

Office of the Kane County State's Attorney



JOSEPH H. McMAHON

State's Attorney

Kane County Judicial Center
37W777 Route 38 Suite 300
St. Charles, Illinois 60175

General Offices: (630) 232-3500
Contact:
Christopher Nelson (630) 232-3500

AURORA MAN CHARGED WITH DUI AFTER CRASHING CAR IN N.AURORA THREE CHILDREN IN VEHICLE; OFFENDER ALLEGEDLY SPAT ON POLICE

March 31, 2020

Kane County State's Attorney Joe McMahon has charged 40-year-old **Waldemar Montalvo, Jr.**, with the offenses of:

- Aggravated DUI, Class 2 felony
- Aggravated DUI, Class 4 felony
- Aggravated assault of a police officer, Class 4 felony

Kane County prosecutors allege that just before midnight March 27, 2020, Montalvo was driving a Chevrolet Malibu that crashed on Miller Drive in North Aurora. When interviewed by police, Montalvo allegedly displayed signs of alcohol impairment, became combative and intentionally spat at officers several times after claiming to possibly be infected with the coronavirus COVID-19. Three young children were in Montalvo's car when the crash occurred. Montalvo's driver's license was suspended at the time for a prior DUI offense.

Montalvo appeared March 28, 2020, in Kane County bond court. A Kane County judge set Montalvo's bail at \$50,000, and released him on his promise to appear in court.

The judge set Montalvo's next court appearance for 9 a.m. May 7, 2020, in Courtroom 313 at the Kane County Judicial Center.

The charges against Montalvo are not proof of guilt. Montalvo is presumed innocent and is entitled to a fair trial in which it is the state's burden to prove his guilt beyond a reasonable doubt.

Waldemar Montalvo, Jr.: Age 40 (d.o.b. 10-12-1979), of the 200 block of North Elmwood Drive, Aurora, Illinois. Case No. 20CF631.