



STATE'S ATTORNEYS APPELLATE PROSECUTOR

FY18 ANNUAL REPORT

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State's Attorneys Appellate Prosecutor



FY18 Annual Report



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PATRICK J. DELFINO
DIRECTOR

JUSTIN HOOD
CHAIRMAN

September 28, 2018

DAVID J. ROBINSON
CHIEF DEPUTY DIRECTOR

DEPUTY DIRECTORS

DAVID J. ROBINSON
2nd / 3rd / 4th DISTRICTS

PATRICK D. DALY
5TH DISTRICT

BOARD OF GOVERNORS

FIRST DISTRICT:

KIMBERLY M. FOXX
STATE'S ATTORNEY
COOK COUNTY

SECOND DISTRICT:

JOSEPH P. BRUSCATO
STATE'S ATTORNEY
WINNEBAGO COUNTY

JOSEPH H. McMAHON
STATE'S ATTORNEY
KANE COUNTY

THIRD DISTRICT:

JOHN L. McGEHEE
STATE'S ATTORNEY
ROCK ISLAND COUNTY

STEWART J. UMHOLTZ
STATE'S ATTORNEY
TAZEWELL COUNTY

FOURTH DISTRICT:

BEN GOETTEN
STATE'S ATTORNEY
JERSEY COUNTY

JOHN C. MILHISER
STATE'S ATTORNEY
SANGAMON COUNTY

FIFTH DISTRICT:

TYLER R. EDMONDS
STATE'S ATTORNEY
UNION COUNTY

JUSTIN HOOD
STATE'S ATTORNEY
HAMILTON COUNTY

BRANDON J. ZANOTTI
STATE'S ATTORNEY
WILLIAMSON COUNTY

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Honorable Justin Hood
State's Attorney of Hamilton County
100 South Jackson
McLeansboro, IL 62859

Dear Mr. Chairman:

Kindly find enclosed for your consideration the Annual Report of the State's Attorneys Appellate Prosecutor's Office for fiscal year 2018, which is submitted to you pursuant to 725 Illinois Compiled Statutes, 210/4.06.

I am pleased to report that our Agency had a workload of 1,800 appellate filings and oral arguments conducted, and continued to deliver the highest quality legal services to the State's Attorneys of Illinois.

In addition, our Local Drug Prosecution Support Unit assisted initiated 2,982 criminal cases and filed 572 drug asset forfeiture actions; our Labor Unit serviced three counties; our Tax Objection Division handled 57 matters in 22 counties; and our Special Prosecution Unit assisted with 1,041 cases in 96 counties.

We also conducted intensive week-long trial advocacy courses, held specialized criminal justice seminars for prosecutors and other law enforcement personnel, and maintained our Agency website which features recent court decisions, legislation, and other pertinent information for Illinois State's Attorneys.

I am justly proud of the dedication and proficiency of our personnel and of the support of the Board of Governors. I look forward to the opportunity to be of future service to the State's Attorneys and the citizens of Illinois.

Very truly yours,

Patrick J. Delfino
Director

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Mission & Overview

The Legislature created the Office of the State's Attorneys Appellate Prosecutor in 1977. The Agency was given the mission to work closely with State's Attorneys in 101 counties to prepare, file, and argue cases in the appellate courts to keep convicted criminals behind bars. The Agency's responsibility has since been expanded to include serving as Special Prosecutor, providing assistance to State's Attorneys in labor cases under the Illinois Public Labor Relations Act, in drug cases, and in tax objection cases. The Agency also provides continuing legal education services which includes specialized sessions in trial advocacy and in cases involving children who are crime victims and witnesses.

The Agency's specific powers and duties are detailed in the State's Attorneys Appellate Prosecutor's Act (725 ILCS 210 et. seq).

Objective

The primary objective of the Office of the State's Attorneys Appellate Prosecutor is to deliver quality professional services to all participating counties in full compliance with its legislative mandate. This includes:

- I. To represent the People of the State of Illinois on appeal in all cases which emanate from a county containing less than 3,000,000 inhabitants, when requested to do so and at the direction of the State's Attorney;
- II. To prepare, file, and argue such appellate briefs in the Illinois Appellate Court with the advice and consent of the State's Attorney and, when requested and authorized to do so by the Attorney General, in the Supreme Court;
- III. To assist State's Attorneys in the discharge of their duties under the Illinois Controlled Substances Act, the

Methamphetamine Control and Community Protection Act, the Narcotics Profit Forfeiture Act, the Cannabis Control Act, the Drug Asset Forfeiture Procedure Act, and the Illinois Public Labor Relations Act;

- IV. To provide trial assistance to State's Attorneys and to serve as Special Prosecutor when duly appointed by a court having jurisdiction with a court order stating the statutory provisions;
- V. To assist State's Attorneys in the trial and appeal of tax objection cases;
- VI. To conduct training programs for State's Attorneys and law enforcement personnel including programs to reduce trauma for child witnesses in criminal proceedings; and
- VII. To provide a legal intern program.

County Participation

The State's Attorneys retain exclusive control of appeals originating in their respective counties as well as the authority to control all documents in each individual case. The Agency files no documents in the reviewing courts until they are approved by the State's Attorneys otherwise responsible for prosecuting the appeal.

The participation of the State's Attorney in the program is completely voluntary. Counties that agree to participate are required to collectively finance one-third of the total appropriation approved by the General Assembly and the Governor with the exception of personal services expenses of the collective bargaining unit. The remaining two-thirds of the Agency's budget is appropriated from General Revenue Funds. Each county's portion is determined annually by the Agency and is based on population.

Board of Governors

The Agency is governed by a Board of Governors consisting of ten State's Attorneys. The Cook County State's Attorney is a permanent member by statute; eight State's Attorneys are elected annually; and the tenth member is appointed each year by the other nine members.

Director's Office

The Director is responsible for the overall supervision and coordination of the Agency and for providing all administrative services. This includes administrative and managerial functions, legal policy and other extraordinary legal concerns, budgetary and legislative matters, and Agency publications.

District Offices

Four District Offices have been established. They are located in Elgin (Second District), Ottawa (Third District), Springfield (Fourth District), and Mt. Vernon (Fifth District). Each Office is managed by a Deputy Director who supervises a staff of attorneys and clerical personnel.

Duties and History

In addition to the primary duties of preparing, filing, and arguing appellate briefs, the Agency provides numerous other services to State's Attorneys and law enforcement personnel. The Agency's initial appellate responsibility focused on criminal cases.

However, effective August 9, 1981, the Agency's authorization was expanded to represent the People of the State of Illinois on appeal in juvenile cases, paternity cases, and cases arising under the Mental Health Development and Disabilities Code when requested to do so by the respective State's Attorney. Also effective on the same date, the Agency was given

authority upon request to assist State's Attorneys in the trial and appeal of tax objection cases.

In addition, on August 18, 1982, the Agency was authorized to assist State's Attorneys on cases and appeals arising under the Narcotics Profit Forfeiture Act. Also, effective August 3, 1984, the Agency's authorization was again expanded to provide for assisting State's Attorneys in the discharge of their duties under the Illinois Public Labor Relations Act. Effective July 1, 1986, the Agency was legislatively mandated to conduct training programs for prosecutors and other law enforcement personnel to reduce trauma for child witnesses in criminal proceedings.

Effective January 1, 1988, the authority of the Agency was again expanded to permit the Agency to represent the People of the State of Illinois on appeal in all types of cases that emanate from a county containing less than 3,000,000 inhabitants when requested to do so, and at the direction of the State's Attorney otherwise responsible for prosecuting the appeal. On this same date, the Agency was also authorized to assist State's Attorneys in the full discharge of their duties under the Illinois Controlled Substances Act and the Narcotics Profit Forfeiture Act. To carry out this responsibility, the Agency created the Local Drug Prosecution Support Unit on May 1, 1988. This Unit receives funding from federal grants, and the Agency provides the required matching funds.

On September 28, 1989, the Agency entered into a collective bargaining agreement with the American Federation of State, County and Municipal Employees Union. By this agreement, the Agency recognizes the Union as the sole and exclusive collective bargaining representative for Staff Attorneys and Legal Secretaries. On January 1, 1990, the authority of the Agency was expanded through the creation of general revenue appropriations for collective bargaining personal services and

through the approval to permit the rollover of county funds.

Effective September 10, 1990, Public Act 86-1382 created the Drug Asset Forfeiture Procedure Act and amended the Cannabis Control Act and the Controlled Substances Act. These amendments authorized the Agency to receive a 12.5% share in the monies and sale proceeds of property forfeited and seized under the provisions of these Acts in counties under 3,000,000 inhabitants. They also authorized the Agency to use these funds in the investigation, prosecution, and appeal of cases arising under laws governing cannabis and controlled substances.

On July 16, 2002, the Agency was authorized to assist State's Attorneys in the discharge of their duties under the Cannabis Control Act and the Drug Asset Forfeiture Procedure Act. On this same date, the Agency was also authorized to provide trial assistance to State's Attorneys and to serve as Special Prosecutor when duly appointed by a court having jurisdiction with a court order stating the statutory provisions.

Effective May 28, 2010, the Agency was officially designated a judicial agency of state government.

On this same date, the term of the Agency's elected Board of Governors was extended from one to two years.

On September 11, 2012, the Agency was further authorized to provide services to State's Attorneys under the Methamphetamine Control and Community Protection Act.

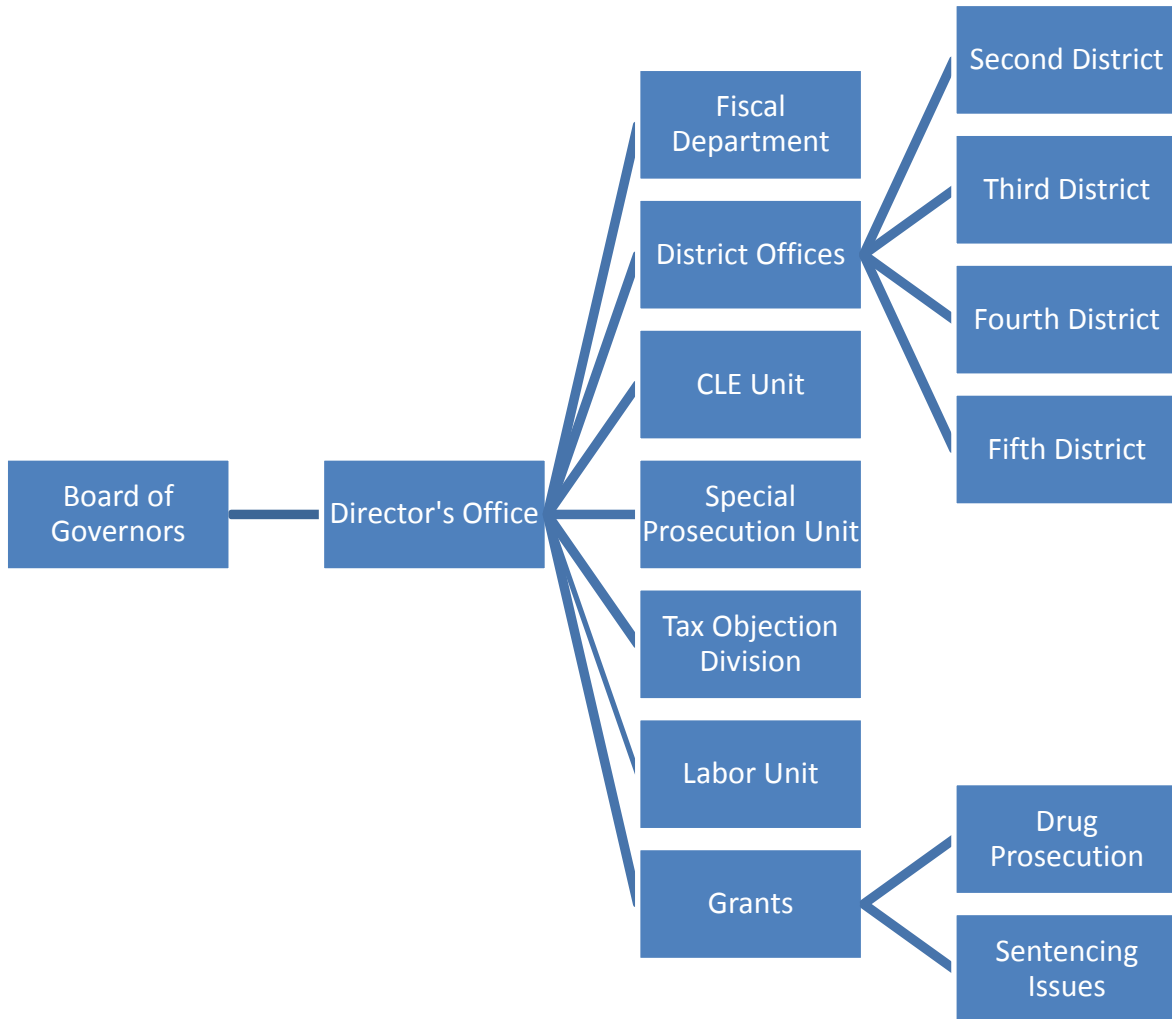
On May 23, 2014, Public Act 98-938 was passed and mandated that the Agency create a Best Practices Committee to evaluate specific issues related to the investigation and prosecution of serious criminal offenses, and to make recommendations to improve and enhance public safety.

On July 27, 2015, Public Act 99-143 was passed and mandated that the Agency include persons with disabilities in its training programs focusing on reduction of trauma in testifying in criminal proceedings.

On July 30, 2015, Public Act 99-208 was passed. This Public Act allows the State's Attorney of Cook County to appoint a designee for Board Meetings; allows the Agency to contract for or employ part-time investigators; mandates that these investigators contact and cooperate with local law enforcement agencies unless the contact and cooperation would compromise an investigation in which the local law enforcement agencies have a personal involvement; authorizes the Director to issue a badge to each investigator, contracted or employed; and allows the Director to issue identification shields to employees not exercising the powers of a peace officer if the Director determines that such identification is necessary for the employee to carry out his or her duties.

Agency Structure

The below chart summarizes the overall structure of the Agency. The State's Attorneys Appellate Prosecutor is governed by a Board of Governors consisting of ten State's Attorneys. The Director's Office promulgates and implements the rules and regulations governing the administrative and legal functions of the Agency.



Board of Governors

The Office of the State's Attorneys Appellate Prosecutor has a membership of ten State's Attorneys who govern the Agency's functions. Eight State's Attorneys are elected to serve on the Board. The Cook County State's Attorney serves by statute, and one State's Attorney is appointed Member-At-Large by the other nine members. The Board members elect officers to preside during the two-year term.

The Board Officers during FY18 were:

Justin E. Hood, Hamilton County, Chairman (Elected June 2018)
Joseph P. Bruscato, Winnebago County, Chairman (Served from December 2016 to June 2018)
Justin E. Hood, Hamilton County, Vice-Chairman (Served from June 2012 to June 2018)
Ben Goetten, Jersey County, Vice-Chairman (Elected June 2018)
John C. Milhiser, Sangamon County, Secretary (Has served since June 2012)

The State's Attorneys who served as members of the FY18 Board of Governors were:

First District:

Kimberly M. Foxx, Cook County (Serves by statute, Effective December 2016)

Second District:

Joseph P. Bruscato, Winnebago County (Has served on Board since December 2010)
Joseph H. McMahon, Kane County (Has served on Board since February 2013)

Third District:

John L. McGehee, Rock Island County (Elected to Board March 2017)
Stewart J. Umholtz, Tazewell County (Elected to Board March 2017)

Fourth District:

Ben Goetten, Jersey County (Has served on Board since May 2013)
John C. Milhiser, Sangamon County (Has served on Board since June 2012)

Fifth District:

Tyler R. Edmonds, Union County (Has served on Board since February 2015)
Justin E. Hood, Hamilton County (Has served on Board since December 2009)
Brandon J. Zanotti, Williamson County (Appointed Member-at-Large December 2017)

Biographies

Joseph P. Bruscato

Mr. Bruscato received his Bachelor's Degree from Marquette University. He also received his Juris Doctorate from the Marquette University School of Law.

Mr. Bruscato served as an Assistant District Attorney in Brown County, Wisconsin from 1987 to 1988. He then served as Assistant City Attorney in Green Bay, Wisconsin from 1988 to 1989. He became an Assistant Attorney General in the Rockford Regional Office of the Attorney General from 1989-1994, serving as Director from 1990-1994. Mr. Bruscato went into private practice from 1994-2000. He served as City Attorney for Rockford from 2000-2008.

Mr. Bruscato was elected to the State's Attorney's Office for Winnebago County in 2008 and was re-elected in 2012 and 2016. He is a Past-President of the Illinois State's Attorneys Association (2013) and currently serves on the Executive and Legislative Committees.

Mr. Bruscato serves on several local boards. He is President of the Carrie Lynn Center Board, Winnebago County's Child Advocacy Center. He also serves on the Boards of the Rock River Valley YMCA, and the Multijurisdictional Color Guard.

Mr. Bruscato has served on the Board since December 2010 and was elected as Chairman in December 2016. He served as Chairman until June 2018.

Mr. Bruscato and his wife Amy, reside in Rockford. Together they have five children.

Kimberly M. Foxx

Kimberly M. Foxx is the first African American woman to lead the Cook County State's Attorney's Office – the second largest

prosecutor's office in the country. She was elected to the top prosecutor post, after claiming victory in a historic election, during a critical time for the criminal justice system in Chicago. Her message of reform, restoring trust, and working with the community to increase public safety, resonated with the diverse citizens across the county who want to see a more balanced criminal justice system.

Ms. Foxx took office on December 1, 2016 with a vision for transforming the Cook County State's Attorney's Office into a fairer, more forward-thinking agency focused on rebuilding the public trust, promoting transparency, and being proactive in making all communities safe. She is committed to making the office more responsive to the people of Cook County.

Her passion for public service is deeply personal. She spent her early childhood growing up in the Cabrini Green public housing complex, raised by her teenage mother and grandmother. Her life experiences gave her insight on the impact of crime, violence and poverty on our communities. That consciousness inspired Ms. Foxx to pursue a career in public service as she sought to improve life in communities like the one in which she was raised.

Prior to being elected State's Attorney, Ms. Foxx served as Chief of Staff for Cook County Board President Toni Preckwinkle. As President Preckwinkle's senior advisor and lead strategist, she oversaw a \$4 billion annual budget and worked on issues ranging from county finances to public safety and juvenile detention. She was the lead architect of the county's criminal justice reform agenda to address racial disparities in the criminal and juvenile justice systems. Her efforts contributed to a significant drop in the Cook County jail population while promoting public safety.

A veteran prosecutor, Ms. Foxx served as an Assistant State's Attorney in the Cook County State's Attorney's Office for 12 years, rising

through the ranks to supervise dozens of ASAs in felony juvenile courtrooms. She has also served as a guardian ad litem in the Cook County Public Guardian's Office, where she worked as a senior attorney advocating for children navigating the child welfare system, many of whom had been abused, neglected or had special needs.

An accomplished leader, prosecutor and advocate, Ms. Foxx is active with a number of community organizations. She currently serves as a board member for the Adler University, and Free Spirit Media, where she also served as Board President. Previously, Ms. Foxx has served as board chair of Planned Parenthood of Illinois and president of the National Black Prosecutors Association- Chicago Chapter. She is a member of Leadership Greater Chicago and the Chicago Council of Lawyers.

Born and raised on Chicago's Near North Side, Ms. Foxx is a graduate of Southern Illinois University, where she earned a B.A. in Political Science and a J.D. from the SIU School of Law.

Ms. Foxx serves on the Board of Governors by statute.

Ben Goetten

Mr. Goetten received his undergraduate degree from Loyola University in Chicago where he majored in criminal justice. He was legally trained at The John Marshall Law School in Chicago. While in law school, he was accepted to work as an intern in the newly established Appellate Prosecutor's Internship Program.

Prior to becoming State's Attorney in Jersey County, he worked in private practice, concentrating in personal injury, family law and workers compensation. He was appointed as Jersey County State's Attorney in July of 2007 and successfully ran for election in 2008, and re-election in 2012 and 2016.

Mr. Goetten has served on the Board since May 2013 and was elected Vice-Chairman in June 2018.

Tyler R. Edmonds

Mr. Edmonds, a fifth-generation Union County native, has served as Union County State's Attorney since 2008.

Mr. Edmonds is a Phi Beta Kappa graduate of the University of Illinois at Urbana-Champaign and a graduate of Vanderbilt University Law School where he served as editor-in-chief of the Vanderbilt Journal of Entertainment and Technology Law.

Prior to being elected State's Attorney, Mr. Edmonds was in private practice with the Chicago-based law firm, Mayer Brown LLP, and focused on state and local government law, municipal finance, and civil litigation.

As Union County State's Attorney, Mr. Edmonds has worked to expand services to crime victims, promote local government transparency and focus law-enforcement efforts on domestic violence, child abuse and methamphetamine addiction.

Mr. Edmonds is an advocate for early-childhood education and juvenile justice reform. His office played a key role in bringing the Redeploy Illinois program to the First Judicial Circuit, and he serves on the board of directors of the Illinois Juvenile Justice Initiative and as state co-chair of Fight Crime: Invest in Kids Illinois.

Mr. Edmonds is also a member of the executive committee of the Illinois State's Attorneys Association.

Mr. Edmonds has served on the Board as Member-at-Large from February 2015 until September 2017 when he was elected as a Fifth District Board Member.

He resides in Anna.

Justin E. Hood

Justin E. Hood was raised in McLeansboro, Illinois. Justin received his bachelor degree with honors in 2000 from Southern Illinois University in Carbondale. Justin graduated from Southern Illinois University Law School in 2004.

Mr. Hood worked as an Assistant State's attorney for Jackson County, St. Clair County, and Franklin County.

Mr. Hood won his primary election in February of 2008 and was sworn in as Hamilton County State's Attorney in August 2008. He was reelected State's Attorney in 2012 and 2016.

Apart from his duties as Hamilton County State's Attorney, Mr. Hood serves as Second Vice Chairman of the Illinois State's Attorneys Association and assists several Southern Illinois Counties as a special prosecutor on conflict cases.

Mr. Hood is active on the State's Attorney Legislative Committee. He is also a member of the National District Attorney Association.

Mr. Hood is a volunteer coach and board member in the Hamilton County Athletic Association. He is a member of the Hamilton County Rotary, Masonic Polk Lodge, and local Farm Bureau chapter.

Mr. Hood is also active in the local school system giving presentations on a variety of topics that range from traffic issues, drug and alcohol abuse, to sexual and domestic violence issues.

Mr. Hood has served on the Board since December 2009. He was elected Vice-Chairman in June 2012 and served until June 2018 when he was elected Chairman.

Mr. Hood is married to Marcy and lives in McLeansboro with their three children.

John L. McGehee

Mr. McGehee was elected as Rock Island County State's Attorney in 2012 and re-elected in 2016.

Mr. McGehee earned his bachelor's degree in 1983 from Augustana College and his Juris Doctor from Drake Law School in 1989.

Mr. McGehee served as the President of the Rock Island County Bar Association, President of the East Moline-Silvis Rotary, Ethics Officer of the Quad City Metropolitan Airport Authority, and was named Pro-Bono Attorney of the Year for Prairie State Legal Services.

Mr. McGehee was awarded for Outstanding Cooperation and Performance in Law Enforcement by the Mid-States Organized Crime Information Center.

Mr. McGehee was elected to the Board in March 2017.

Joseph H. McMahon

Mr. McMahon has been the Kane County State's Attorney since 2010 and successfully ran for re-election in 2012 and 2016.

As State's Attorney, he oversees an office of 130 employees, including 60 attorneys. In 2012, Mr. McMahon was named the Illinois Director of the National District Attorney's Association.

Mr. McMahon began his legal career in 1992 as an Assistant State's Attorney in Kane County prosecuting criminal cases, including traffic, misdemeanor, felonies, sexual assault, gang-related crimes, crimes against children and the elderly and first-degree murder and death-penalty cases. From 1998 to 2000, Mr. McMahon served as Chief of the Criminal Division of the Kane County State's Attorney's Office and supervised a staff of 28 lawyers and all criminal prosecutions in Kane County. Mr. McMahon also worked as an Assistant Attorney

General for the State of Illinois prosecuting white collar crime, public corruption and healthcare fraud.

Before he returned to the office in 2010, Mr. McMahon was in the private practice of law, representing small and mid-sized organizations and their principals as their outside general counsel.

Mr. McMahon is a member of the Illinois State Bar Association, having previously served as chairman of its Corporate Law Department Section Council, chairman of the Sentencing & Corrections Committee and currently is a member of its Judicial Evaluation Outside of Cook County Committee.

Mr. McMahon earned his Bachelor's degree in 1988 from the University of Iowa and his Juris Doctor from The John Marshall Law School in 1992. In 2006, he earned his Master's in Business Administration from the University of Notre Dame.

Mr. McMahon has served on the Board since February 2013.

Mr. McMahon was instrumental in creating the Agency's first Best Practices Committee which evaluates specific issues related to the investigation and prosecution of serious criminal offenses, and makes recommendations to improve and enhance public safety. He was elected as Chairman of the Best Practices Committee in December 2013.

[John C. Milhiser](#)

Mr. Milhiser was appointed to the position of State's Attorney in September 2010, and elected in 2012. He was re-elected in 2016. Mr. Milhiser brings dedication and extensive courtroom experience to Sangamon County as its top prosecutor.

He is the son of a career Air Force pilot. He grew up moving around the country and overseas.

Mr. Milhiser has made Sangamon County his home since graduating from the University of Illinois College of Law in 1997. He met his wife Gail, a Springfield native, at the University of Illinois.

Mr. Milhiser began his legal career at the Sangamon County State's Attorney's Office as an Assistant State's Attorney. After holding positions in juvenile, civil, and felony divisions, he left the office in 2003 to enter into private practice with the Springfield firm, Barber, Segatto, Hoffee, Wilke, and Cate, where he handled a variety of civil, family, and criminal matters. He returned to the State's Attorney's Office in 2008 as the First Assistant State's Attorney.

Mr. Milhiser was a Capital Litigation Trial Bar Counsel certified by the Illinois Supreme Court. He has lectured at a variety of Illinois Institute for Continuing Legal Education seminars. He has also lectured on ethics and served on the faculty of the National District Attorneys Association's New Prosecutor Bootcamp held at the National Advocacy Center in Columbia, South Carolina. From 2004 through 2009, Mr. Milhiser served as an adjunct professor at Springfield College in Illinois/Benedictine University where he taught courses in public speaking, state and local government and federal government. He also served for several years as the host of the Prairie Lawyer, a legal awareness television program sponsored by the Sangamon County Bar Association, which aired on Public Access Television.

He currently serves as the Treasurer of the Executive Committee of the Illinois State's Attorneys Association.

Mr. Milhiser has served on the Board and also as Board Secretary since June 2012.

Mr. Milhiser and his wife Gail live in Springfield with their two daughters.

Stewart J. Umholtz

Mr. Umholtz has served as State's Attorney of Tazewell County since September 12, 1995. He continues to enjoy the day-to-day opportunities of being a minister of justice.

He was born and raised in Tazewell County, the son of a steelworker and nurse, and continues to make his home there.

He served as an Assistant State's Attorney from 1985-95, with experience in Civil, Juvenile, Traffic, Misdemeanor and Felony cases. He has argued cases in both the state and federal trial courts, appellate courts and the Illinois Supreme Court.

Mr. Umholtz has the distinction of being the only Illinois State's Attorney to successfully prosecute a sitting Justice of the Illinois Supreme Court. When informed of this distinction, the Chicago Tribune reported: Umholtz said "Lucky me".

Mr. Umholtz was named the Outstanding Alum of the Northern Illinois University College of Law in 1996. For many years he volunteered as a coach for the Pekin High School swim team. Currently, he enjoys his time away from the courthouse bicycling, hiking, kayaking, dining and traveling.

Mr. Umholtz was elected to the Board in March 2017.

Brandon J. Zanotti

Brandon J. Zanotti is the Williamson County State's Attorney. He filled two years of a vacancy in 2014, and won election in 2016.

Mr. Zanotti is a lifelong Southern Illinois resident. After graduating high school class valedictorian from Johnston City, he graduated summa cum laude from SIU Carbondale with a degree in Finance.

Mr. Zanotti earned his Juris Doctor degree from Washington University in St. Louis School of Law. During law school, he served in the U.S. Senate in Washington, D.C., as a congressional legal clerk to Senator Dick Durbin.

Mr. Zanotti is licensed to practice law in Illinois and Missouri. Before becoming State's Attorney, he was an Arbitrator with the Illinois Workers' Compensation Commission. Prior to that, he was in private practice with the Carbondale law firm of Feirich / Mager / Green / Ryan.

Mr. Zanotti is an Adjunct Professor of Law at the SIU School of Law. He is a member of many local and statewide organizations, and is on the executive boards of his local Child Advocacy Center and Juvenile Justice Council. He is a board member of the State's Attorneys Association.

Mr. Zanotti was appointed Member-at-Large in December 2017.

Brandon resides in rural Johnston City with his wife, Katie, and daughters, Eleanor and Claire.

Program Participation

All counties having less than three million inhabitants are eligible to participate in the Agency's Program. Participation is voluntary. The following counties participated in the State's Attorneys Appellate Prosecutor's program in FY18:

Second District (12)

Boone
Carroll
DeKalb
Jo Daviess
Kane
Kendall
Lake
Lee
McHenry
Ogle
Stephenson
Winnebago

Third District (21)

Bureau
Fulton
Grundy
Hancock
Henderson
Henry
Iroquois
Kankakee
Knox
LaSalle
Marshall
McDonough
Mercer
Peoria
Putnam
Rock Island
Stark
Tazewell
Warren
Whiteside
Will

Fourth District (30)

Adams
Brown
Calhoun
Cass
Champaign
Clark
Coles
Cumberland
DeWitt
Douglas
Edgar
Ford
Greene
Jersey
Livingston
Logan
Macon
Macoupin
Mason
McLean
Menard
Morgan
Moultrie
Piatt
Pike
Sangamon
Schuyler
Scott
Vermilion
Woodford

Fifth District (37)

Alexander
Bond
Christian
Clay
Clinton
Crawford
Edwards
Effingham
Fayette
Franklin
Gallatin
Hamilton
Hardin
Jackson
Jasper
Jefferson
Johnson
Lawrence
Madison
Marion
Massac
Monroe
Montgomery
Perry
Pope
Pulaski
Randolph
Richland
Saline
Shelby
St. Clair
Union
Wabash
Washington
Wayne
White
Williamson

Director's Office

725 South Second Street
Springfield, IL 62704

217-782-1628
Fax: 217-782-6305

The Director's Office is responsible for all Agency administrative and managerial functions, legal policy and other extraordinary legal concerns, budgetary and legislative matters, and Agency publications. The following personnel served on the staff of the Director's Office during FY18:

Director: Patrick J. Delfino	Associate Director/CLE Administrator: Matthew P. Jones
Chief Deputy Director: David J. Robinson	Special Prosecution Unit: Thomas Brown (Contractual) Charles Colburn Matthew Goetten Lorinda Lamken Kristen Miller Dave Neal Edwin Parkinson David Rands Brooke Shupe Brian J. Towne Charles R. Zalar (Contractual)
Personnel Officer: Chad Hilligoss	
Chief Fiscal Officer: Gloria Mundy	
Assistant Fiscal Officers: Sarah Klein Jessica Mitchell	
Receptionist: Jan Beiermann	Administrative Assistant: Lisa Levi
Messenger: James Hansen	

[Patrick J. Delfino](#)

Mr. Delfino is a native of Chicago and a graduate of the University of Notre Dame Law School. He is an experienced trial and appellate attorney. Before coming to the Appellate Prosecutor's Office as Assistant Director, he served as a drug attorney and court specialist with the Illinois Law Enforcement Commission and as the Director of Planning and Special Projects of the Cook County State's Attorney's Office. Mr. Delfino was appointed Director of the Appellate Prosecutor's Office in December 2008.

Mr. Delfino has taught criminal justice courses at colleges and law schools and is the Executive Director of the Illinois State's Attorneys Association. He serves on the Illinois Criminal Justice Information Authority by statute and also serves on the Illinois Sex Offender Management Board, the Children's Justice Task Force of the Department of Children and Family Services, and on the Illinois Terrorism Task Force. He is a Past-President of the Illinois Academy of Criminology, and a member of the Chicago Bar Association, the Illinois State Bar Association, and the National District Attorneys Association. He resides in Springfield with his daughter.

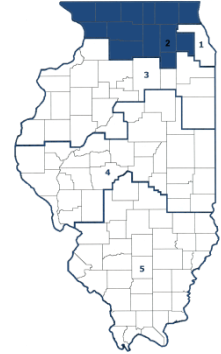
Second District Office

2032 Larkin Avenue
Elgin, IL 60123

847-697-0020
Fax: 847-697-9824

The Second Judicial District is comprised of 13 counties, 12 of which participated in the Appellate Prosecutor's program during FY18. Participating counties were as follows:

Boone	Kane	McHenry
Carroll	Kendall	Ogle
DeKalb	Lake	Stephenson
Jo Daviess	Lee	Winnebago



The following personnel served on the Second District staff during FY18:

Deputy Directors:

David J. Robinson (Acting Deputy Director)
Lawrence M. Bauer (Retired December 2017)

Staff Attorneys:

David Bernhard	Cora Moy
Mary Beth Burns	Steven A. Rodgers
Diane Campbell	Marshall Stevens
Aline Dias	Sally Swiss
Barry Jacobs	Ivan O. Taylor, Jr.
Victoria Jozef	Adam Trejo
Joan Kripke	
Stephanie Hoit Lee	
Richard London	

Legal Secretaries:

Sharon Lavick (Administrative)
Patricia Strom (Administrative; Retired June 2018)
Sandra Lorigan

FY18 2nd District Appellate Statistics

Main Briefs	Reply Briefs	Sup. Briefs	Petitions for Rehearing	Summary Disp.	Conf. of Error	Motions to Dismiss / Other	Oral Argument	PLA	Advice Calls / Other Requests
218	17	3	5	1	10	6	54	13	1,192.00

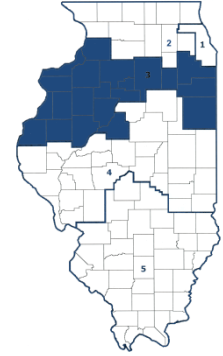
Third District Office

628 Columbus Street-Suite 300
Ottawa, IL 61350

815-434-7010
Fax: 815-434-7339

The Third Judicial District is comprised of 21 counties, all of which participated in the Appellate Prosecutor's program during FY18. Participating counties were as follows:

Bureau	Iroquois	Mercer	Warren
Fulton	Kankakee	Peoria	Whiteside
Grundy	Knox	Putnam	Will
Hancock	LaSalle	Rock Island	
Henderson	Marshall	Stark	
Henry	McDonough	Tazewell	



The following personnel served on the Third District staff during FY18:

Deputy Directors:

David J. Robinson (Acting Deputy Director)
Lawrence M. Bauer (Acting Deputy Director; Retired December 2017)

Staff Attorneys:

Thomas Arado	Richard Leonard
Nicholas Atwood	Jasmine Morton
Mark Austill	Justin Nicolosi
Laura DeMichael Bialon	Stephanie Raymond
Dawn Duffy	
Gary Gnidovec	

Legal Secretaries:

Denise Barr (Administrative)
Mary Elizabeth Fox
Heather Sobkowich (PT)

FY18 3rd District Appellate Statistics

Main Briefs	Reply Briefs	Sup. Briefs	Petitions for Rehearing	Summary Disp.	Conf. of Error	Motions to Dismiss / Other	Oral Argument	PLA	Advice Calls / Other Requests
253	9	7	16	9	15	99	72	21	536

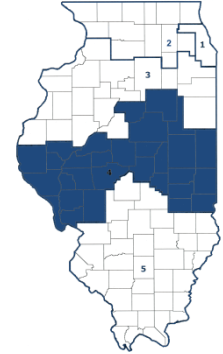
Fourth District Office

725 South Second Street
Springfield, IL 62704

217-782-8076
Fax: 217-782-6305

The Fourth Judicial District is comprised of 30 counties, all of which participated in the Appellate Prosecutor's program during FY18. Participating counties were as follows:

Adams	DeWitt	Macon	Pike
Brown	Douglas	Macoupin	Sangamon
Calhoun	Edgar	Mason	Schuyler
Cass	Ford	McLean	Scott
Champaign	Greene	Menard	Vermilion
Clark	Jersey	Morgan	Woodford
Coles	Livingston	Moultrie	
Cumberland	Logan	Piatt	



The following personnel served on the Fourth District staff during FY18:

Deputy Director:
David J. Robinson

Staff Attorneys:	Anastacia Brooks	Luke McNeill
	Rosario Escalera	Kathy Shepard
	Tim Londrigan (PT)	James Ryan Williams
	James Majors	Erin Wilson Laegeler
	David Mannchen	John Zimmerman
	Linda McClain	

Legal Secretaries:
Shirley Bagby (Administrative)
Shannon Higgins

FY18 4th District Appellate Statistics

Main Briefs	Reply Briefs	Sup. Briefs	Petitions for Rehearing	Summary Disp.	Conf. of Error	Motions to Dismiss / Other	Oral Argument	PLA	Advice Calls / Other Requests
442	5	12	10	0	29	116	109	4	197

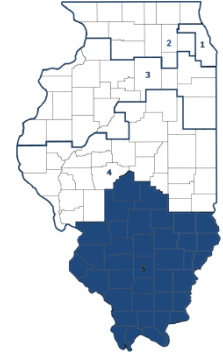
Fifth District Office

730 East Illinois Highway 15-Suite 2
Mt. Vernon, IL 62864

618-244-2107
Fax: 618-244-2713

The Fifth Judicial District is comprised of 37 counties, all of which participated in the Appellate Prosecutor's program during FY18. Participating counties were as follows:

Alexander	Gallatin	Massac	St. Clair
Bond	Hamilton	Monroe	Union
Christian	Hardin	Montgomery	Wabash
Clay	Jackson	Perry	Washington
Clinton	Jasper	Pope	Wayne
Crawford	Jefferson	Pulaski	White
Edwards	Johnson	Randolph	Williamson
Effingham	Lawrence	Richland	
Fayette	Madison	Saline	
Franklin	Marion	Shelby	



The following personnel served on the Fifth District Staff during FY18:

Deputy Director:

Patrick D. Daly (Deputy Director Effective January 2018)
David J. Robinson (Acting Deputy Director)

Staff Attorneys:

Jennifer Camden	Sharon Shanahan
Chelsea Kasten	Kelly Stacey
Rachel Miller	

Legal Secretaries:

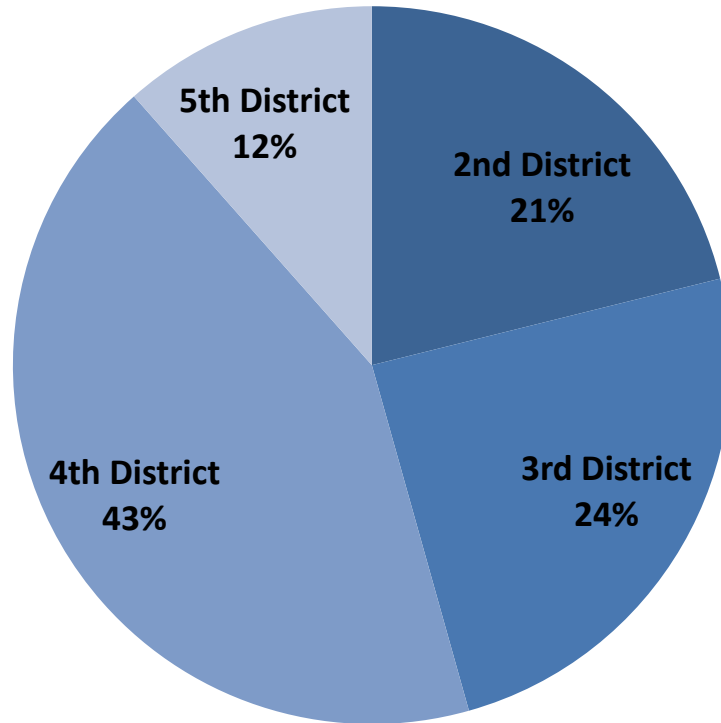
Joanie Cooper (Administrative)
Marilyn Allen

FY18 5th District Appellate Statistics

Main Briefs	Reply Briefs	Sup. Briefs	Petitions for Rehearing	Summary Disp.	Conf. of Error	Motions to Dismiss / Other	Oral Argument	PLA	Advice Calls / Other Requests
119	8	5	2	2	2	44	61	2	243

Appellate Program Statistical Analysis

FY18 Main Briefs Filed



	2 nd District	3 rd District	4 th District	5 th District	Total
Main Briefs	218	253	442	119	1,032
Reply Briefs	17	9	5	8	39
Supplemental Briefs	3	7	12	5	27
Petitions for Rehearing	5	16	10	2	33
Summary Dispositions	1	9	0	2	12
Confessions of Error	10	15	29	2	56
Motions to Dismiss / Other	6	99	116	44	265
Oral Arguments	54	72	109	61	296
Petitions for Leave to Appeal	13	21	4	2	40
Advice Calls / Other Requests	1,192	536	197	243	2,168

Labor Unit

The Labor Unit was created in FY85 to provide services to counties under the new Illinois Public Labor Relations Act by enabling legislation effective August 3, 1984.

State's Attorneys may request representation for their elected officials and county boards in all forms of labor relations, including conducting pre-election information campaigns, collective bargaining negotiations, grievances, unfair labor practice charges, mediation, arbitration, and other cases before the Illinois Labor Relations Board and the Illinois Circuit and Appellate Courts as required.

The following contractual personnel served the Labor Unit during FY18:

David Hibben
Hinshaw & Culbertson LLP
Stratton & Reichert Law Partnership

FY18 Labor Unit Participation

1. Iroquois
2. Kankakee
3. Sangamon

Local Drug Prosecution Unit

The Local Drug Prosecution Support Unit of the State's Attorneys Appellate Prosecutor was created on May 1, 1988, with funding from a federal grant and Agency match monies. The State's Attorneys Appellate Prosecutor's Act, as amended, effective January 1, 1988, charges the Agency with assisting the State's Attorneys with narcotics related prosecutions at their request. The Local Drug Prosecution Support Unit fulfills this responsibility and consists of two parts: the District Drug Attorney Component and the Priority County Component.

District Drug Attorney Component

A drug attorney was assigned to each of the four downstate Appellate Districts and served the counties in these Districts upon the request of the State's Attorney. They assisted each other when their individual caseloads became too heavy to ensure that all State's Attorneys were served on an as-needed basis. They also worked closely with the appropriate MEG Unit or Task Force. The following personnel served on the Drug Unit in FY18:

Drug Grant Attorney:
Ralph Fowler

Priority County Component

Excluding counties receiving direct federal grant funding, the Agency contracted with eleven counties having a high number of drug-related arrests to employ Assistant State's Attorneys to specialize in drug-related prosecutions.

Counties within this component are as follows:

1. Champaign
2. Jefferson
3. Kankakee (July – September 2017)
4. Macon
5. Madison (July – September 2017)
6. McLean
7. Peoria
8. Rock Island
9. Sangamon
10. Tazewell
11. Winnebago (July – September 2017)

We continued to see an increase of cases involving production, distribution, manufacturing, and importation of cocaine, cannabis, and heroin. These include both MEG/Task Force and non-MEG/Task Force cases. Our MEG/Task Force cases are directly related to the activity and success of the Unit.

The current grant format of contractual and Agency drug attorneys has proven to be the most efficient and effective utilization of grant funds. It allows us to focus directly on counties needing full-time assistance and also to respond to other counties on an as-needed basis.

FY18 Local Drug Prosecution Unit Statistics

Criminal Cases Initiated:	2,982
Criminal Convictions:	1,786
Forfeiture Actions Filed:	572
Forfeiture Judgments:	389
Dismissals/Not Guilty Findings:	222
Search Warrants Executed:	803
Assets Seized:	\$1,475,942.72
Amount Recovered:	\$671,047.98

Continuing Legal Education Unit

In FY18, the productivity of the Continuing Legal Education Unit of the Agency emerged from the budget constraints to provide our full schedule of core CLE programs, plus an exciting new joint venture with the Cook County State's Attorney's Office called the Violent Crimes Conferences.

To meet additional demand, this year featured a schedule of two fall Basic Trial Advocacy programs and one Advanced Trial Advocacy Program as well as a fall Courtroom Visuals Program. We followed that up with a Spring Basic Trial Advocacy. We continued our popular Ethics for All, including all of the new mandatory elements for mental health, substance abuse, and diversity. In addition, we reprised the ever popular evidence-based Hot Tips seminars at our usual high participation levels.

Of greatest significance this year was the newly initiated collaboration with the Cook County State's Attorney's Office to produce a quarterly series of programs, hosted by Cook County at their CCROC facility in Riverside, but jointly marketed and planned between the Agency and Cook County's State's Attorneys' Office. This new collaboration has resulted in a significant new training opportunity, especially for more experienced prosecutors, throughout the state. To promote participation, the Agency initiated a lodging scholarship program to encourage participation from as many counties as possible, with very positive results. Several primarily downstate counties send one representative, who benefits from the lodging scholarship, and then returns to share the training materials with others within their offices. This training force multiplication is a worthwhile model and will be continued into next year's quarterly series.

The result was a rebound in the number of programs offered, the number of prosecutors trained, and the number of overall attorney hours of training provided.

The following personnel served on the Continuing Legal Education Unit staff during FY18:

Associate Director/CLE Director:
Matthew P. Jones

We continue to provide the only prosecutor oriented, state-wide continuing legal education in Illinois and we look forward, thanks to budget stability, to meet the ever increasing demands of prosecutors and the public to serve justice in an ethical and well-trained manner.

FY18 CLE Training Seminars

DATE	PROGRAM	CLE HOURS	PR HOURS	ATTENDEES	TRAINING HOURS	TOTAL PR HOURS
August 14-18, 2017	2017 Fall Basic Trial Ad A	28	2	25	700	50
September 18-22, 2017	2017 Fall Advanced Trial Ad	26	1.25	29	754	36.25
November 1-3, 2017	2017 Fall Courtroom Visuals	16.5	0	32	528	0
November 27-December 1, 2017	2017 Fall Basic Trial Ad B	28	2	25	700	50
April 2-6, 2018	2018 Spring Basic Trial Ad	28.75	2.25	31	891.25	69.75
June 1, 2018	2018 Ethics for All	6	6	76	456	456
June 11-15, 2018	2018 Spring Advanced Trial Ad	27	1.25	17	459	21.25
June 21-22, 2018	Hot Tips	7	0	121	847	0
TOTAL	8 PROGRAMS	167.25	14.75	356	5335.25	683.25

FY18 Violent Crime Conference Series

DATE	PROGRAM	CLE HOURS	ATTENDEES	TRAINING HOURS
October 6, 2017	Violent Crimes Conference – Evidence Edition	6	114/38	684/228
January 19, 2018	Violent Crimes Conference – Forensic Edition	6	106/24	636/144
May 4, 2018	Violent Crimes Conference – Violent Crimes Edition	6.25/3.25	123/26	770/163
TOTAL	3 PROGRAMS	18.25/3.25	343/88	2090/535

Special Prosecution Unit

The Special Prosecution Unit of the Agency consists of experienced trial attorneys who assist in prosecuting criminal cases when requested to do so by and at the direction of the State's Attorney and when duly appointed by a court having jurisdiction. The following personnel served on the Special Prosecution Unit Staff during FY18:

Unit Attorneys:

Thomas Brown (Contractual)
 Charles Colburn
 Matthew Goetten
 Lorinda Lamken
 Kristen Miller
 Dave Neal
 Edwin Parkinson
 David Rands
 Brooke Shupe
 Brian J. Towne
 Charles R. Zalar (Contractual)

If a conflict of interest arises in a State's Attorney's office, and the State's Attorney wants an independent, detached review and prosecution by an outside person, or if special assistance is needed due to the complexity of a case, the Agency makes the services of the Special Prosecution Unit available.

The Unit has been particularly active in downstate Illinois where personnel and financial resources are more limited than in the more populous counties. Trial assistance has been provided in numerous murder cases and cases dealing with official misconduct of public officials as well as numerous other criminal and civil matters when the State's Attorney was unable to prosecute.

The State's Attorneys have found the services of the Unit to be particularly helpful to them. Frequently, when the Unit is asked to assist, the cases involve complex issues, and trial experience is an absolute necessity.

The Special Prosecution Unit has become a valuable resource to the State's Attorneys of Illinois. The combination of a Unit of experienced trial prosecutors with legal and technical expertise and the Agency's Appellate Staff Attorneys provide the State's Attorneys with needed expert assistance.

The Special Prosecution Unit was extremely active this fiscal year. During FY18, the Unit provided assistance to State's Attorneys on 1,041 cases in the following 96 counties:

Adams	Henderson	Morgan
Alexander	Henry	Moultrie
Boone	Iroquois	Ogle
Brown	Jackson	Peoria
Bureau	Jasper	Perry
Calhoun	Jefferson	Piatt
Cass	Jersey	Pike
Champaign	Jo Daviess	Pope
Christian	Johnson	Pulaski
Clark	Kane	Putnam
Clay	Kankakee	Randolph
Clinton	Kendall	Richland
Coles	Knox	Rock Island
Crawford	Lake	Saline
Cumberland	LaSalle	Sangamon
DeKalb	Lawrence	Scott
DeWitt	Lee	Schuyler
Douglas	Livingston	Shelby
DuPage	Logan	Stark
Edgar	Macon	St. Clair
Edwards	Macoupin	Union
Effingham	Madison	Vermilion
Fayette	Marion	Wabash
Ford	Marshall	Warren
Franklin	Massac	Washington
Fulton	McDonough	Wayne
Gallatin	McHenry	White
Greene	McLean	Whiteside
Grundy	Menard	Will
Hamilton	Mercer	Williamson
Hancock	Monroe	Winnebago
Hardin	Montgomery	Woodford

Tax Objection Division

The Tax Objection Division of the State's Attorneys Appellate Prosecutor is invaluable for State's Attorneys confronted with specialized and complex cases before the courts, the Property Tax Appeal Board, or the Department of Revenue. Particularly in the smaller counties, State's Attorneys lack the specialized experience to handle these cases even if they could find the time from their ongoing criminal and civil responsibilities.

During FY18, tax objection services were provided to 22 counties on 57 matters.

FY18 Tax Objection Division Statistics

COUNTY	MATTERS		COUNTY	MATTERS
1. Adams	2		12. Macon	5
2. Bureau	3		13. Marion	1
3. Calhoun	3		14. Massac	1
4. Champaign	1		15. Montgomery	1
5. Christian	1		16. Moultrie	9
6. DeKalb	4		17. Pike	2
7. Gallatin	1		18. Putnam	1
8. Edwards	1		19. Rock Island	13
9. LaSalle	1		20. Saline	1
10. Lee	1		21. Stephenson	1
11. Livingston	3		22. Whiteside	1
			TOTAL MATTERS:	57

State's Attorneys Appellate Prosecutor



Administrative Office
725 South Second Street
Springfield, IL 62704

217-782-1628
FAX: 217-782-6305
TTY: 217-558-1605
www.ilsaap.org

The State's Attorneys Appellate Prosecutor is fully committed to human rights in all forms. It is the policy of the Agency to provide a work environment free from discrimination or harassment; therefore, the Agency is committed to providing equal opportunity and promoting affirmative action.

The Agency does not discriminate against any employment applicant or employee on the basis of race, sex, creed, religion, color, marital status, age, national origin, mental or physical handicap, pregnancy, sexual orientation, pregnancy, military status, genetic information, or any other protected status, and will take affirmative action, as may be required by law, to ensure qualified applicants are employed, and employees are given equal treatment during employment without regard to the employee's protected status.