NOTICE
This Order was filed under Supreme Court Rule 23 and is not precedent except in the limited circumstances allowed under Rule 23(e)(1).

2026 IL App (4th) 250954-U

NO. 4-25-0954

FILED
October 5, 2026
Carla Bender
4th District Appellate
Court, IL

IN THE APPELLATE COURT

OF ILLINOIS

FOURTH DISTRICT

THE PEOPLE OF THE STATE OF ILLINOIS, Plaintiff-Appellee, v. ALONZO C. JACKSON, Defendant-Appellant.	))))))))	Appeal from the Circuit Court of McLean County No. 24CF396 Honorable William A. Yoder, Judge Presiding.

JUSTICE DOHERTY delivered the judgment of the court.
Justices Grischow and Harris concurred in the judgment.

ORDER

¶ 1 *Held*: The evidence presented by the State was sufficient to prove every element of the charged offenses and support the trial court's finding that defendant was guilty beyond a reasonable doubt.

¶ 2 In May 2025, following a bench trial, the trial court found defendant Alonzo C. Jackson guilty of three counts of predatory criminal sexual assault of a child (720 ILCS 5/11-1.40(a)(1) (West 2014)). On appeal, defendant contends the State failed to prove him guilty beyond a reasonable doubt. In the alternative, he argues the State failed to prove an essential element of count III. We affirm.

¶ 3 I. BACKGROUND

¶ 4 A. Indictment and Pretrial Proceedings

¶ 5 In 2024, the State charged defendant by indictment with three counts of predatory criminal sexual assault of a child (720 ILCS 5/11-1.40(a)(1) (West 2014)) in connection with

allegations he sexually abused his stepdaughter F.T. (born in 2007) in McLean County. All three offenses were alleged to have occurred on or about August 2, 2014, and through March 24, 2016, and all three alleged that F.T. was under 13 years of age at the time. In count I, the State alleged that defendant knowingly committed an act of sexual contact between his penis and the buttocks of F.T. for the purpose of his or F.T.'s sexual gratification or arousal. In count II, the State alleged that defendant knowingly committed an act of sexual penetration of his finger and F.T.'s vagina. Finally, count III alleged that defendant knowingly committed an act of sexual contact between his penis and the hand of F.T. for the purpose of his or F.T.'s sexual gratification or arousal.

¶ 6 Prior to trial, the State sought leave to introduce evidence concerning defendant's plea of guilty to a prior charge of aggravated criminal sexual abuse of another child, D.B., to show that defendant had the propensity to commit the charged offenses (see 725 ILCS 5/115-7.3 (West 2024)). The trial court granted the State's motion over defendant's objection.

¶ 7 B. Bench Trial

¶ 8 In May 2025, a bench trial was held. The State presented F.T., D.B., Kymonique C., and Detective John Heinlen as witnesses.

¶ 9 1. *F.T.'s Testimony*

¶ 10 At the time of the trial, F.T. was 17 years old. Defendant was her mother's boyfriend and eventually her mother's husband. Defendant would stay at their home on Macarthur Street and would babysit F.T., her siblings, and a family friend's twins while her mother was at work.

¶ 11 In May 2023, F.T. was interviewed by Detective Heinlen about her biological father. The interview took place at the Children's Advocacy Center. During that interview, F.T. disclosed to Detective Heinlen that defendant had been inappropriate with her several times when

she was seven or eight years old. She testified about defendant holding her by her vagina and swinging her around while playing with her. She also testified about an incident in which defendant had grabbed her by the waist and made her sit on his lap on a window ledge.

¶ 12 F.T.'s main allegations relate to a night defendant was babysitting her while her mother was working. F.T. and defendant were in the bed in her mother's bedroom; the twins were sleeping on the bed. Defendant told her to get on top of him, and she did so with her "butt" on top of defendant's penis with her pants off. Defendant's penis was standing up, and it touched her butt or was between her butt cheeks. Defendant tried to place his finger in her vagina, but she didn't think it worked. She just remembered that it hurt when he touched her vagina. Finally, defendant had asked her to touch his private part. She testified that she saw his private part and touched it.

¶ 13 F.T. said that these events happened to her prior to the alleged sexual abuse that happened to her friend, D.B. When the alleged sexual abuse happened to D.B. in 2016, Detective Heinlen had interviewed F.T., but she never told him about defendant's behavior toward her because defendant had given her money to stay quiet and threatened her if she told anyone. F.T. did not tell anyone else at the time because no one would have believed her because she was the "bad kid[ ]."

¶ 14 F.T. did not tell anyone until a phone call with her older sister during a mental health evaluation sometime in 2023. F.T.'s mother and grandmother were present at the time. F.T. said she told her older sister the whole story in December 2024.

¶ 15 2. *D.B.'s Testimony*

¶ 16 Over defendant's objection, the State then called D.B. See 725 ILCS 5/115-7.3 (West 2024). D.B. testified that in March 2016, she spent two nights at the Macarthur Street property with her friend F.T. The first night, defendant called her to the door, grabbed her by the

waist, and sat her on his lap. She felt his penis through his shorts and said that defendant told her not to tell anyone. The second night, she was sleeping in F.T.'s room when defendant came in and started touching her butt. She peed on herself. Defendant told her she needed to go take a shower. Defendant took D.B's clothes off and she saw his exposed penis. Defendant made her touch his penis with her hand. He then made her promise not to tell anyone. D.B. told her mother about what happened when she returned home, and her mother called the authorities. Detective Heinlen interviewed D.B. Shortly thereafter, D.B.'s family moved to Chicago. D.B. testified that she never saw F.T. again.

¶ 17 3. *Kymonique's Testimony*

¶ 18 The State then called F.T.'s mother and defendant's ex-wife Kymonique. She testified that F.T. was one of her five biological children. Kymonique met defendant in 2014. By the fall of 2015, he had moved into her home on Macarthur Street, where she lived with her children. Defendant would occasionally babysit Kymonique's children and the twins of a family friend when Kymonique was working or otherwise out of the home. Kymonique's marriage to defendant lasted less than 30 days because of the allegations made by D.B. and the resulting police investigation.

¶ 19 Kymonique took F.T. to get a mental health evaluation, and she and her mother (F.T.'s grandmother) were in the room with F.T. She did not remember if F.T. had a phone or if F.T. had called her sister, but she did remember that at some point, the facility took F.T.'s phone during the evaluation process.

¶ 20 F.T. had never disclosed to Kymonique that defendant had touched her. However, the mental health evaluation doctors told her F.T. had disclosed to them that she said she was touched. After that mental health evaluation, F.T. then told Kymonique about the incident with

defendant.

¶ 21 4. *Detective Heinlen's Testimony*

¶ 22 Finally, the State called Detective Heinlen, who works in child abuse cases. Detective Heinlen interviewed F.T. during his investigation of D.B.'s allegations, and she did not say anything about being abused by defendant. According to Detective Heinlen, some interviewees do not disclose, even when asked open-ended questions. Further, when asked whether children immediately disclose, he said, "No, it's very common to have children deny during the initial interview and admit later. I should say disclose later. That's better terminology."

¶ 23 Detective Heinlen interviewed F.T. again in May 2023, after a report had come through the Illinois Department of Children and Family Services that her biological father was abusing her. F.T. was upset at the time he met her in May 2023 at the Children's Advocacy Center. F.T. disclosed only that her biological father drank to excess and was physically abusive, not that he committed any acts of sexual abuse against her.

¶ 24 However, during that interview, F.T. shifted the conversation to defendant, telling Detective Heinlen about the alleged things she said defendant had done to her. Detective Heinlen was under the impression that F.T. had told other people about these alleged incidents but that no one had listened to her. He said F.T. was frustrated that nothing had happened after she had told people about these events.

¶ 25 Detective Heinlen testified that he had then interviewed defendant, who denied having ever touched F.T. inappropriately. He also denied having ever touched D.B. inappropriately. Defendant told Detective Heinlen that he had only pleaded guilty because he could not afford an attorney to fight the charges.

¶ 26 When asked if F.T.'s disclosure was a delayed disclosure, Detective Heinlen

responded, “Absolutely,” because he believed there were similarities between D.B.’s and F.T.’s disclosures.

¶ 27 5. *Defendant’s Case*

¶ 28 Defendant did not testify and did not present any evidence.

¶ 29 6. *Trial Court Finding of Guilt*

¶ 30 The trial court issued its ruling and found defendant guilty beyond a reasonable doubt on all counts.

¶ 31 C. Posttrial Motions

¶ 32 Defendant moved for a judgment of acquittal or, in the alternative, a new trial. Specifically, defendant argued that the trial court erred in granting the State’s motion to allow evidence under section 115-7.3. As it related to the bench trial, defendant argued that the court erred in allowing D.B. to testify. Defendant also argued that he was not proven guilty beyond a reasonable doubt on each count in each case.

¶ 33 The State responded during argument that the trial court had properly weighed the factors to allow the propensity evidence and testimony by D.B. See 725 ILCS 5/115-7.3 (West 2024). Further, the State argued that the court was able to properly assess credibility of testimony during trial in ruling that defendant as guilty on all counts beyond a reasonable doubt.

¶ 34 The trial court denied the motion and sentenced defendant to a consecutive 35-year prison term on each count, for a 105-year total sentence.

¶ 35 This appeal followed.

¶ 36 II. ANALYSIS

¶ 37 On appeal, defendant argues that F.T.’s testimony was inconsistent, contradictory, and unreliable and could not sustain his convictions beyond a reasonable doubt. Alternatively,

defendant argues that the State failed to prove count III because it failed to present sufficient evidence that F.T.'s hand made skin-to-skin contact with his penis.

¶ 38 "The State has the burden of proving beyond a reasonable doubt each element of an offense." *People v. Gray*, 2017 IL 120958, ¶ 35. The trier of fact is responsible for resolving conflicts in the testimony, weighing the evidence, and drawing reasonable inferences from the facts. *People v. Bradford*, 2016 IL 118674, ¶ 12. "When a defendant challenges the sufficiency of the evidence, a reviewing court must determine whether, after viewing the evidence in the light most favorable to the prosecution, any rational trier of fact could have found the essential elements of the crime beyond a reasonable doubt." *People v. Jackson*, 2020 IL 124112, ¶ 64. The reviewing court will not reverse a conviction just because the evidence is contradictory. *People v. Berland*, 74 Ill. 2d 286, 306 (1978). Nor will it reverse just because the defendant claims that a witness was not credible. *People v. Evans*, 209 Ill. 2d 194, 211-12 (2004). The reviewing court's role is not to substitute its judgment for that of the trier of fact. *People v. Cooper*, 194 Ill. 2d 419, 431 (2000); see *People v. Gray*, 2017 IL 120958, ¶ 35 ("Therefore, a court of review will not substitute its judgment for that of the trier of fact on questions involving the weight of the evidence or the credibility of the witnesses."). On review, "[a] criminal conviction will not be set aside on a challenge to the sufficiency of the evidence unless the evidence is so improbable or unsatisfactory that it creates a reasonable doubt of the defendant's guilt." *Jackson*, 2020 IL 124112, ¶ 64.

¶ 39 A. Sufficiency of the Evidence on all Counts

¶ 40 To prove defendant guilty of predatory criminal sexual assault of a child, the State was obligated to prove that he was 17 years of age or older and F.T. was under 13 years of age at the time; neither is in dispute. Additionally, as to count I, the State was required to prove that defendant committed an act of sexual contact, however slight, between his penis and the buttocks

of F.T. for the purpose of sexual gratification or arousal of either of them (see 720 ILCS 5/11-1.40(a)(1) (West 2014)). For count II, the State was required to prove defendant knowingly committed an act of sexual penetration between his finger and the vagina of F.T. *Id.* Finally, for count III the State was required to prove that defendant knowingly committed an act of sexual contact, however slight, between his penis and F.T.'s hand for the purpose of sexual gratification or arousal of either of them. *Id.*

¶ 41 F.T. testified at trial regarding count I that: she was home with defendant while her mother was working; that she was eight years old at the time; that it was later at night and she was in her mother's bedroom on the bed with defendant and the sleeping twins; that defendant did not have pants on; that F.T. did not have pants on; that defendant told her to get on top of him; that F.T. got on top of him so that her "butt" was on defendant's penis, which was standing up; and, that defendant's penis touched her butt. Similarly, F.T. testified regarding count II that at the same time as the contact alleged in count I, defendant also tried to finger her vagina, and it hurt. Finally, F.T. testified regarding count III that at the same time as the contact alleged in counts I and II, defendant also asked her to touch his private part, and she did. If believed by the trial court, F.T.'s testimony alone was sufficient to prove that defendant committed acts of predatory criminal sexual assault of a child. See *id.*

¶ 42 On appeal, defendant's attack on the sufficiency of the evidence is essentially an attack on F.T.'s credibility and reliability, as he points out what he believes are inconsistencies and contradictions in her testimony. However, it is well settled that the testimony of a complaining witness "need not be uncontradicted, unimpeached, crystal clear, or perfect in order to be considered clear and convincing." *People v. Priola*, 203 Ill. App. 3d 401, 413 (1990); see *People v. Evans*, 199 Ill. App. 3d 330, 335 (1990). "Inconsistencies or shortcomings in the victim's

testimony will ordinarily present a question of credibility for the trier of fact to resolve." *Priola*, 2013 Ill. App. 3d at 413; see *Evans*, 199 Ill. App. 3d at 335. The trial court found the totality of F.T.'s testimony to be credible, reliable, and corroborated by additional evidence and testimony.

¶ 43 Defendant's first argument is that F.T. is unreliable and not credible because she changed her testimony about whether D.B. was present on the night that the alleged actions took place. Defendant is correct in stating that while F.T. initially testified that D.B. was present on that night for a sleepover, she changed her testimony on cross-examination. This inconsistency in F.T.'s testimony presented a question of credibility for the trial court to resolve, and we will not substitute our judgment for that of the trial court. See *Priola*, 2013 Ill. App. 3d at 413; *Gray*, 2017 IL 120958, ¶ 35. The court found that even though her testimony was "somewhat choppy and scattered," she provided credible testimony about the alleged incidents that occurred.

¶ 44 Defendant next claims that F.T. was unreliable and not credible because she was uncertain about when the alleged conduct occurred. However, F.T. clearly testified as follows:

> "Q. Okay. Now, you talked about the defendant trying to finger you as well as you having to touch his penis. Were those separate times?
>
> A. No.
>
> Q. That happened on the same day?
>
> A. That was—everything kind of happened in like a mist, like in the same timeframe, like everything was really like, it was like fast. Like, I don't know. It just happened all at one time, everything happened at one time. Because there was only so much you could do without, you know, getting caught. So, like I said, when we went—when I was in that room, it only was enough time just until my brother opened up the door, and that's when, shit, everybody act like ain't nothing

happened."

F.T.'s testimony did not change or falter. She testified to only matters occurring in her mother's bedroom on a single night when her mother was not home and defendant was babysitting. F.T. never testified to any separate occurrences on other days, in other rooms, or at other times. Her testimony was clear that "[i]t just happened all at one time, everything happened at one time." The trial court specifically considered and weighed F.T.'s testimony when it found:

> "The Court, again, although it wasn't made specific, the Court believes that this conduct all occurred at the same—the same encounter, that there was—that there was a touching of the victim's butt with the defendant's penis, as alleged in count one. Count two, the finger to vagina, and, count three, to asking her to touch his penis with her hand."

Again, as the reviewing court, we will not substitute our judgment for that of the trial court. See *Cooper*, 194 Ill. 2d at 431.

¶ 45 Defendant next focuses on what he believes are inconsistencies between the testimony of Kymonique and F.T. regarding whether and when she told her sister about defendant's conduct. According to F.T., she was in the hospital for a mental health evaluation when she told her sister on the telephone about defendant's conduct. Kymonique and F.T.'s grandmother were both present at the hospital during this mental health evaluation, and Kymonique testified as follows:

> "Q. During that time, did [F.T.] have a phone?
>
> A. No, I believe they took her phone.
>
> Q. So you don't remember her ever calling her sister?
>
> A. I don't remember, no, sir. I know at some point they did take her phone.

She might have had her phone before that, but I don't recall, no."

Contrary to what defendant asserts, this testimony by Kymonique does not specifically contradict F.T.'s testimony. Kymonique did not specifically remember whether F.T. called her sister. If F.T. did have her phone, Kymonique was not sure when they took it from her. It was the trial court's duty to weigh this evidence and resolve any potential conflicts or inconsistencies in determining the credibility of the witnesses. See *Priola*, 2013 Ill. App. 3d at 413. Here, the court ultimately found F.T.'s testimony credible despite any potential conflicts or inconsistencies, and we will not substitute our judgment for the trial court's. See *Gray*, 2017 IL 120950, ¶ 35.

¶ 46 Defendant next notes F.T.'s failure to report the alleged conduct at the time she was interviewed by the detective during the D.B. investigation. While the failure to make an earlier report may diminish F.T.'s credibility, it is consistent with Detective Heinlen's testimony about children not disclosing sexual abuse at the time it occurs. The trial court specifically acknowledged that F.T. did not immediately disclose any sexual abuse by defendant, and it found as follows:

> "She was an 18-year-old [*sic*] young girl and, but she also testified that the defendant told her that he would kill her or, specifically, she said she would be killed, but he also gave her a few dollars which doesn't sound like much now, but it seemed different then, I think was her testimony."

Thus, in assessing F.T.'s credibility, the court could consider this evidence, as well as Detective Heinlen's testimony, in drawing the reasonable inference that F.T. was being truthful. See *Bradford*, 2016 IL 118674, ¶ 12. We will not substitute our judgment for that of the trial court. See *Cooper*, 194 Ill. 2d at 431.

¶ 47 We also note that in assessing the credibility of F.T.'s testimony, there was other evidence for the trial court to consider. The court also received testimony and evidence to show

that defendant had the propensity to commit the charged offenses because of his prior guilty plea to aggravated criminal sexual abuse of D.B., and the admission of this testimony is not challenged on appeal. See 725 ILCS 5/115-7.3 (West 2024). Accordingly, the court properly considered the propensity testimony and evidence and specifically found consistencies of D.B.'s and F.T.'s "recitation of the alleged abuse by this defendant." This was additional support for the court finding that F.T.'s testimony was credible.

¶ 48 Here, the trial court's specific and detailed ruling noted its awareness that F.T. suffered from "emotional issues" and "some anger issues." It commented that F.T. "seems to be a somewhat troubled 17 year old who was not the most cooperative witness with the attorneys," "was short at times," was "frustrated on the stand," and "was very emotional on the stand, breaking down and crying on several different occasions." The court found that even though her testimony was "somewhat choppy and scattered," F.T. provided credible testimony about the alleged incidents sufficient to prove the essential elements of each offense.

¶ 49 The trial court, having heard and seen the witnesses, was in the best position to weigh discrepancies and inconsistencies in the testimony, and it nevertheless found F.T.'s account to be sufficiently credible to find defendant guilty on all three counts. The court could have considered that F.T. had either forgotten or was mistaken about some of the details because it was almost 10 years later or because she was emotional and having difficulty testifying about the events. It was the function of the trier of fact, in this case the trial court, to assess the credibility of witnesses and resolve discrepancies in the testimony, and we cannot substitute our judgment for that of the trial court. *Cooper*, 194 Ill. 2d at 431. Viewing the evidence in the light most favorable to the State, a rational trier of fact could have found the required elements of the crime beyond a reasonable doubt. Defendant has failed to show that the evidence was so improbable or

unsatisfactory to create a reasonable doubt of his guilt. See *Jackson*, 2020 IL 124112, ¶ 64. Thus, we find the evidence presented at trial was sufficient to convict defendant of all three counts of predatory criminal sexual assault of a child.

¶ 50 B. Failure to Prove a Necessary Element of Count III

¶ 51 Defendant's alternative argument on appeal is that the State failed to prove all the elements for predatory criminal sexual assault as charged in count III. Specifically, defendant argues that the State failed to prove that F.T.'s hand made skin-to-skin contact with defendant's penis.

¶ 52 Predatory criminal sexual assault requires "direct contact between the sex organ or anus of one person and any part of the body of another." *People v. Johanson*, 2024 IL 129425, ¶ 12. More specifically, "an element of predatory criminal sexual assault of a child is that there be skin-to-skin contact." *People v. Currie*, 2023 IL App (2d) 220114, ¶ 42; see *People v. Johnson*, 2023 IL App (4th) 220201, ¶¶ 21-24 (accepting the State's concession that touching "over [the victim's] clothes" was insufficient to prove contact for purposes of section 11-1.40(a)(1)); *People v. Hubbard*, 2024 IL App (5th) 220628-U, ¶ 115 (adopting the reasoning in *Currie* and finding "the State was required to prove skin-to-skin contact as an element of predatory criminal sexual assault of a child").

¶ 53 It is undisputed that there was no explicit testimony of skin-to-skin contact between F.T.'s hand and defendant's penis, and the State never specifically asked her about it. For the trial court to make that conclusion, it had to rely on circumstantial evidence. A criminal conviction may be based on circumstantial evidence, as long as it satisfies proof beyond a reasonable doubt of the charged offense. *People v. Hall*, 194 Ill. 2d 305, 330 (2000). Here, we find the evidence sufficient to sustain the conviction based on F.T.'s hand having skin-to-skin contact with defendant's penis.

¶ 54 First, F.T. testified that defendant asked her to touch him and "to touch his private part." F.T. affirmatively nodded when asked whether she saw defendant's private part. F.T. also confirmed that she "touch[ed]" his private part. F.T. also testified as follows:

> "Q. Did he ever place his penis anywhere else *other than your hands*?
>
> A. My butt." (Emphasis added.)

F.T. never disputed that defendant's penis was placed in or on her hands. Rather, her testimony was definite that defendant's penis touched her hands *and* her "butt." This distinguishes this case from *Johnson*, where the evidence was specific that the touching in question was over the victim's clothes. *Johnson*, 2023 IL App (4th) 220201, ¶ 4.

¶ 55 Although F.T. testified that defendant was wearing boxer shorts, there are reasonable inferences which can be drawn from F.T.'s testimony. See *People v. Sanchez*, 2013 IL App (2d) 120445, ¶¶ 31-32 (discussing the difference between reasonable inferences, which are based on factual evidentiary antecedents, and speculation). First, F.T. testified that she saw defendant's private part and that she touched it. F.T. did not testify that she touched defendant's penis through his boxer shorts or that she touched his boxer shorts, but that she touched "his private part." Second, F.T. testified that defendant's "[p]ants were down" and that he "pulled *our* pants up." (Emphasis added.) Finally, F.T. testified that defendant's penis was placed in or on both her hands and her butt. There was sufficient circumstantial evidence, not just mere speculation, for the trial court to find that defendant's penis touched F.T.'s hand.

¶ 56 Considering the nature of the allegations, a reasonable trier of fact could infer from the unequivocal evidence and testimony presented that defendant's penis made skin-to-skin contact with F.T.'s hand. Therefore, we reject defendant's challenge to the sufficiency of the evidence to prove a necessary element of count III.

¶ 57 III. CONCLUSION

¶ 58 For the reasons stated, we affirm the trial court's judgment.

¶ 59 Affirmed.