

## Office of the Kane County State's Attorney



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### **CHICAGO MAN SENTENCED TO 73 YEARS IN PRISON FOR 2008 ELGIN MURDER OUTSIDE NIGHTCLUB**

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A Chicago man has been sentenced in Kane County court to a lengthy prison term for killing a man in Elgin more than four years ago.

Dion Spears, 29 (d.o.b. 11-5-1982), of the 9700 block of South Princeton Avenue, Chicago, was sentenced today by Associate Judge Patricia P. Golden to 73 years in the Illinois Department of Corrections.

Spears was convicted May 10, 2012, by a Kane County jury of one count of first-degree murder, one count of armed violence, a Class X felony, and one count of unlawful possession of a controlled substance, a Class 4 felony. In addition, the jury found that Spears personally discharged the handgun that caused the death of the victim, 29-year-old Derrick Bey.

At about 2 a.m. on Feb. 3, 2008, Spears and Bey were outside a banquet hall in the 800 block of North State Street, Elgin. An argument broke out, and Spears fired two shots from a Colt .32-caliber revolver that both struck Bey, one in the chest and one below the waist. Bey died a short time later. Spears began to run across State Street when was struck by a passing car and seriously injured. As Spears was in the ambulance, a police officer found a loaded Kel-Tec 9mm Luger semiautomatic handgun on him. At the hospital, Spears was found to have .9 grams of cocaine hidden in his mouth.

During today's sentencing hearing, Judge Golden noted Spears criminal history. Spears has served three prior prison terms, all for drug-related offenses. In addition, Spears was on mandatory supervised release at the time of the murder.

The sentence breaks down as 32 years for the murder, 16 years for the armed violence and three years for the possession of a controlled substance. In addition, the sentence includes a mandatory 25-year enhancement because Spears fired the handgun that killed Bey.

Spears must serve 100 percent of the murder sentence and the mandatory enhancement, and is eligible for day-for-day sentencing for the armed violence and

controlled substance sentences. The murder sentence and enhancement, as well as the armed violence sentence, are to be served consecutively. The controlled substance sentence is to be served concurrent to the other sentences.

Spears was given credit for at least 1,217 days served in the Kane County jail, where he had been held since his arrest.

The case was prosecuted by Kane County Assistant State's Attorneys Scott Schwertley and Dan Carter.