosecutions.

Training



Civil law

State's Attorneys and Assistant State's Attorneys from northern and central Illinois attended a civil law conference Sept. 30 at the Judicial Center hosted by Kane County State's Attorney Joe McMahon. The conference updated public lawyers on issues of the day, as well as changing and emerging topics in local government law. Representatives from state's attorney's offices in Champaign, DeKalb, DuPage, Grundy, Iroquois, Kane, Kendall, Lake, Macon, Madison, McHenry, McLean, Rock Island, Stephenson, Will and Winnebago counties were in attendance to hear presentations on county election administration, electronic discovery, ethics, the law as it applies to corrections institutions, and land-use issues. Illinois Appellate Court Second District Justice Mary Seminara-Schostok (above right) gave her perspective on the state's appellate courts, and the Hon. Robert Dow, Jr., (above left) a judge with the U.S. District Court for the Northern District of Illinois gave his perspective on the federal courts. The conference is an annual event for Illinois' state's attorneys.

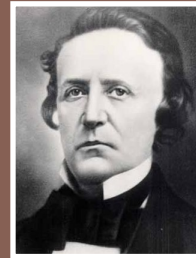
Employees of the Year



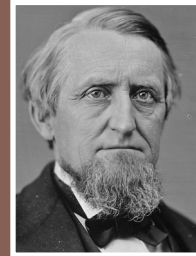
Civil Division Chief Joe Lulves (top) was named the office's Prosecutor of the Year for 2016 and support staff supervisor Deb Day (bottom) was named the office's Employee of the Year for 2016.

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. McMahan



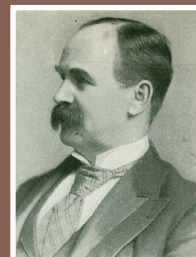
Norman H. Purple



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](#).





VIOLENT CRIMES

As defined under 20ILCS301/1-10

Murder
Voluntary manslaughter
Criminal sexual assault
Aggravated criminal sexual assault
Predatory criminal sexual assault/child
Armed robbery
Robbery
Arson
Aggravated arson
Kidnapping
Aggravated battery
Plus
Attempted murder
Home invasion

NARCOTICS

Controlled substances (top 4)
 Heroin
 Cocaine
 Prescription meds
Marijuana
Methamphetamine
Synthetic drugs
North Central Narcotics Task Force
DEA

COLD CASES

First-Degree Burn or ...

GANGS

Civil Injunctions
First-Degree Burn

SPECIAL PROSECUTION

Adult sexual assault
Financial crimes & fraud
Child pornography
Auto theft
Domestic violence

CHILDREN, ELDERLY, DISABLED

Children as victims (CAC, Abuse & Neglect)
Children as offenders (Juvenile Delinquency)

DUI, MISDEMEANOR, TRAFFIC

DUI prosecutions
DUI filings
DUI Task Force, how funds are used

DEFERRED PROSECUTION

Contain to one page

PARTNERSHIPS

Police Departments
School Districts
Mutual Ground
Community Crisis Center
CASA
Family Violence Coordinating Council

CIVIL DIVISION and CHILD SUPPORT

IN THE COMMUNITY

Bullying seminars
Social media

SAO FINANCIAL INFORMATION

SCREENING AND CHARGING

Should this be with partnerships

CRIMINAL COURTROOMS

TABLES, CHARTS & STATISTICS

Felony jury trials
Felony bench trials
Felony filings
Misdemeanor jury trials
Misdemeanor bench trials
Misdemeanor filings
Traffic trials
DUI filings
Felony guilty pleas
Misdemeanor guilty pleas
Nolle pros

PHOTO OPS

FONTS:

Sans serif: ITC Avant Guard Black
Serif: Times Roman