



# Annual Report 2022

Office of Kane County State's Attorney  
Jamie L. Mosser

# **Kane County State’s Attorney’s Office 2022 Annual Report**

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# Kane County State's Attorney's Office

2022



## A MESSAGE FROM STATE'S ATTORNEY JAMIE L. MOSSER



In 2021, our public safety and legal communities saw the introduction of the SAFE-T Act, legislation that resulted in significant changes to what we had been doing for many years. For me, 2022 became a year in which I joined a team of negotiators to work to fix troublesome items within the Pre-Trial Fairness Act portion of the SAFE-T Act while also working with our judicial partners to prepare for the law's implementation at the beginning of 2023. The political extremes further complicated negotiations. In an unprecedented fashion, 64 state's attorneys throughout Illinois filed a lawsuit to declare the entirety of the SAFE-T Act unconstitutional. Very late in December, a Kankakee County judge declared the Pre-Trial Fairness Act unconstitutional.

We then heard Illinois' Attorney General state that the ruling had no effect on our State, including those counties involved in the litigation. More counties sought and were granted Temporary Restraining Orders to stop their county from starting the Pre-Trial Fairness Act. Despite this clear disagreement with how this ruling would affect our community, neither side asked the Illinois Supreme Court to intervene to answer what should happen on January 1, 2023.

On December 30, the civil and post-conviction divisions of the Kane County and DuPage County State's Attorney's Offices joined forces to intervene in the case before the Illinois Supreme Court to seek this guidance. Most importantly, we wanted a ruling that made the same law applicable to everyone in the State of Illinois. The job of the State's Attorney is to seek justice. The best way to seek justice is to make sure everyone is treated equally and fairly no matter where they live. In Aurora, for example, a person could be arrested on the Kane County side for a crime and be treated woefully different for committing the same crime in Will County. This wasn't fair, this wasn't justice. Thus, DuPage County State's Attorney Bob Berlin and I asked the Illinois Supreme Court to weigh in.

As we were all getting ready to celebrate the end of 2022 with the promise of a new and better 2023, we got the call that the Supreme Court delayed the implementation of the Pre-Trial Fairness Act until it ruled on its constitutionality. We spent the next couple of hours undoing all of what had been done over the last two years.

Selfishly, it is safe to say that I was completely and utterly over 2022. The SAO and our judicial partners spent hundreds of hours creating procedures and forms to implement the Pre-Trial Fairness Act, to be a part of negotiations to fix the law, and to obtain the funding to hire the staff and purchase the technology necessary for this change. All of it was undone as I was preparing to ring in the New Year with friends and family. I am not going to pretend that I wasn't frustrated with how this began and how it ended. The year was extremely trying both professionally and personally as I attended these meetings and gave dozens of presentations and trainings. Further, to continue to use the antiquated cash bail system meant that more people who are of lower income would be disadvantaged because they did not have the money to bond out on low level, non-violent offenses. Additionally, dangerous offenders would have the opportunity to 'buy their way out of jail' causing our community to be unsafe.

A part of me bitterly thought back to the struggles I experienced in 2022 as your State's Attorney. Then I remembered what it means to be a prosecutor and I looked at all the Kane County SAO accomplished in 2022. When I took office, I asked that we look at every case individually. Justice should be determined by the facts of the case, the criminal history, and aggravating or mitigating facts. Together, we spent most of 2021 reorganizing the office and 2022 implementing that plan. We looked at how we could rehabilitate people to keep them out of the system. We also saw people who were such a danger that the only solution was to keep them in jail or prison. I asked the employees to trust me with new programming and the new vision. While I was working on the Pre-Trial Fairness Act, the SAO employees carried out this mission.

The men and women who work in this office are a dedicated team whose goal is to do everything they can to protect the people of Kane County. I am proud to lead them and I am proud to be your State's Attorney.

Thank you to every member of the SAO for reminding me that 2022 was not about legislative issues but rather about all that we have accomplished for the greater good of being a part of the most noble office out there. I am grateful to serve as the elected Kane County State's Attorney and will continue to dedicate myself to making our community safer.



**Jamie L. Mosser**  
**Kane County State's Attorney**



# About the Office

The Kane County State's Attorney's Office employed 151 attorneys and administrative staff in 2022. Our staff included, but was not limited to, 77 assistant state's attorneys, 32 administrative assistants, 12 executive staff, nine investigators, nine case managers, six advocates and three advocate/case managers.

The office has multiple locations throughout Kane County:

- Kane County Judicial Center, 37W777 Route 38, Suite 300, St. Charles
- The Old Courthouse, 100 S. Third St., Geneva
- Juvenile Justice Center, 37W655, Route 38, St. Charles
- Child Advocacy Center, 427 Campbell St., Geneva
- Aurora Branch Court, 1200 E. Indian Trail Road, Aurora
- Elgin Branch Court, 150 Dexter Court, Elgin
- Kane Branch Court, 530 S. Randall Road, St. Charles
- Elgin Mental Health Center, 750 S. State St., Elgin
- Ascension Mercy in Aurora, 1325 N. Highland Avenue, Aurora

Visit our office's website at:

<http://saopublic.co.kane.il.us> <<http://saopublic.co.kane.il.us/Pages/Default.aspx>

Facebook: [www.facebook.com/KaneSAO](http://www.facebook.com/KaneSAO)

Instagram: [@kane.county.sao](https://www.instagram.com/kane.county.sao)

Linked In: [www.linkedin.com/groups/5095968/](http://www.linkedin.com/groups/5095968/)

# Criminal Division



**Bob Dore**  
Criminal Division  
Chief



**Greg Sams**  
Post-Conviction Unit  
Chief

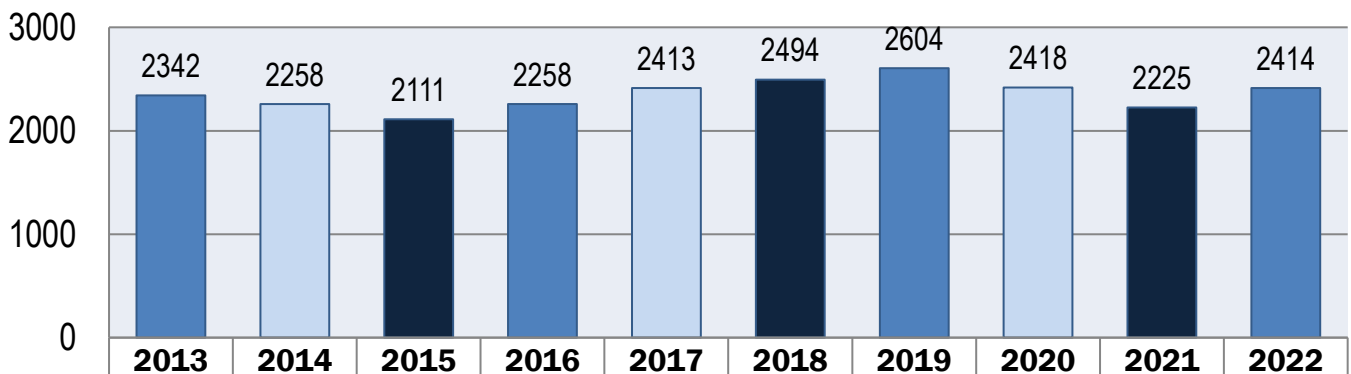
The Criminal Division comprises the following divisions: Major Crimes, Guns & Gangs, Drugs, Special Victims, Child Advocacy Center, Domestic Violence, DUI & Major Traffic, Juvenile Delinquency, and Misdemeanor & Traffic.

Assistant State’s Attorney Bob Dore is the Criminal Division chief. He handles complex criminal cases and supervises the division’s assistant state’s attorneys and staff.

Each pending criminal case is handled by an ASA from the time it is charged through the prosecution and resolution phases. The office restructured in 2021 to prosecute case types, giving each prosecutor the ability to specialize in areas of law. This has resulted in consistent plea offers and more expedient resolutions.

ASA Greg Sams is chief of the Post-Conviction Unit. He supervises two ASAs and an administrative assistant. Individuals who have been sentenced to prison and who believe their constitutional rights have been violated may challenge elements of their conviction or sentence under the Post-Conviction Act. When the SAO receives a post-conviction petition, it researches the case and reviews transcripts. The SAO then files a response to the petition or a motion to dismiss the petition. In both cases, the petition is set for a hearing in front of a judge. The burden is on the defendant to prove the alleged constitutional violation. The unit addressed approximately 50 post-conviction matters.

## New felony filings



# Major Crimes



## Bill Engerman

Former Criminal Division  
Deputy Chief

Led the unit for most of 2022.  
Appointed a judge in the  
16th Judicial Circuit late in 2022.



## David Belshan

Current Criminal Division  
Deputy Chief

Longtime prosecutor named  
unit supervisor late in 2022.

The Major Crimes Unit prosecutes the majority of the most serious and highest profile offenses committed in Kane County.

These offenses include, but are not limited to, first-degree murder, attempt first-degree murder, aggravated kidnapping, aggravated vehicular hijacking, and select traffic fatalities.

The office's most experienced prosecutors are assigned to these cases because of their serious nature and because most of them allow little margin for error. Assistant State's Attorney Belshan supervises three ASAs and three administrative assistants.

## 2022 in review

**10**

Murder  
cases  
charged

**Six**

Committed  
in 2022

**Two**

Committed  
in 2021

**One**

Committed  
in 2020

**One**

Committed  
in 2003

**8**

Murder  
cases  
resolved

**Five**

Defendants found  
guilty at trial of  
first-degree murder

**Three**

Pled guilty to  
reduced charges



## Notable case resolutions

In January, a judge sentenced **Gehovani R. Gomez** of Elgin to 11 years in prison after he pled guilty to drug-induced homicide in the 2018 overdose death of Crystal Villegas of West Dundee. Gomez sold a substance containing heroin and fentanyl to Villegas. *ASA Bill Engerman*

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In February, a judge sentenced **Serafin Castellanos** of Oswego to life plus 45 years in prison after he was convicted by a jury of two counts of first-degree murder and other violent offenses for the 2017 shooting deaths of Aurora residents Jermaine Taylor and Anselmo Fernandez outside of an Aurora restaurant. *ASAs Bill Engerman, Chris McCall*

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In March, a judge sentenced **Xavier L. Butler** of Elgin to 30 years in prison and his brother, **Isaiah Y. Butler**, also of Elgin, to 15 years in prison in the 2019 shooting death of Joshua Taylor Bey of Elgin. Xavier Butler pled guilty to armed violence and Isaiah Butler pled guilty to second-degree murder in the incident. *ASA Mark Stajdohar*

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In March, a judge sentenced **Jesus Lechuga** of Belvidere to 55 years in prison after a jury found him guilty of first-degree murder in the 2004 shooting death of José Covarrubias of Carpentersville. *ASAs Mark Stajdohar, Matt Rodgers*

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In April, a judge sentenced **Carlos Nuñez** of Aurora to 22 years in prison after he pled guilty to first-degree murder for killing his wife, Jovita Nuñez, by beating her with a hammer and strangling her in their home in 2018. *ASAs Lori Schmidt, Tyler Cox*

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In April, a judge sentenced **Travaris Stevenson** of Chicago to 95 years in prison after a jury found him guilty of first-degree murder and other violent offenses in the 2018 shooting deaths of Raymond Dyson and Mark McDaniel, both of Elgin. *ASAs Greg Sams, Hillary Sadler, Hannah Stout*

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In June, a judge sentenced **Christian Capuchino** of Aurora to 12 years in prison after he pled guilty to aggravated battery with a firearm. *ASA Bill Engerman*

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In August, a judge found **Shadwick King** of Geneva guilty of first-degree murder and sentenced him to 30 years in prison in the 2014 asphyxiation death of his wife, Kathleen King. A jury had convicted him in 2015, and he was sentenced to 30 years in prison, but the Illinois Appellate Court ordered a new trial. *ASAs Greg Sams, Mark Stajdohar, Margaret O'Brien*

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In October, a judge sentenced **Chuckie Chatman** of Montgomery to 43 years in prison after he was convicted by a jury of first-degree murder for killing Ernest Hardy of Aurora. *ASAs Bill Engerman, Jake Matekaitis*

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Three individuals pled guilty to their involvement in a 2021 violent carjacking in Aurora that left a Montgomery woman permanently paralyzed from a gunshot wound. In December, a judge sentenced **Ishmael Gonzalez**, 17, of Harvey, to 40 years in prison after he pled guilty to aggravated battery with a firearm and armed violence. In October, a judge sentenced **Edward McGee**, 27, of Harvey, to 35 years in prison after he pled guilty to aggravated vehicular hijacking. In January 2023, a judge sentenced **Darrell Frazier**, 20, of Lansing, to 33 years in prison after he pled guilty to aggravated vehicular hijacking. *ASAs Bill Engerman, Mark Stajdohar, Debra Conforti*



## Lori Anderson

Guns & Gangs  
Supervisor

The Guns & Gangs Unit prosecutes cases involving the illegal use of or possession of guns, as well as crimes committed in the continuance of street gang activities.

ASA Anderson supervises two ASAs and an administrative assistant.

The Illinois Criminal Code contains dozens of felony offenses related to the unlawful possession of or use of firearms. Following are the most frequently charged of those offenses in 2022, according to Kane County Circuit Court Clerk's Office records:

**107** cases involved possession of a firearm, FOID invalid

**79** cases involved aggravated unlawful use of a weapon in a vehicle, no FOID

**60** cases involved unlawful use or possession of a weapon by a felon

**35** cases involved aggravated unlawful use of a weapon in a vehicle, loaded, no FOID

**29** cases involved aggravated unlawful use of a weapon in a vehicle, previous conviction

**27** cases involved possession of a firearm by a street gang member in a vehicle

**24** cases involved aggravated unlawful use of a weapon in a vehicle, younger than 21

## 2022 in review

**220**

Cases charged involving the unlawful use or possession of a gun

**79**

Cases closed by trial or guilty plea

Unit prosecutors work with local law enforcement such as the Aurora, Elgin and Carpentersville police departments, the Kane County Sheriff's Office and the Kane County Major Crimes Task Force, as well as federal agencies including the Department of Alcohol, Tobacco, Firearms & Explosives and Homeland Security Investigations in the investigation and prosecution of gun cases.

## Notable case resolutions

In April, a judge sentenced **Moses Williamson** of Aurora to six years in prison after a jury found him guilty of the offense of aggravated unlawful use of a weapon by a felon. Williamson, who had prior felony drug and robbery convictions, was in possession of a handgun and ammunition. Williamson was convicted and sentenced despite failing to appear in court for either proceeding. He is wanted on a warrant. *ASAs Lori Anderson, Jake Matekaitis*

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In April, a judge sentenced **Anthony Medina** of Aurora to 80 years in prison after a jury found him guilty of multiple violent offenses including first-degree murder, armed violence and aggravated battery with a firearm. Medina and codefendant **Martin Garcia** approached the victim, Rodolfo Rocha of Aurora, and asked him to declare a gang affiliation. When Rocha said he was not in a gang, Medina and Garcia shot him to death. Garcia was convicted in 2020 of similar offenses in the incident and sentenced to 75 years in prison. *ASAs Lori Anderson, Dave Belshan, Hillary Sadler*

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In May, a judge sentenced **José Cervantes** of Carpentersville to 15 years in prison after he pled guilty to the offense of aggravated discharge of a firearm. Cervantes fired multiple gunshots at Carpentersville police officers. Cervantes was previously convicted of felony burglary. He is a known street gang member and therefore not eligible to own a gun. *ASA Lori Anderson*

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In June, a judge sentenced **Andres Ramirez** of Aurora to 55 years in prison after a jury found him guilty of armed violence, aggravated discharge of a firearm and unlawful possession of a firearm by a felon. Ramirez fired eight shots from a handgun at an Aurora police vehicle that was driving down the street. No one was injured. Ramirez was on parole at the time after serving a prison term for a 2003 offense of attempt first-degree murder. Ramirez, 48, has a lengthy criminal history, having joined a street gang when he was 14 years old. *ASAs Lori Anderson, Joe Gay*

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In November, a judge sentenced **Terrance Boyd** of Aurora to a total of 26 years in prison after he pled guilty to the felony offenses of armed habitual criminal, unlawful use of a weapon by a felon and aggravated battery, all separate incidents. Boyd was free on bond in the armed habitual criminal case when he committed the other offenses. He has multiple prior convictions and is a known street gang member. *ASA Lori Anderson*



## Jake Matekaitis

Drug Unit  
Supervisor

The Drug Unit prosecutes all felony drug offenses including trafficking, delivery, intent to deliver and possession.

Drug prosecutors develop and maintain working relationships with multiple levels of law enforcement – the Federal Bureau of Investigations; the Drug Enforcement Administration; the Bureau of Alcohol, Tobacco, Firearms and Explosives; Homeland Security Investigations; the Illinois Attorney General’s Office and the Illinois State Police’s North Central Narcotics Task Force, as well as local police departments.

Assistant State’s Attorney Matekaitis supervises three experienced ASAs and one administrative assistant. The unit added two additional ASAs in 2022.

## 2022 in review

**421**

New felony drug cases including offenses from possession to drug trafficking

**303**

Felony drug cases resolved by trial, guilty plea or diversion

## Fentanyl Death Report

**68** fentanyl-related deaths, a 7.4% increase from 63 in 2021

**74** deaths with fentanyl present, a 6.4% decrease from 78 in 2021

**78** opiate-related deaths, the same as in 2021

*Source: Kane County Coroner*

# Drug type and percent of new drug cases:

**Cocaine**  
47%

**Meth**  
13%

**Marijuana**  
13%

**Prescription  
drugs**  
12%

**MDMA  
(ecstasy)**  
3%

**Heroin**  
3%

The remaining cases involved hallucinogens, fentanyl and opiate pills. These numbers do not account for cases in which fentanyl was found in combination with heroin, cocaine and other drugs.

## Notable case resolutions

In June, a judge sentenced **José R. Charles** of Elgin to nine years in prison after he pled guilty to drug-induced homicide. Charles sold three bags of fentanyl-laced heroin to Trevor Brubaker of St. Charles. Brubaker died after ingesting it. *ASA Kelly M. Orland*

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In July, a judge sentenced **Alejandro Bucio** of Aurora to eight years in prison after he pled guilty to unlawful possession of a controlled substance with intent to deliver. Bucio and a co-defendant arranged to sell oxycodone pills. The co-defendant was in possession of 398 fentanyl pills at the time he was arrested. *ASA Kelly M. Orland*

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In August, a judge sentenced **Johnathan M. Cerritos** of Carpentersville to seven years in prison after he pled guilty to unlawful delivery of a controlled substance. Cerritos sold 29 grams of cocaine to a confidential source. *ASA Hillary Sadler*

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In October, a judge sentenced **Allen J. Ladd** of Waunakee, Wisconsin, to six years in prison after he pled guilty to unlawful possession of a controlled substance with intent to deliver. Ladd was in possession of 246 pills of methamphetamine, more than seven grams of a substance containing fentanyl and heroin, a scale and approximately \$15,000 in cash. *ASA Jake Matekaitis*





**Lori Schmidt**  
Child Advocacy Center  
Executive Director



**Julie Pohlman**  
Child Advocacy Center  
Assistant Director

The Kane County Child Advocacy Center ensures coordination among the many agencies involved in cases of sexual assault, abuse and exploitation of children.

The CAC's multidisciplinary approach involves prosecutors, investigators and advocates who work on behalf of children, their families and the community in a victim-sensitive manner in response to cases of child abuse.

The CAC is managed by Executive Director and Assistant State's Attorney Lori Schmidt. Julie Pohlman is the assistant director and one of five victim advocates.

The Aurora, Carpentersville and Elgin police departments, as well as the Kane County Sheriff's Office, assign officers to the CAC to assist with investigations.

The CAC has working partnerships with the Illinois Department of Children and Family Services, medical providers from the University of Illinois' College of Medicine and its Medical Evaluation Response Initiative Team in Rockford and community mental health professionals.

ASA Schmidt supervises four ASAs, five victim advocates, five investigators, one forensic interviewer, an administrative assistant and a team coordinator.

## 2022 in review

**59**

Cases charged

**74**

Cases resolved  
by trial  
or guilty plea

**10**

Adjudications  
prosecuted in  
juvenile court

**Provided advocacy and support services  
to 1,497 children and adults**

**763**

Children referred for inquiry from law enforcement and the Illinois Department of Children and Family Services

**24**

Specialized child sexual abuse exams by Medical Evaluation Response Initiative Team, a Rockford-based board-certified pediatrician group

**Conducted 40 courtesy forensic interviews  
of victims and witnesses for other law-enforcement agencies**

**Received reaccreditation from the National Children's Alliance** after an extensive application and site review process. The National Children's Alliance is the accrediting agency for child advocacy centers nationwide. Accreditation is the alliance's highest level of membership and denotes excellence in service. Child advocacy centers must undergo the reaccreditation process every five years to ensure best practices are continually applied.

**Attended multiple trainings** on topics such as trial advocacy, forensic interviewing, multidisciplinary pediatric education, and evaluating child injuries such as abusive head trauma and bone fractures.

**Received funding from the Kane County Board** for additional staff to investigate and prosecute severe physical abuse cases and to provide advocacy to victims. On January 17, 2023, the CAC's county-wide protocol was amended to have all cases of severe physical abuse to children under age 13 investigated at the Kane County CAC.

**Friends of Child Advocacy.** The CAC receives volunteer support from Friends of Child Advocacy, the nonprofit organization that provides resources to help address the medical and mental health needs of CAC victims. The group held a golf outing fundraiser, and provided items to needy families at Thanksgiving and Christmas.

# Notable case resolutions

In January, a judge sentenced **Constantino Vasquez-Juan** of Carpentersville to 45 years in prison after he was found guilty of 15 counts of aggravated criminal sexual abuse and one count of grooming. Over six months, Vasquez-Juan sexually abused the victim, who was younger than 17 years old, and coerced her to take sexually explicit photos of herself and give them to him. Before he was sentenced, prosecutors successfully argued to the judge that based on the severity of the abuse and Vasquez-Juan's unwillingness to accept responsibility for his actions, he should serve the 15 sexual abuse sentences consecutively and not concurrently. *ASAs Matt Rodgers, Stacey Wittman*

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In March, a judge sentenced **Marcus Currie** of Aurora to 14 years in prison after a jury found him guilty of two counts of predatory criminal sexual assault. Currie sexually assaulted the victim, who was younger than 13 years old. Currie knew the victim. *ASAs Tyler Cox, Stacey Wittman*

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In March, a judge sentenced **Joel Rivera** of Elgin to 27 years in prison after he pled guilty to three counts of predatory criminal sexual assault. Rivera sexually assaulted the victim multiple times over three years. He knew the victim, who was younger than 13 years old. *ASA Tyler Cox*

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In April, a judge sentenced **Jacob Headtke** of Elgin to five years in prison after a jury found him guilty of the offenses of aggravated criminal sexual abuse. Headtke knew the victim, who was younger than 13 years old. *ASAs David Belshan, Katy Flannagan*

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In May, a judge sentenced **David Krawczyk** of Aurora to 56 years in prison after a jury found him guilty of eight counts of predatory criminal sexual assault. Krawczyk sexually assaulted the victim multiple times over 18 months. Krawczyk knew the victim, who was younger than 13 years old. *ASAs Lori Schmidt, Tyler Cox*

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In May, a judge sentenced **Juan C. Avendano** of Aurora to 18 years in prison after a jury found him guilty of multiple counts of predatory criminal sexual assault of a child. Avendano was the victim's teacher at Bardwell Elementary School in East Aurora School District 131. *ASA Matt Rodgers, Jessica Michels*

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In May, a judge sentenced **Hugo Contreras** of Carpentersville to 53 years in prison after he was found guilty of predatory criminal sexual assault of a child, criminal sexual assault and other offenses. Contreras sexually assaulted the victims, whom he knew, and who were younger than 13 years old. Contreras failed to appear on the second day of his trial, and he was found guilty and sentenced in his absence. A warrant for his arrest is outstanding. *ASAs Tyler Cox, Katy Flannagan*



In May, a judge sentenced **Latawn Coon** of Aurora to 22 years in prison after he was found guilty of predatory criminal sexual assault of a child and aggravated criminal sexual abuse. Coon knew the victim, who was younger than 13 years old. Also in May, a judge sentenced Coon to seven years in prison after he pled guilty to the offense of domestic battery. The 22-year sentence and seven-year sentence will be served consecutively.  
*ASAs Tyler Cox, Stacey Wittman*

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In May, a judge sentenced **Berto Meyo Francisco** of Aurora to 28 years in prison after he pled guilty to predatory criminal sexual assault and aggravated criminal sexual abuse. Both victims were younger than 13 years old. Meyo Francisco knew the victims.  
*ASA Tyler Cox*

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In May, a judge sentenced **Rene Cuanetl** of Queens, N.Y., to 17 years in prison after he pled guilty to predatory criminal sexual assault. The victim was younger than 13 years old. Cuanetl knew the victim. *ASAs Matt Rodgers, Amanda Busjeta*

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In June, a judge sentenced **Benigno Cruz** of Aurora to 34 years in prison after a jury found him guilty of three counts of predatory criminal sexual assault of a child and other similar offenses. Cruz sexually assaulted the victim multiple times over four years. The victim was younger than 13 years old. Cruz knew the victim. *ASAs Tyler Cox, Lori Schmidt*

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In July, a judge sentenced **Luis Alberto Najera Ayala** of Elgin to 45 years in prison after a jury found him guilty of six counts of predatory criminal sexual assault. Najera Ayala sexually assaulted the victim over three years. The victim was younger than 13 years old. Najera Ayala knew the victim. *ASAs Lori Schmidt, Stacey Wittman*

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In October, a judge sentenced **José Tamayo** of Elgin to life in prison after he was found guilty of three counts of predatory criminal sexual assault. The two victims were younger than 13 years old. Tamayo knew the victims. *ASAs Matt Rodgers, Stacey Wittman*

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In November, a judge sentenced **José Arellano** of Aurora to life in prison after he was found guilty of four counts of predatory criminal sexual assault against two victims. Both victims were younger than 13 years old. Arellano knew the victims. Arellano was convicted and sentenced despite the fact that he fled while free on bond and was not present for his trial and sentencing. He remains wanted on a warrant. *ASAs Stacey Wittman, Morgan Wilkinson*





## Matt Rodgers

Special Victims Unit  
Supervisor

The Special Victims Unit is tasked with prosecuting criminal cases with victims that require special attention.

The unit prosecutes cases of criminal sexual assault or battery, sex offender registration violations, child pornography offenses, elderly and disabled exploitation offenses, arson offenses, and a variety of aggravated battery offenses and financial crimes.

Many of these cases involve sophisticated investigations that require assistant state's attorneys to work closely with local, state and federal authorities for the duration of the case, along with specialized technology.

Assistant State's Attorney Rodgers supervised two ASAs and one administrative assistant.

## Child Exploitation

State's Attorney Jamie Mosser added two prosecutors, two specialized investigators and a computer forensics expert to the unit to more thoroughly address child exploitation cases. The Kane County Board made this possible with additional funding.

SA Mosser created the unit to investigate child pornography and child exploitation, often called sextortion. Most allegations of crimes involving child pornography, which are forwarded to local law enforcement by the National Center for Missing and Exploited Children, have not been adequately investigated in Kane County, largely because of a lack of resources and expertise.

## 2022 in review

18

New criminal  
sexual  
assaults

18\*

New child  
pornography cases  
(50% increase  
from 2021\*)

7

New  
arson  
cases

\* Includes Juvenile  
Delinquency cases

The additional investigative and prosecutorial capabilities allow Kane County law enforcement to address the threats that child pornography and child exploitation present. This technology also allows for immediate forensic examinations and more detailed investigations of crimes that are facilitated through electronic devices such as smart phones and the applications and software the devices contain.

The Child Exploitation Unit commenced in August when Investigator Drew Uhler was hired. From August to December:

**62** case investigations launched

**55** search warrants, including **6** residential search warrants, served

**4** adults and **1** juvenile charged with child pornography offenses

**1** case dismissed after the U.S. Attorney for the Northern District of Illinois filed federal child pornography charges against the defendant

## Training

The unit conducted training seminars for police and firefighters, and engaged in community outreach. It trained Illinois State Police troopers on investigating sexual assault allegations and conducting internal investigations. It trained Aurora firefighters in the investigation and prosecution of arson cases, report writing and courtroom testimony. It worked with the firefighters in developing a protocol for working with the police and our office on arson investigations. We collaborated with the North Aurora Police Department on a presentation to Southeast Kane County TRIAD, an advocacy group for seniors, on common scams and fraud issues that senior citizens face.



State's Attorney Jamie Mosser, along with ASAs Matt Rodgers and Amanda Busljeta, trained Aurora firefighters about the prosecution of arson cases, as well as report writing and courtroom testimony.

## Notable case resolutions

In March, a judge sentenced **Jorge A. Gonzalez Munoz** of Elgin to 21 years in prison after he pled guilty to producing child pornography and three counts of criminal sexual assault. Gonzalez Munoz sexually assaulted the victim multiple times and made a video recording of one of the assaults. He knew the victim, who was younger than 18 years old. *ASA Matt Rodgers*

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In June, a judge sentenced **Brian Clementé** of Aurora to 12 years in prison after he found him guilty of aggravated battery to a child causing great bodily harm and aggravated battery causing great bodily harm. Clementé was intoxicated and angry after learning that his girlfriend was romantically involved with someone else. He then severely beat and kicked the couples' two-month-old daughter, causing significant injuries that doctors said could be permanent. *ASA Hillary Sadler*

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In August, a judge sentenced **José Salinas** of Aurora to 25 years in prison after he pled guilty to the offense of aggravated criminal sexual assault. Salinas sexually assaulted the victim, whom he knew, multiple times over three years. The victim disclosed the assaults eight years later. *ASA Amanda Busljeta*

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In September, a judge sentenced **Deyvi Cabrera Lopez** of Elgin to 10 years in prison after he pled guilty to predatory criminal sexual assault of a child. Lopez knew the victim. *ASA Amanda Busljeta*

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In November, a jury convicted 45-year-old **Jason Carter** of St. Charles of home invasion and criminal sexual assault. In 2019 he entered his neighbor's home uninvited and sexually assaulted a woman who was asleep on the sofa. *ASAs Amanda Busljeta, Matt Rodgers*

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In December, a judge sentenced **Patrick Shanahan** of Elgin to eight years in prison after he pled guilty to disseminating child pornography. Shanahan was sharing images of young children being sexually abused. *ASA Matt Rodgers*



## Jessica Michels

Domestic Violence Unit  
Supervisor

The Domestic Violence Unit prosecutes cases involving intimate partner violence and violence between family or household members with trauma-informed practices.

Domestic violence is a learned behavior. Most offenders were witnesses to or victims of domestic violence when they were children. Proper intervention, including counseling, can interrupt the generational cycle of violence.

ASAs examine each case to determine what is in the best interests of the victim, the defendant and the community.

Our domestic violence prosecutions are trauma-informed and victim-centered. We treat each victim with respect and help them understand that they did nothing to justify the harm they have experienced. We work to help victims understand that, whatever emotions they are experiencing, is an understandable reaction to trauma and abuse.

Training is an important part of the unit's work. In addition to providing state-mandated training to police officers, we provided our prosecutors with case law updates, trial strategies and training on pre-trial motions.

Assistant State's Attorney Michels supervised three misdemeanor ASAs, as well as eight felony ASAs who also handle felony DUI cases. Each ASA understands that domestic violence has no boundaries – socioeconomic, racial, geographic, cultural, religious or gender.

## Notable case resolutions

In July, a judge sentenced **Ellihue Pegues, Jr.** of Montgomery to five years in prison after he pled guilty to the offense of aggravated stalking. He violated a protective order and conditions of bond by contacting the victim and by being near her home. He twice went into the victim's home; the first time he held the victim by the throat and the second time he pepper-sprayed the victim and her daughter in the face. *ASA Jessica Michels*

## 2022 in review

**948**

New misdemeanor  
domestic violence  
cases

**451**

New felony  
domestic violence  
cases

Of the 451 new felony cases, **118** were charged as strangulation offenses



## Katy Flannagan

DUI & Major Traffic Unit  
Supervisor

The DUI & Major Traffic Unit prosecutes misdemeanor DUI offenders, felony DUI offenders and traffic offenders who were involved in crashes with serious injuries or fatalities. The unit also prosecutes cases involving aggravated fleeing and eluding the police. Assistant State's Attorney Flannagan supervises two ASAs who prosecute misdemeanor DUI cases, as well as eight ASAs who prosecute felony DUI cases and also handle felony domestic violence cases. Two administrative assistants are assigned to the unit.

## 2022 in review

**1,008**

New  
misdemeanor DUI  
cases

**360**

New  
felony DUI  
cases

Of the new felony cases, **27** defendants had at least three prior DUIs  
and **12** cases involved great bodily harm or death

## Notable case resolutions

In August, a judge sentenced **Bryan Aguirre** of Elgin to four years in prison after he pled guilty to leaving the scene of an accident causing injury. Aguirre caused a crash in which the victim, who had two young children in the vehicle, was transported to the hospital. Aguirre fled, but a witness followed him. *ASA Margaret O'Brien*

In October, a judge sentenced **Tiffany Ellis** of Montgomery to three years in prison after she pled guilty to aggravated DUI. Officers found her vehicle parked in the middle of the road. She was stumbling, declined to perform standardized field sobriety tests and provide a breath sample. In addition, she gave police officers a fake name. It was her fourth DUI offense. *ASA Alexandra Storto*

In December, a judge sentenced **Trevon Morris** of Streamwood to 12 years in prison after he pled guilty for his role in an April 2021 traffic crash that killed two Judson University students. Morris had three times the legal limit of marijuana in his system at the time of the crash and was drag racing his friends, traveling more than 90 mph in a 45-mph zone. *ASA Katy Flannagan*



## Rose Mendez

Former Victim Services Supervisor  
Resigned late in 2022



## Sheila Gray

Current Victim Services Supervisor  
Longtime Mutual Ground advocate named unit supervisor late in 2022

Victim advocates provide services to crime victims as required by the Illinois Crime Victims' Bill of Rights. SAO advocates help survivors of crime, as well as the loved ones of a person who died or was injured as a result of someone's criminal conduct. Elderly and disabled victims also are eligible for services.

Advocates provide information and referrals to community services and connect victims to programs and services that meet their specific needs. Advocates assist victims in completing forms for restitution and filing claims for Crime Victim Compensation through the Illinois Attorney General's office. Advocates assist everyone with needs, accommodating victims at branch courts, as well as via remote access. Advocates provide services in multiple languages.

The SAO reestablished victim services in 2021 by strengthening relationships with service providers such as Mutual Ground, Community Crisis Center, Alliance Against Intoxicated Motorists and Mothers Against Drunk Driving, and by improving victim access to assistance.

Supervisor Gray oversaw five full-time advocates and one part-time advocate.

## 2022 in review

Opened **1,680** new cases to assist victims in criminal proceedings.

**361**

Walk-ins

**291**

Protective orders  
obtained on  
victims' behalf

**379**

Victims assisted in  
trials and hearings



## Rob Kinsella

Misdemeanor & Traffic Unit  
Supervisor

The Misdemeanor & Traffic Unit prosecutes those charged with misdemeanor and traffic offenses, not including DUI or domestic violence.

These cases are addressed in the three branch courts: Aurora Branch Court, Elgin Branch Court and Kane Branch Court.

These courtrooms see the highest volume of cases. New prosecutors gain experience in these courtrooms, developing litigation skills with guidance and supervision from veteran prosecutors.

Prosecutors assigned to the unit participated in mandatory weekly educational trainings on elements of the law and developing effective prosecution skills. These topics included direct examination at trial, preparing and delivering closing arguments, DUI offenses and adhering to speedy trial demands.

ASA Kinsella supervised six prosecutors and three administrative assistants.

## 2022 in review

**2,176**

New misdemeanor  
cases

**10,178**

New traffic  
citations

The number of new traffic citations does not include 18,176 new cases prosecuted by the municipality where the offense occurred.



The most common misdemeanor offenses in 2022 not involving DUI, or domestic battery:

**570** Resisting a peace officer

**248** Disorderly conduct

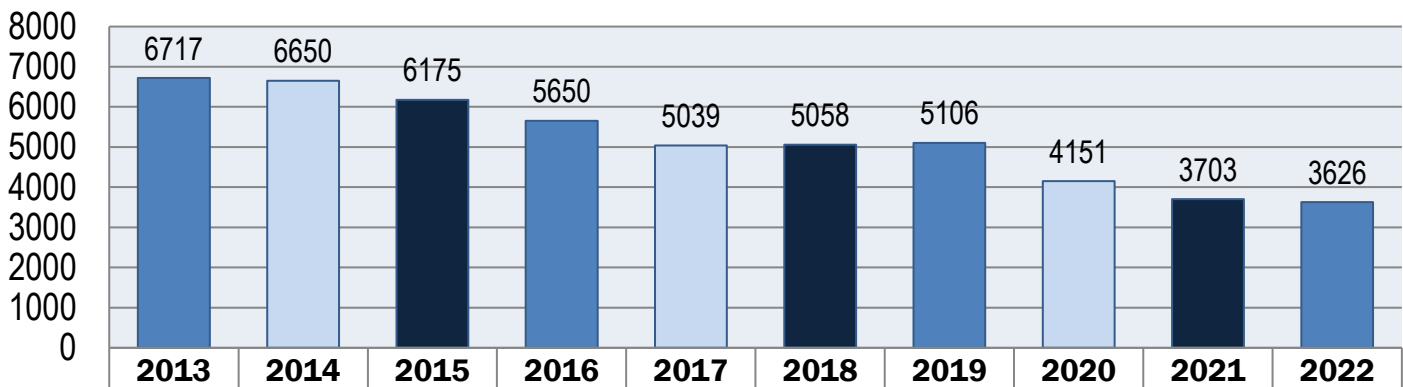
**258** Battery involving physical contact of an insulting or provoking nature

**257** Driving while license suspended

**224** Battery involving bodily harm

**173** Possession of drug paraphernalia

### New misdemeanor filings



*The number of misdemeanor filings fluctuates over time for reasons other than offenses committed. These reasons include changes in the law and how the Administrative Office of Illinois Courts classifies criminal offenses. Additionally, the numbers above do not reflect misdemeanor cases that are prosecuted by the municipality in which the offense occurred.*



## Debra Conforti

Juvenile Delinquency Unit  
Supervisor

The Juvenile Delinquency Unit prosecutes felony and misdemeanor crimes committed by offenders age 17 or younger when the crime occurred.

By law, juvenile offenders age 16 or older who are accused of first-degree murder, aggravated criminal sexual assault or aggravated battery with a firearm involving injury are prosecuted in adult court. A juvenile younger than 16 who is accused of one of those offenses may be prosecuted in adult court with a judge's approval. Further, a juvenile case involving serious offenses may be transferred to adult court.

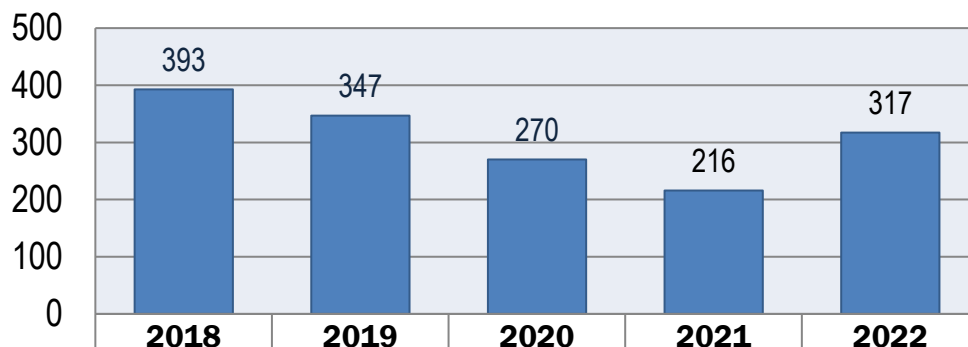
Juvenile adjudications must adhere to Illinois' Juvenile Court Act, which requires the court to find a balance between the public's safety and the juvenile's best interests. The court seeks to rehabilitate juveniles to prevent them from engaging in future criminal behavior. This process involves mental health assessments, substance use evaluations, family and social assessments and individualized plans to promote personal development.

If community-based services fail to curb delinquent behavior, or if probation is not appropriate, a minor can be sentenced to the Illinois Department of Juvenile Justice.

The SAO has seen an increase in the number of juvenile cases involving serious offenses as juveniles involved in less serious offenses are diverted away from detention and the court system.

Assistant State's Attorney Conforti supervised two ASAs and one administrative assistant.

### Juvenile Delinquency Filings



# 2022 in review

**317**

Petitions to  
adjudicate  
delinquency

**176**

Detention  
hearings

**82** new cases involved armed robbery, armed violence, gun discharge or aggravated possession of a firearm

**68** new cases involved aggravated gun-related offenses

**11** new cases involved aggravated or reckless discharge of a firearm

**5** juveniles were charged with possession of a firearm by a street gang member

**228** cases were closed upon disposition, resentencing or completion of juvenile sentence term

## Notable cases

Two minors were transferred to adult court for criminal prosecution. **Ishmael Gonzalez** of Harvey received a 40-year prison sentence for aggravated battery with a firearm. **Kamrean Prater** of Morris received a 4½-year sentence for unlawful possession of a firearm by a street gang member.

Six cases were designated as extended jurisdiction juvenile prosecutions, in which minors are given a combined juvenile and stayed adult prison sentence, which may be lifted if the juvenile fails to adhere to terms of the juvenile sentence.

Eight juveniles were sentenced to the Illinois Department of Juvenile Justice for terms not to extend beyond their 21<sup>st</sup> birthday.

Two juveniles with extended jurisdiction juvenile prosecution sentences were resentenced to adult prison, one for eight years and one for six years.



## Lark Cowart

Abuse & Neglect Unit  
Supervisor

The Abuse & Neglect Unit works to protect abused or neglected children in Kane County.

Abuse & Neglect cases usually result from an Illinois Department of Children and Family Services investigation that determines a child to be abused, neglected or dependent. Upon that determination, DCFS contacts the SAO to screen the case for further action or to inform the office that it has taken protective custody of the child or children. The SAO also receives case referrals from law enforcement, social service providers, probate court and juvenile delinquency court.

When a case is opened, the first step is a shelter care hearing, in which the judge determines whether a child should be placed in the temporary custody of a relative or foster family. The child remains in foster care until the parents can rectify the issues that brought the child into care. Next is an adjudicatory hearing – which is comparable to a trial – in which the SAO must prove the children named in the petition have been abused, neglected or are dependent. In a dispositional hearing, the judge determines what issues must be addressed for the children to be returned to their parents.

Abuse & Neglect court works to help the child's family improve conditions so the child can return to a safe and healthy home environment. All parties have a primary goal of keeping families together. If a child cannot safely return to their parents, the court seeks to permanently place the child in a loving home. This is determined at a parental rights termination hearing.

ASA Cowart supervised two assistant state's attorneys and two administrative assistants.

## 2022 in review

**232**

Cases reviewed

**153**

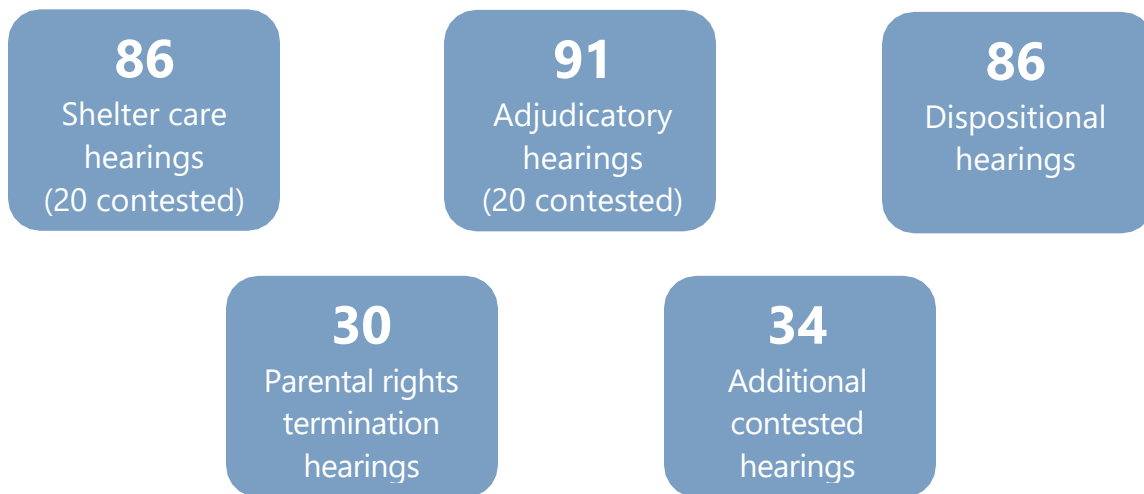
New files

**83**

Cases involving  
families with  
multiple children

The number of new files in 2022 moderated from 2021 and 2020, both of which were notably higher than 2019. Most significantly in 2022, 24 adjudicatory hearings were contested, a 343% increase from seven adjudicatory hearings in 2021. There also was an increase in contested termination hearings and shelter care hearings in 2022.

Lastly, the unit moved to new space in the Juvenile Justice Center from the Old Courthouse. A second courtroom was added in the Juvenile Justice Center for Abuse & Neglect cases.



## Closed 92 child cases:





## **Michelle Halbesma**

Deferred Prosecution Unit  
Supervisor

Deferred Prosecution allows a defendant to be held accountable for their crime, seek appropriate rehabilitation services and take into consideration the harm to any victim.

Deferred Prosecution consists of five individual programs: Felony/Misdemeanor, Misdemeanor Drug & Alcohol, Domestic Violence, Felony Drug and First-Time Weapons.

All programs provide access to mental health, substance use disorder and medical treatment, as well as case management, education, housing and job training. Participants are evaluated to determine risk of recidivism, appropriate levels of supervision and need for services.

Program requirements vary, but typically include community service, drug testing, restitution and fees, and may include substance use disorder or mental health treatment, employment and education.

The unit consisted of the supervisor, three case managers and one administrative assistant.



# Felony & Misdemeanor

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Year established:  
1995

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Average age of  
participants: 29

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Average number of  
individuals diverted  
per year: 150-250

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For first-time, nonviolent offenders who have not been previously convicted. Application and program fees are assessed on a sliding scale up to \$1,500 and collected in monthly installments.

Average participation time is six to 12 months. In 2022, there were 121 applicants, 72 graduates and six negative terminations. Participants paid \$66,973.49 in restitution, and \$76,945 in application and program fees.

Since its inception, 5,530 defendants have successfully completed the program with a cumulative success rate of 78 percent. Victims have received \$2,827,148 in restitution. Restitution is required and must be paid before discharge.

Participants performed 1,631 hours of community service work at charitable organizations. Since 1995, Deferred Prosecution participants have performed 458,280 hours of community service.

Six participants obtained their high school diploma or GED, two completed an individual counseling program, 14 completed a substance use evaluation and subsequent treatment recommendations, 33 wrote letters of apology, 27 completed the Theft Awareness program, 11 completed the Parenting Support Program, 13 completed the Decision Pathways Program, and 10 completed the Anger Management Program.

# Misdemeanor Drug & Alcohol

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Year established:  
2004

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Average age of  
participants: 29

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Average number of  
individuals diverted  
Per year: 10-25

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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.

Participation averages six to 12 months.

Two offenders applied, one participant graduated and one was negatively terminated. Cumulatively, the program has had 1,788 graduates with an average success rate of 75 percent.

Collected \$1,827.83 in program fees.

# Domestic Violence

Year established:  
2010

Average age of  
participants: 34

Average number  
Individuals diverted  
per year: 200-300

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.

242 offenders applied, 159 participants graduated and 24 were negatively terminated. Cumulatively, the program has had 1,345 graduates with an average success rate of 80 percent.

Collected \$78,573.46 in program fees.

# Felony Drug

Year established:  
2012

Average age of  
participants: 26

Average number of  
individuals diverted  
per year: 50-100

For 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. The average participation time is 12 months.

In 2022, 87 offenders applied, 71 participants graduated and 15 were negatively terminated. The program collected \$57,824.63 in fees, and 11 participants completed the Drugs of Abuse class.

Cumulatively, the program has had 448 graduates and a 76 percent success rate.

# First-Time Weapons Offender

Year established:  
2021

Average age of  
participants: 25

Average number of  
individuals diverted  
per year: 25-50

For first-time weapon offenders who are not using the weapons, not affiliated with street gangs and who are willing to accept responsibility for their actions.

Application and program fees are assessed on a sliding scale up to \$1,500, collected in monthly installments throughout the participant's agreement. The average participation time is 12 months.

Thirty offenders applied, five participants graduated and zero were negatively terminated. The program collected \$5,949.46 in program fees, and participants performed 331 hours of community service.



# Collaborative Diversion



**Georg Svec**  
Collaborative Diversion  
Case manager  
Supervisor



**Martha Paschke**  
Collaborative Diversion  
Coordinator

Originally called Pre-Arrest Diversion, Collaborative Diversion grew and developed in 2022 with the goal of public safety.

Collaborative Diversion case managers work with program participants, whose involvement in the criminal justice system is the result of untreated mental illness, substance use or a lack of resources. The case manager uses motivational interviewing and harm reduction, connecting participants to needed services and treatment when they are ready.

The program coordinator oversees finances and funding, supports program needs, communicates with the community and outside agencies, and implements program policies and procedures.

The initiative encompasses additional pathways including accepting first-time offenders and jail inmates who have entered treatment through the A Way Out program, as well as community referrals from service providers and mobile Crisis Response Teams when appropriate.

Collaborative Diversion is almost entirely grant funded. Grants continue to fund this new initiative with the second year of both the state Community Law Enforcement Partnership for Deflection grant and the federal Comprehensive Opioid, Stimulant, and Substance Use Program grant. The program has received \$1.7 million in grants.

Additionally, the initiative received \$135,000 in American Rescue Plan Act funds, funding from the Kane County Health Department in a continued collaboration among county departments, as well as grants from Northwestern Medicine and Batavia Rotary.

Work continues to involve additional Kane County law enforcement agencies, with eight agencies currently reviewing the policy for implementation in 2023.

The unit consisted of four case managers and supervisor George Svec.

## 2022 in review

**57**

Individuals agreed to voluntarily work with case managers

**35**

Participants remain engaged in case management

**5**

Participants had subsequent arrests

**3**

Participants successfully completed 30 days of inpatient treatment

**87**

Referrals made to services and/or treatment in the community

# Felony Screening



## Steve Sims

Felony Screening Unit  
Supervisor

The Felony Screening Unit evaluates the facts and evidence of an investigation and determines whether felony charges are appropriate.

Criminal cases begin with a police investigation. Police have the discretion to authorize misdemeanor charges, but prosecutors must approve felony charges. When police believe they have sufficient evidence, they contact an on-call prosecutor.

Unit prosecutors are available 24 hours a day, 365 days a year to respond to officers, detectives and investigators, authorize charges when they conclude an investigation and answer questions and provide guidance during pending investigations.

In 2022 the unit screened 2,124 investigations for felony charges.

Prosecutors must ensure that probable cause exists before authorizing an offense and determining appropriate charges. The prosecutor may suggest additional investigative steps be taken to build a stronger case. On more complex screenings, the prosecutor may go to the police station to review reports and evidence.

Assistant State's Attorney Steve Sims supervised two ASAs.

## 2022 in review

**2,124**

Investigations for  
felony charges

**34**

Police agencies  
in Kane County



## **Kim Klein**

Specialty Courts Unit  
Supervisor

The Specialty Courts Unit oversees three problem-solving courts – Drug Rehabilitation Court, Veterans Court and Treatment Alternative Court – and three courts that focus on specialized areas of the law – Mental Health Court, Forfeiture Court and Expungement/Sealing Court. The unit also handles probation violations.

### **Problem-Solving Courts**

According to the Bureau of Justice Statistics, almost 60% of individuals charged with a crime test positive for one or more illegal drugs at the time of arrest, 80% of incarcerated offenders abused alcohol or other drugs before their arrest, and 50% of all inmates are clinically addicted to substances. Additionally, the National Alliance on Mental Illness reports that nearly 15% of men and 30% of women booked into jails have a serious mental health condition.

The 16th Judicial Circuit offers problem-solving courts to individuals to address these concerns as an alternative to incarceration. These courts must meet specific standards and obtain certifications as required by the Administrative Office of the Illinois Courts (AOIC) and the Special Supreme Court Advisory Committee for Justice and Mental Health Planning.

Participation time varies based on each individual, and can exceed two years.

## **2022 in review**

### **Drug Rehabilitation Court**

This court is designed to reduce recidivism and substance use among nonviolent offenders and to promote rehabilitation through intense treatment, mandatory drug testing, community supervision and appropriate sanctions and rehabilitation services. Participants work with a team of substance use professionals, local service providers, attorneys, the judge and court staff in an intensive nonadversarial program designed to address their substance use concerns and the criminal case. This approach requires frequent court appearances, treatment and testing.

**67**

New  
applicants

**66**

Overall  
participants

**16**

Graduates

## Treatment Alternative Court

Treatment Alternative Court is for defendants with serious mental health issues. Participants work with a team of mental health professionals, local service providers, attorneys, the judge and court staff in an intensive, nonadversarial program to address their concerns and the criminal case.



## Veterans Court

Veterans Court is for defendants who have been on active military duty and who have serious mental health or substance use concerns. Participants work with a team of mental health professionals, local service providers, attorneys, the judge, and court staff in an intensive nonadversarial program designed to address these concerns.

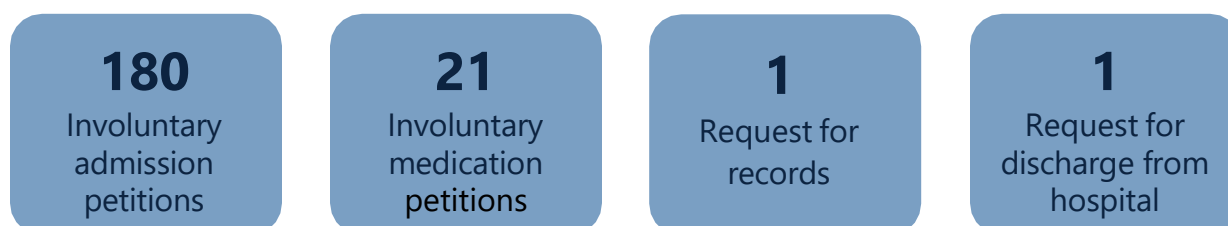


## Specialized Courts

### Mental Health Court

This court consists of hearings on Involuntary Admission Petitions and the Administration of Psychotropic Medication Petitions. Most respondents are patients at Elgin Mental Health Center, Ascension Mercy Hospital in Aurora, or Ascension St. Joseph Hospital in Elgin.

## 203 mental health petitions filed:



## 8 petition hearings held:



## Forfeiture Court

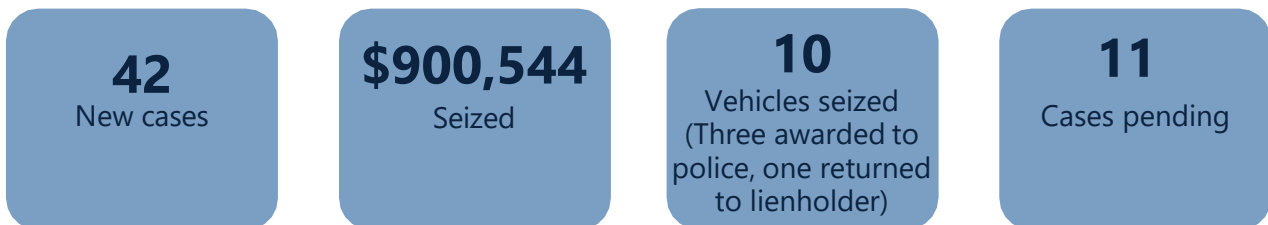
Article 36 forfeitures – Illinois law allows state’s attorneys to seek forfeiture of assets, including cash involved in felony drug transactions, as well as the forfeiture of vehicles used to commit certain crimes. Our office works in conjunction with police agencies on forfeiture proceedings under 720 ILCS 5/36-1 or Article 36. This law allows police to seize vehicles that were used with the knowledge and consent of the owner in the commission of certain crimes. These include DUI while driving on a suspended or revoked license, felony DUI, aggravated fleeing and eluding, reckless homicide, stalking and burglary. We use this law in conjunction with the criminal courts and criminal charges. We return seized property when we have evidence of innocent ownership.

Drug asset forfeitures – The Drug Asset Forfeiture Procedure Act (725 ILCS 150) allows for the civil forfeiture of property used to facilitate, or that was acquired from a violation of felony drug laws. Under this statute, police may seize assets that were profits from drug deals or that were used in the commission of certain drug offenses.

### Article 36 forfeitures – 28 vehicles seized:



### Drug asset forfeitures & money laundering:



## Expungement/Sealing

Illinois law allows individuals with a criminal record the opportunity to have their records cleared or sealed. Expungement removes all records related to the criminal offense, while sealing makes the record inaccessible to the public. To have a charge expunged from your criminal record or sealed, an individual must petition the court in the county where the offense occurred. The State’s Attorney’s Office is responsible for reviewing those petitions for expungement or sealing and for determining whether the petitioner meets the legal requirements for expungement or sealing.

## Probation violations

Many defendants, upon conviction, are given a sentence of probation. If a defendant violates their probation terms, the SAO must determine the next step, which could involve resentencing the offender. Our office reviewed 1,489 probation violations, 569 of which were new criminal offenses.

Assistant State’s Attorney Klein supervised four ASAs and three administrative assistants.



## Michele Niermann

Civil Division  
Chief

The Civil Division serves as legal counsel for Kane County and its elected and appointed officials.

The Civil Division represents and advises county officials and staff in all legal and government operations, including litigation and risk management, statutory authority and governance, constitutional and statutory requirements, sunshine laws, ethics, parliamentary rules, intergovernmental cooperation, budgets, audits, taxes, federal and state grants, labor and employment, civil rights, First Amendment, due process, contracts, procurement, bond financings, zoning and development, landfill operations and compliance, emergency planning and response, public health and elections. Division attorneys litigate in state and federal court, as well as before state and federal agencies, and represent taxing bodies in all tax-objection cases.

Assistant State’s Attorney Niermann supervised 10 ASAs and two administrative assistants.

## 2022 in review

Worked with the county board to finalize redrawn election precinct boundaries, which was required after certification of the 2020 U.S. Census.

Continued to assist Kane County with its COVID-19 response: the division worked with the health department and county board on numerous relief and recovery projects, such as the county-run mass vaccination site and provided legal advice to the county board as it established its American Rescue Plan Act committee to distribute federal funding.

Won the dismissal of or favorable judgments in approximately 10 federal and state lawsuits.

Assisted in evaluating the constitutionality of the SAFE-T Act and worked with the DuPage County State’s Attorney’s Office to obtain a supervisory order from the Illinois Supreme Court. The order delayed the implementation of portions of the act pending the review of an appeal from the 21st Judicial Circuit Court holding the Pretrial Fairness Act provisions to be unconstitutional.

Responded to the large volume of Freedom of Information Act requests, processing 37 requests to the SAO, and provided legal advice to county and elected officials’ offices upon request. FOIA requests can require the expenditure of significant resources and can take multiple days to process.



## Heidi Baxter

Child Support Unit  
Supervisor

The Child Support Unit provides services to families with dependent children regardless of income under Title IV-D of the federal Social Security Act of 1975.

The federal government provides most of the unit's funding with the balance being provided by the State of Illinois through the Department of Healthcare and Family Services.

The unit works to establish paternity and support obligations, modify and enforce existing support orders, and collect unpaid support and maintenance obligations on behalf of Illinois HFS.

The Kane County State's Attorney's Office is one of 13 Illinois prosecutors' offices that contracts with HFS to provide local judicial enforcement of child support obligations.

Assistant State's Attorney Baxter supervised three ASAs and four paralegals.

## 2022 in review

Collected **\$24,336,025** for Kane County parents

**581** New cases

**10,201** Children served in **9,733** families



## Pamela Bradley

Community Prosecution  
Supervisor

Community Prosecution is a proactive approach to public safety that allows the SAO to address residents' and stakeholders' welfare concerns while building community trust.

The overall goal is crime reduction with increased community ownership and pride, as well as long-term relationships with residents, law enforcement, community groups and business owners in Kane County.

In 2022, the unit included the supervisor and 13 volunteer SAO employees. Their participation, in addition to their work responsibilities, is vital to the program's success. These volunteers attended community meetings, festivals, and safety and health fairs, as well as National Night Out events in Aurora, North Aurora and Montgomery.

Further, volunteers met with and introduced the community prosecution mission to school officials, village trustees, aldermen, local police and public housing directors in Aurora and the residents they serve, gaining acceptance and establishing a working relationship.

Several ASAs and staff provided their expertise to senior citizens to help them identify scams and protect themselves from becoming victims of fraud. In addition, volunteers met with clergy, residents, local organizations and police to discuss building stronger communities, address reducing violent crime, and identifying mental health concerns among youth and adults to prevent incarceration.







## Viviana Ramirez

Conviction Integrity  
& Resentencing Unit  
Supervisor

### Conviction Integrity

In March, the SAO became one of 97 prosecutors' offices in 17 states to establish a Conviction Integrity and Resentencing Unit, according to The National Registry of Exonerations. The Kane County SAO is one of three Illinois SAOs with such a unit, joining Cook and Lake counties. The unit, supervised by ASA Viviana Ramirez, works to review claims of actual innocence and examine cases that qualify for resentencing consideration under Illinois law 725 ILCS 5/122-9.

The unit received 11 requests for resentencing review. It is reviewing and assessing the requests for cases that meet the initial criteria established by the unit to assess cases in which the sentence no longer serves the interest of justice. It reviewed and denied one case for actual innocence.

### Training

Continuing legal education (CLE) is an integral and required part of a lawyer's career. Our office emphasizes the need to provide and attend trainings to expand their knowledge. Laws constantly change, so it is essential to assure that lawyers have the most recent information. ASA Ramirez organized 18 trainings in 2022. Among them:

- Jane Anderson from the National Center for Victims of Crime and Project Safe Neighborhoods spoke about victim-informed prosecution
- Assistant Attorney General Cordelia Coppleson presented on Firearms Restraining Orders and how lawyers and victim advocates can use this tool to help protect families from threats of violence
- ASA Lindsey Lachanski, Judge Marmarie Kostelny and Assistant Public Defender Juanita Archuleta presented a refresher on Drug Rehabilitation Court, Treatment Alternative Court and Mental Health Court

### Diversity, Equity & Inclusion

The SAO established a Diversity, Equity & Inclusion initiative to prioritize a work environment in which employees feel welcome and supported, and reflect and understand the community they serve.

ASA Ramirez led the initiative to work in conjunction with the Employee Relations Committee to bring in programs and events that have a meaningful impact on office culture and dynamics to create an equitable workplace that helps employees grow. Events include cultural heritage month observances, luncheons and yoga.



## **Julia Schick**

Juvenile Justice Council  
Coordinator

The Juvenile Justice Council supports collaboration among agencies and programs to better address juvenile delinquency and to develop and implement a plan to prevent juvenile delinquency.

The council consists of stakeholders from inside and outside the juvenile court system who collaborate to improve juvenile justice issues in Kane County. Stakeholders comprise the council’s board of directors, while the full council consists of partners from community agencies, service providers, schools and other community alliances.

Public Defender Rachelle Conant chairs the group. Additionally, the council represents the local juvenile justice system on other community initiatives and alliances. The board of directors meets monthly. The full council meets quarterly. Subcommittees meet as needed. Although the council makes recommendations to more effectively utilize services, it is not a direct service provider.

## **2022 in review**

Two-day restorative practices trainings for multiple stakeholder groups

Engaged in strategies to address inequities within the juvenile justice system by maintaining a workgroup to examine data from the many decisions made through the duration of a case

Progressed a strategy to address adolescent domestic battery, specifically related to youth being placed in detention as a result of the offense

Translated expungement materials into a more readable format to increase access

Focused discussions to amend current council operations

# The Year in Photos



Mothers Against Drunk Driving honored ASA Katy Flannagan as a MADD Hero for her DUI enforcement work.



State's Attorney Jamie Mosser treated the office to ice cream on one of our many hot summer days.



The SAO hosted a community forum in June at the Aurora Public Library about the new Collaborative Diversion program.



The Illinois Chiefs of Police Association recognized State's Attorney Jamie Mosser for her work amending the SAFE-T Act.



Meg Krase and social workers from the Carpentersville Police Department stopped by our office with Walter the comfort dog to meet with our victim advocates.

State's Attorney Jamie Mosser and ASA Jessica Michels, the Domestic Violence Unit supervisor, are part of the 16th Judicial Circuit's Family Violence Coordinating Council, which seeks to improve the community response to family violence such as child abuse, domestic abuse and elder abuse.



Longtime Kane County ASA Joe Cullen retired early in 2022 after a distinguished 35-year career as a prosecutor. Pictured (L to R) are former Kane County State's Attorney Gary Johnson, former Kane County State's Attorney Joe McMahon, Joe Cullen, DeKalb County Judge and former DeKalb County State's Attorney Ron Matekaitis, Kane County State's Attorney Jamie Mosser, Judge John Barsanti and DuPage County State's Attorney Bob Berlin.



State's Attorney Jamie Mosser talks with ABC-7 reporter John Garcia after an interview.



Mayra Franco and Ariana Cardenas, case managers in the SAO's Deferred Prosecution program, attended a college and career fair at West Aurora High School.

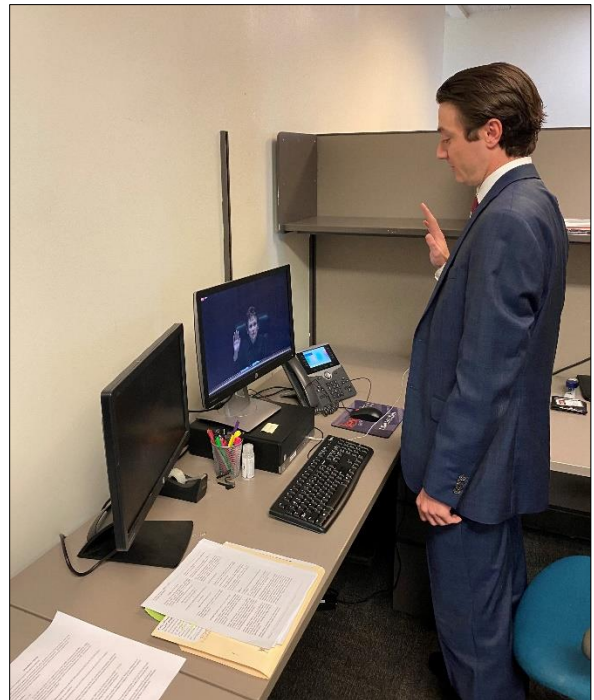
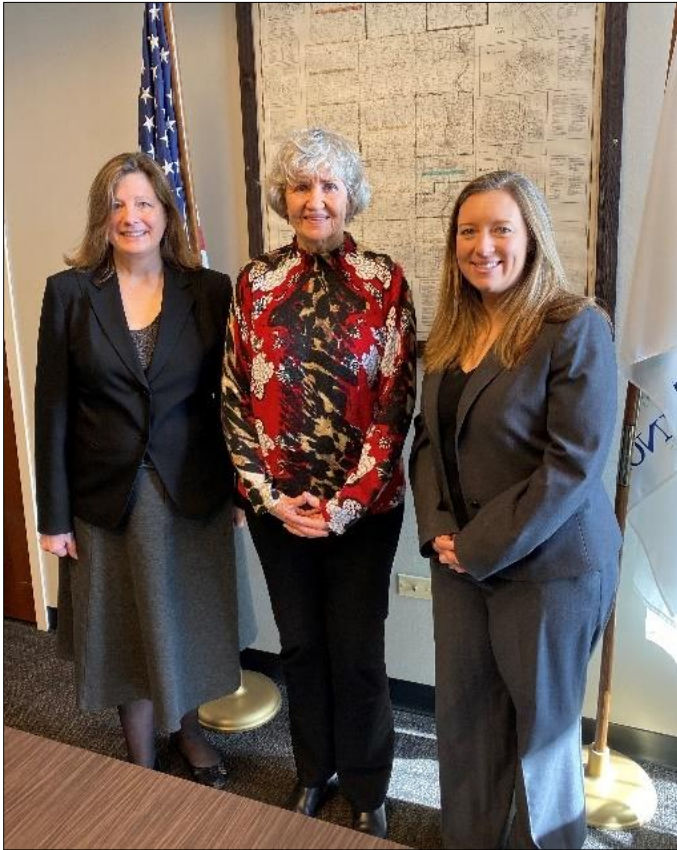


Wellness among staff is a priority to State's Attorney Jamie Mosser. She invited Vibe Whole Health to give a presentation to the office about healthy eating habits.



The Community Prosecution Unit volunteer staff of Ariana Cardenas, Terra Barnes, Brenda Patton, Silvia Cruz, Jessica Orsini, Jennifer Vasquez, Viviana Ramirez, Morgan Young, Susan Eberhardt and Pam Bradley represented the office at several community events in Aurora, North Aurora and Montgomery. These include the Law Enforcement Youth Academy, the North Aurora Police/Kane County Safety Coalition, National Night Out, the Second Ward Back to School Ice Cream Social in Aurora, the Seventh Ward Back to School Bash in Aurora, and Montgomery Fest.





Clockwise from top left: First ASA Christine Bayer and State's Attorney Jamie Mosser met with Pamuella Mann, the first female assistant state's attorney for Kane County; ASA Kim Klein supervisor of Specialty Courts, gave several presentations about involuntary mental health admissions; Sal Vivrito is sworn in as a lawyer after passing the Illinois Bar exam. Shortly after, Sal was sworn in as a Kane County Assistant State's Attorney; ASA Viviana Ramirez presented at the Winnebago county Ethics for Prosecutors seminar in Rockford. She also presented at the Federal Bar Association's Criminal Law Seminar in Salt Lake City.





Clockwise from top left: Assistant State's Attorney Matt Rodgers and North Aurora police officer Robyn Stecklein met with the Southeast Kane County TRIAD senior citizen group in North Aurora; nearly two dozen SAO employees participated in a white elephant gift exchange as part of the office's Holiday Week; ASAs Betsy Bellario and Viviana Ramirez lead a yoga/meditation class at the Judicial Center for SAO staff. They are certified yoga instructors.

**National Night Out** enhances the relationship between neighbors and law enforcement while promoting a sense of community.



## In loving memory of Debra L. Bree




On April 29, 2022, the Child Advocacy Center dedicated a garden in memory of former assistant state's attorney and CAC Executive Director Debra Bree. Deb was a Kane County ASA from April 2000 until her death from a two-year battle with colon cancer in August 2020. She was a staunch child welfare advocate, working on behalf of children for most of her prosecutorial career. Deb served as the executive director of the Child Advocacy Center for nearly eight years beginning in December 2012.



# Facebook Live

State's Attorney Jamie Mosser launched monthly Facebook Live discussions on relevant public safety topics in 2022. The hour-long discussions allow SA Mosser to directly reach the community to talk about important issues. Show topics in 2022 were human trafficking, cyber scams, reporting child abuse, elder abuse, police and crisis intervention, the Collaborative Diversion program, ending the cycle of domestic violence, and how post-traumatic stress disorder affects police officers.

JANUARY  
**HUMAN TRAFFICKING**  
PREVENTION MONTH





**Join us for a Facebook Live discussion on human trafficking**  
**Tuesday, Jan. 18, 6 p.m.**

[www.facebook.com/KaneSAO](http://www.facebook.com/KaneSAO)

Panelists include:

- Kane County State's Attorney Jamie Mosser
- Kane County Sheriff Ron Hain
- Meredith Hodge, executive director, Refuge for Women Chicago

If you would like to ask a question, please email in advance [nelsonchris@co.kane.il.us](mailto:nelsonchris@co.kane.il.us)


**Join us for a Facebook Live discussion on cyber scams**  
**Thursday, Feb. 17, 6-7 p.m.**

[www.facebook.com/KaneSAO](http://www.facebook.com/KaneSAO)


Panelists:

- Siobhan Johnson, special agent, FBI
- Det. Rich Wistocki, child cyber crime expert
- Kane County State's Attorney Jamie Mosser
- Kane County Sheriff Ron Hain

To ask a question, please email in advance [nelsonchris@co.kane.il.us](mailto:nelsonchris@co.kane.il.us)



APRIL




**Join us for a Facebook Live discussion on reporting child abuse**  
**Thursday, April 14, 6-7 p.m.**

[www.facebook.com/KaneSAO](http://www.facebook.com/KaneSAO)

Panelists:

- Gloria Kelley, CASA Kane County
- Dee Oliver, Kane County Regional Office of Education
- Kane County State's Attorney Jamie Mosser
- Kane County Sheriff Ron Hain

To ask a question, please email in advance [nelsonchris@co.kane.il.us](mailto:nelsonchris@co.kane.il.us)




**FACEBOOK LIVE CHAT: ELDER ABUSE**  
**PHYSICAL, MENTAL, FINANCIAL**

[www.facebook.com/KaneSAO](http://www.facebook.com/KaneSAO)

**MAY 26 | 6-7 P.M.**

Panelists:

- Kane County State's Attorney Jamie Mosser
- Kane County Sheriff Ron Hain
- FBI Special Agent Siobhan Johnson
- Brandy Lester, Senior Services Associates
- Diana Law, Kane County Public Guardian

Please email your questions in advance to [nelsonchris@co.kane.il.us](mailto:nelsonchris@co.kane.il.us)



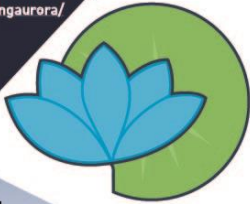


In July, State's Attorney Jamie Mosser was joined by (left to right) Nick Thompson of Aurora, host Curtis Spivey, Sheriff Ron Hain, Janeth Barba of Family Services Associates and Aurora Police Officer David Guevara to talk about community policing and the importance of mental health responders.



In August, Sheriff Ron Hain (left to right), State's Attorney Jamie Mosser, Dr. Alexandra Tsang, director of the Kane County Diagnostic Center, Pete Olson, a Gulf War combat veteran, and Jacob Zimmerman, superintendent of the Kane County Veterans Assistance Commission, talked about post-traumatic stress disorder and its effect on public safety and the criminal justice system.

Presented by Kane County State's Attorney's Office  
 September 28 @ 6-7 p.m.  
 Facebook Live:  
<https://www.facebook.com/goodmorningaurora/>




## Pre-Arrest Diversion

**Panelists:**

- Jamie Mosser, Kane County State's Attorney
- Martha Paschke, Coordinator, Kane County Pre-Arrest Diversion
- Sgt. Tony Rigano, Elgin Police Department
- Daryl Pass, Founder and CEO, New Beginnings Recovery Mission NFP; Manager of Recovery Support Services, Kenneth Young Center
- Milina Wilson, Case Manager, Kane County Pre-Arrest Diversion
- Ron Hain, Kane County Sheriff

**Moderator:**

- Curtis Spivey, Host, Good Morning Aurora





In October, host Curtis Spivey (L to R), State's Attorney Jamie Mosser, Nathan Lanthrum, clinical director of Lighthouse Recovery, and Maribel Duran-Mendez, coordinator of the Abuse Intervention Program at Community Crisis Center in Elgin, discussed domestic violence and the importance of treatment to interrupt the cycle of violence.



In November, Dr. Carrie Steiner of First Responders Wellness Center, joined State's Attorney Jamie Mosser and host Curtis Spivey for a discussion about how post-traumatic stress disorder affects police. Not pictured: Illinois State Police Director Brendan Kelly, who participated via Zoom, and Sheriff Ron Hain.

# 2022 SAO Honorees



**ASA Michele Niermann,  
Lifetime Achievement**



**ASA Margaret O'Brien,  
Debra Bree Voice for  
Victims Award**



**ASA Tyler Cox,  
Prosecutor of the Year**



**Jonelle Delano,  
Employee of the Year**



**ASA Matt Rodgers,  
Ace of Spades  
Felony Trials**



**ASA Heena Patel,  
Ace of Spades  
Misdemeanor Trials**



**ASA Lark Cowart,  
Ace of Spades  
Hearings**