

2026 IL App (4th) 251090

NO. 4-25-1090

IN THE APPELLATE COURT

OF ILLINOIS

FOURTH DISTRICT

FILED

July 28, 2026

Carla Bender

4th District Appellate
Court, IL

THE PEOPLE OF THE STATE OF ILLINOIS,	)	Appeal from the
Plaintiff-Appellee,	)	Circuit Court of
v.	)	Winnebago County
CHARLES BENJAMIN HANCOCK,	)	No. 23CF1084
Defendant-Appellant.	)	
	)	Honorable
	)	Debra D. Schafer,
	)	Judge Presiding.

JUSTICE VANCIL delivered the judgment of the court, with opinion.
Justices Zenoff and Grischow concurred in the judgment and opinion.

OPINION

¶ 1 A jury found defendant, Charles Benjamin Hancock, guilty of predatory criminal sexual assault of a child (720 ILCS 5/11-1.40(a)(1) (West 2022)), a Class X felony, and aggravated criminal sexual abuse (*id.* § 11-1.60(b)), a Class 2 felony. The evidence at trial showed that defendant touched the sex organ and breast of B.H. when she was eight years old.

¶ 2 Defendant appeals. He relies on the *corpus delicti* rule, which requires the State to provide evidence of the commission of a crime beyond solely the defendant's confession. According to defendant, his conviction for predatory criminal sexual assault violates this rule because the State provided no corroborating evidence that this crime took place in Illinois besides his own out-of-court statements.

¶ 3 We disagree. For the reasons that follow, we affirm.

¶ 4

I. BACKGROUND

¶ 5 In May 2023, the State filed a two-count complaint against defendant. Count I alleged that, between June 1, 2022, and December 23, 2022, defendant committed predatory criminal sexual assault by knowingly making contact with the sex organ of eight-year-old B.H. with his hand for the purpose of sexual gratification. Count II alleged that, between June 1, 2022, and December 23, 2022, defendant committed aggravated criminal sexual abuse by touching B.H.'s sex organ for the purpose of sexual gratification. Defendant pleaded not guilty.

¶ 6 At trial, Lori Sibigtroth, defendant's stepsister and B.H.'s stepaunt, testified that in June 2022, she lived in Winnebago County, Illinois. In June or July 2022, B.H., defendant, and defendant's mother, Margaret Keller, moved into a home in Rockford, Illinois. When Keller died approximately six months later, defendant and B.H. stayed with Sibigtroth. Soon after, B.H. moved in with family in Terre Haute, Indiana.

¶ 7 Sibigtroth testified that sometime between March and May 2023, she asked defendant about "his situation at the house that made [her] extremely uncomfortable." She explained to the jury that defendant's behavior had concerned her, and she installed a camera in the house. She clarified that this behavior involved only defendant, not B.H. During her testimony, Sibigtroth did not describe the behavior she observed that concerned her, and she did not describe what she saw on the camera footage.

¶ 8 According to Sibigtroth, when she asked defendant about some of his conduct, he denied it. She then told him about the camera. She also told him she knew there were times when he and B.H. were alone together when he lived with Keller and B.H. Sibigtroth testified that defendant admitted touching B.H. "in her privates." The State asked, "And just to clarify the conversation in the car, were you specifically asking the defendant or speaking with the defendant

about conduct that occurred at Miss Keller's house?" She answered, "Yes. That was the time that they had alone. That's the times that we were talking about, that there was many times that they were in the basement together playing." She added, "That was specifically that time at that house, when they lived here in Rockford." On cross-examination, Sibigtroth acknowledged that for the entire 15 to 25 years she had known defendant, he was "mentally handicapped."

¶ 9 B.H. was 11 years old at the time of the trial. She testified that when she was eight years old, she lived in Rockford with defendant and Keller, her grandmother, for a few months. She was asked if there was ever a time while she was living at Keller's house when someone touched her inappropriately. She answered, "Yes." She testified that defendant touched her breasts and her "crotch" with his hand. She explained that defendant touched her breast under her clothes for a "couple seconds" at Keller's house in Rockford. She also testified that defendant touched her "crotch" at Keller's house. The State asked, "And that was at [Keller's] house?" B.H. answered, "Yes, in Terre Haute."

¶ 10 On cross-examination, defense counsel asked B.H. if she ever lived with her grandmother in Indiana, and B.H. answered that she had, before moving to Rockford. Defense counsel asked, "All right. And you mentioned that [defendant] also touched your crotch, but you said that happened in Terre Haute?" B.H. answered, "Yes." Defense counsel asked, "And he never did that when he was in Rockford?" She answered, "No."

¶ 11 Detective James Abate of the Winnebago County Sheriff's Office testified he interviewed defendant in May 2023. A recording of the interview was admitted into evidence. During the interview, Detective Abate asked defendant about his time living with his mother and B.H. in Rockford. Detective Abate said that he was told about some "inappropriate" touching, and he asked defendant if he touched B.H. Defendant admitted he did, first saying that he touched her

vagina once. When Detective Abate asked if this happened once or a couple of times in Rockford, defendant answered that he touched her three times. He denied touching B.H.'s breast or butt. He denied ever touching B.H. in Indiana.

¶ 12 The parties stipulated that defendant had a 2014 conviction for child molestation in Indiana.

¶ 13 The State moved to amend the indictment to allege that defendant committed aggravated criminal sexual abuse by touching B.H.'s breast, rather than her sex organ. The trial court granted the motion.

¶ 14 Defense counsel moved for a directed verdict. Counsel observed that B.H. testified that defendant touched her genitals in Indiana, not Illinois. Citing *People v. Sargent*, 239 Ill. 2d 166 (2010), and the *corpus delicti* rule, defense counsel argued the State must present independent evidence besides defendant's statements to show that defendant committed predatory criminal sexual assault in Illinois. The trial court took the motion under advisement. Later, the court denied defendant's motion, finding B.H.'s testimony sufficiently corroborated defendant's confession, even if she testified to a different location.

¶ 15 Defendant presented no evidence. The jury found defendant guilty on both counts.

¶ 16 Defendant moved for a new trial. The trial court denied defendant's motion. It later sentenced defendant to 16 years in prison for predatory criminal sexual assault and 10 years in prison for aggravated criminal sexual abuse.

¶ 17 This appeal followed.

¶ 18 II. ANALYSIS

¶ 19 On appeal, defendant challenges only his conviction for predatory criminal sexual assault. His sole argument is that the State failed to introduce evidence that this offense occurred

in Illinois besides his own statements and that this violates the *corpus delicti* rule.

¶ 20 “Under the law of Illinois, proof of an offense requires proof of two distinct propositions or facts beyond a reasonable doubt: (1) that a crime occurred, *i.e.*, the *corpus delicti*; and (2) that the crime was committed by the person charged.” *Id.* at 183. “The *corpus delicti* of an offense is simply the commission of a crime.” *People v. Lara*, 2012 IL 112370, ¶ 17. “[T]he *corpus delicti* of an offense generally cannot be proven *solely* by a defendant’s confession.” (Emphasis in original.) *People v. Harvey*, 2024 IL 129357, ¶ 22. Instead, “[t]he State must also provide independent, corroborating evidence that the crime occurred.” *Id.* “[T]he *corpus delicti* rule requires only that the corroborating evidence correspond with the circumstances recited in the confession and tend to connect the defendant with the crime.” *Lara*, 2012 IL 112370, ¶ 51.

¶ 21 Defendant argues that his conviction for predatory criminal sexual assault violates the *corpus delicti* rule. Defendant contends that this rule requires independent evidence corroborating that this offense occurred in Illinois, subjecting him to Illinois’s criminal jurisdiction. “The Illinois criminal jurisdiction statute provides that a defendant is subject to prosecution in Illinois for a criminal offense if it is ‘committed either wholly or partly within the State.’ ” *People v. Gilliam*, 2013 IL App (1st) 113104, ¶ 34 (quoting 720 ILCS 5/1-5(a)(1) (West 2008)). Generally, “criminal jurisdiction must be proven beyond a reasonable doubt.” *People v. Cole*, 2023 IL App (1st) 220174, ¶ 63. Because the State must prove criminal jurisdiction to convict a defendant, defendant insists that the *corpus delicti* rule requires evidence other than his own statements corroborating jurisdiction.

¶ 22 Defendant claims the State failed to introduce such corroborating evidence here. According to defendant, the only evidence that he touched B.H.’s sex organ in Illinois came from his own statements. Sibigtroth testified that defendant admitted to her that he touched B.H.’s

“privates,” and she confirmed she was asking about the period when they lived in Rockford. He admitted this again in his recorded police interview. However, B.H. denied that defendant touched her “crotch” in Rockford. Instead, she testified that this occurred in Terre Haute. Although B.H. testified that defendant touched her genitals at Keller’s house, she also testified that she lived with Keller in both Illinois and Indiana. The State introduced no other evidence proving that defendant committed the predatory criminal sexual assault in Illinois, rather than Indiana.

¶ 23 Neither party cites any Illinois case holding that the State must establish jurisdiction through evidence besides a defendant’s confession, nor any case holding the opposite. We also found no such case.

¶ 24 The State relies on *People v. Strook*, 347 Ill. 460 (1932). There, a Cook County grand jury indicted the defendant for burglary. *Id.* at 461. During the trial, the State introduced no evidence explicitly stating that the burglary occurred in Chicago or even in Illinois, although witnesses testified that the burglary occurred on South Chicago Avenue, and one witness referred to the “ ‘North Side.’ ” *Id.* at 462-64. On appeal to the supreme court, the defendant argued, as relevant here, “[T]he venue was not proved as laid,” and, “[T]he *corpus delicti* was not sufficiently established.” *Id.* at 465. The court found, “The proof in this record does not show, beyond a reasonable doubt, that the offense was committed in the State of Illinois or in the county of Cook or in Chicago.” *Id.* The court reasoned that it could not take judicial notice of the names of streets in Chicago, and the common practice of referring to the North, South, and West sides of Chicago was not sufficient to prove the location. *Id.* at 466. The court concluded, “For the sole reason that all the facts proved in the record were insufficient to establish the venue—that is, to prove that the offense was committed in the county of Cook and State of Illinois—the judgment of the criminal court of Cook county is reversed ***.” *Id.* at 467.

¶ 25 Notably, the court also commented on defendant’s *corpus delicti* argument. It stated,

“The *corpus delicti* was proved. Technically speaking, the *corpus delicti* is the body of the crime or the essence of the crime. [Citation.] To establish or prove the *corpus delicti* it is not necessary to prove that the crime charged was committed in the county and State of Illinois, as charged in the indictment. The *corpus delicti* in this case is simply the charge that the premises of [the victim] were burglarized by the defendant.” *Id.* at 466-467 (citing Bouvier’s Law Dictionary 407).

¶ 26 The State here cites *Strook* as a rejection of defendant’s argument by the Illinois Supreme Court. Indeed, *Strook* states that the *corpus delicti* of a crime does not include the state where the crime occurred and the State need not establish that the crime occurred in Illinois to prove the *corpus delicti*.

¶ 27 Because *Strook* reversed the defendant’s conviction on other grounds, the supreme court’s discussion of *corpus delicti* there was *dicta*. Furthermore, *Strook*’s ruling on the necessity of explicit testimony establishing the city where a street was located was overruled in *People v. Pride*, 16 Ill. 2d 82 (1959), which was itself subsequently overruled in *People v. Housby*, 84 Ill. 2d 415 (1981), on other grounds. Ultimately, *Strook*’s statement on *corpus delicti* is by no means decisive here.

¶ 28 The State also relies on a Pennsylvania case that reached the same conclusion as *Strook*. In *Commonwealth v. Dolph*, 65 A.2d 253 (Pa. Super. Ct. 1949), the Pennsylvania Superior Court rejected the defendant’s claim that the State must provide corroborating evidence that his crime took place in Pennsylvania. The court stated, “Much of the argument on behalf of [the] appellant is irrelevant, being to the effect that it was incumbent upon the Commonwealth to

establish all the elements of the charge independently of the confession. The Commonwealth had no such burden.” *Id.* at 255. The court added, “There is no authority for enlarging the requirements of the *corpus delicti* to include jurisdictional elements.” *Id.*; see *Commonwealth v. Marshall*, 135 A. 301, 304 (Pa. 1926) (reasoning that the rules governing *corpus delicti* were “designed to protect accused persons from conviction where, in point of fact, no crime has been committed [citation], and they cannot properly be made to include mere jurisdictional matters”).

¶ 29 Of course, Pennsylvania cases are not binding on Illinois courts. Furthermore, in both *Dolph* and *Marshall*, the courts also found evidence for jurisdiction besides the defendant’s statements. *Dolph*, 65 A.2d at 255; *Marshall*, 135 A. at 303-04. Therefore, those courts’ determinations that the *corpus delicti* rule does not implicate jurisdiction were *dicta*. Even more than with *Strook*, *dicta* from another state’s court is not controlling here.

¶ 30 Lacking any controlling decision on the precise question in this case, we next consider how Illinois courts understand the *corpus delicti* rule generally. In *People v. Perfecto*, 26 Ill. 2d 228 (1962), the defendant confessed to beating and raping a woman. Besides his out-of-court admission, other evidence at trial included testimony from a witness who saw the defendant with scratches and bites on his shoulders after leaving the victim’s room. *Id.* at 230. The witness also saw the victim bleeding and bruised, and there were signs of a struggle in her room. *Id.* The supreme court rejected the defendant’s appeal based on the *corpus delicti* rule, stating, “The evidence here, taken as a whole, leaves no doubt that a rape was committed and that [the] defendant committed it.” *Id.*

¶ 31 *Lara* expanded on *Perfecto*. In *Lara*, the defendant was convicted of two counts of predatory criminal sexual assault of a child. *Lara*, 2012 IL 112370, ¶ 1. In a written statement, the defendant admitted to putting his finger inside the minor’s vagina. *Id.* ¶¶ 5-6. The State provided

no other evidence explicitly demonstrating the required element of penetration. In the minor's recorded interviews and her testimony at trial, she stated that the defendant put his hand on her " 'private,' " but she did not specify that he inserted his finger inside her body. *Id.* ¶¶ 9-10.

¶ 32 The supreme court held that the defendant's convictions did not violate the *corpus delicti* rule. The court observed that, in *Perfecto*, there was no "direct corroborating evidence of penetration," but *Perfecto* still upheld the defendant's forcible rape conviction. (Emphasis in original.) *Id.* ¶ 31 (citing *Perfecto*, 26 Ill. 2d at 230). After surveying other Illinois cases discussing the rule, *Lara* concluded "that none of them required clear independent proof of each element, or indeed of any particular element, of the charged offense to satisfy the *corpus delicti* rule." *Id.* ¶¶ 32-39. *Lara* explained,

"[C]orroboation is sufficient to satisfy the *corpus delicti* rule if the evidence, or reasonable inferences based on it, tends to support the commission of a crime that is at least closely related to the charged offense. Even if a defendant's confession involves an element of the charged offense, the independent evidence need not affirmatively verify those circumstances; rather, the evidence must simply 'correspond' with the confession. [Citation.] Corroboration of only some of the circumstances related in a defendant's confession is sufficient. [Citation.] This interpretation of the *corpus delicti* rule is consistent with our prior application of the rule and clarifies the existing case law." *Id.* ¶ 45.

Lara added that "the trier of fact alone is entrusted with the duties of examining the evidence and subsequently determining whether the State has met its burden of proving the elements of the charged offense beyond a reasonable doubt," and the *corpus delicti* rule should not usurp the fact finder's role by requiring corroboration of each element of an offense. *Id.* ¶¶ 46-50.

¶ 33 *Lara* clearly holds that the evidence corroborating a defendant’s confession need not establish every element of the defendant’s crime. We find similar reasoning applies to jurisdiction. Indeed, Illinois courts often refer to jurisdiction as an element of an offense. See, *e.g.*, *Cole*, 2023 IL App (1st) 220174, ¶ 63 (“As with any other element of the offense, the State may satisfy its burden of proving criminal jurisdiction by either direct or circumstantial evidence.”); see also *People v. Mitchell*, 2018 IL App (1st) 153355, ¶ 26 (“As with other elements, the State may satisfy its burden of proving geographical jurisdiction by either direct or circumstantial evidence.”); *Gilliam*, 2013 IL App (1st) 113104, ¶ 34 (“Jurisdiction in a criminal case is an essential element that must be proved beyond a reasonable doubt along with the other elements of the offense.”). If the *corpus delicti* rule does not require that the State provide corroborating evidence for each individual element, it likewise does not require evidence specifically corroborating jurisdiction.

¶ 34 Defendant urges us not to treat jurisdiction like an element of the offense for *corpus delicti* purposes. According to defendant, without criminal jurisdiction, Illinois law does not recognize that any crime occurred at all. Defendant contends that there is no *corpus delicti* without jurisdiction, and we should understand the *corpus delicti* rule to require corroboration of jurisdiction.

¶ 35 We are not persuaded. First, we reject defendant’s justification for distinguishing jurisdiction from other elements of an offense for these purposes. Although defendant is correct that proof of jurisdiction is a prerequisite to a criminal conviction (see 720 ILCS 5/1-5(a) (West 2022)), the same is true for all the elements of an offense. See *In re Winship*, 397 U.S. 358, 365 (1970) (holding that the due process clause of the fourteenth amendment to the United States Constitution (U.S. Const., amend. XIV) “protects the accused against conviction except upon proof

beyond a reasonable doubt of every fact necessary to constitute the crime with which he is charged”). The State cannot convict a defendant unless it proves all the elements of the offense beyond a reasonable doubt. Defendant does not provide a basis to differentiate jurisdiction.

¶ 36 Second, defendant’s interpretation of the *corpus delicti* rule does not respect *Lara*’s warning against infringing on the fact finder’s prerogative. *Lara*, 2012 IL 112370, ¶¶ 49-51. In finding that the *corpus delicti* rule did not require specific corroboration of each element of an offense, *Lara* explained, “[W]e reject any interpretation that would partially usurp the fact finder’s exclusive responsibilities to evaluate the credibility of the witnesses, weigh the conflicting evidence, and draw appropriate inferences from the evidence.” *Id.* ¶ 50. The fact finder, here the jury, was responsible for determining whether the State proved beyond a reasonable doubt that defendant sexually assaulted B.H. in Illinois. Holding that the State must provide corroborating evidence in addition to the defendant’s own statements to prove this specific fact would intrude on the jury’s role. We reject such an interpretation.

¶ 37 Finally, here, we find value in the *dicta* from *Strook*, *Dolph*, and *Marshall*. The only *corpus delicti* cases we are aware of that specifically address the state or jurisdiction in which a crime occurred have reached the same conclusion we have, including one decision by the Illinois Supreme Court. Although these cases do not decide this issue themselves, they support the conclusion we reach on other grounds.

¶ 38 Defendant relies on *Sargent*. There, a jury found the defendant guilty of three counts of predatory criminal sexual assault and two counts of aggravated criminal sexual abuse of a minor, M.G., as well as one count of predatory criminal sexual assault of another minor, J.W. *Sargent*, 239 Ill. 2d at 169. The State alleged that the defendant inserted his finger in M.G.’s anus and fondled M.G.’s penis multiple times. *Id.* at 170. The defendant’s confession provided the only

evidence specifically demonstrating that he fondled M.G.'s penis. *Id.* at 184. M.G.'s out-of-court statement that defendant put his finger in M.G.'s anus provided the only corroborating evidence for the assault charges involving M.G. On appeal, the defendant challenged his convictions on all but one of the counts involving M.G. on *corpus delicti* grounds. *Id.* at 182. The State argued that the corroborating evidence for the other offenses provided sufficient corroboration that the defendant fondled M.G.'s penis and committed all three predatory criminal sexual assaults of M.G. *Id.* at 184. But the supreme court agreed with the defendant. It explained,

“Our precedent demonstrates that under the corroboration rule, the independent corroborating evidence must relate to the specific events on which the prosecution is predicated. Correspondingly, where a defendant confesses to multiple offenses, the corroboration rule requires that there be independent evidence tending to show that [the] defendant committed each of the offenses for which he was convicted. [Citation.]

Such proof is lacking here. As we just noted, aside from [the] defendant's confession, no evidence was adduced which tended to support the charges that [the] defendant fondled M.G.'s penis for purposes of his own sexual gratification. There may be circumstances where criminal activity of one type is so closely related to criminal activity of another type that corroboration of one may suffice to corroborate the other, but such circumstances are not present here.” *Id.* at 185.

The court also found the evidence did not clearly corroborate the allegations that the defendant committed multiple sexual assaults against M.G. Instead, M.G.'s out-of-court statement corroborated only a single incident. *Id.* at 185-87. Accordingly, the court reversed the defendant's

convictions for aggravated criminal sexual abuse and two of his convictions for predatory criminal sexual assault. *Id.*

¶ 39 Defendant argues that the same reasoning applies in this case. According to defendant, just as *Sargent* required independent evidence corroborating the “specific events” for each of the defendant’s offenses, we should require independent evidence corroborating jurisdiction for each offense. See *id.* at 185.

¶ 40 *Sargent* does not change our conclusion. Indeed, *Lara* clarified the holding in *Sargent*, explaining,

“*Sargent* suggests that the same corroborating evidence may suffice to support a defendant’s confession to multiple offenses when the offenses possess some distinctive elements. Due to the fact-intensive nature of the inquiry, however, the question of whether certain independent evidence is sufficient to establish specific charged offenses must be decided on a case-by-case basis. Our acknowledgment in *Sargent* that not all elements of each offense must be expressly corroborated in all criminal cases seriously undermines [the] defendant’s argument here. Contrary to [the] defendant’s claim, *Sargent* may be properly read to support the general rule that corroboration is not compulsory for each element of every alleged offense.”

Lara, 2012 IL 112370, ¶ 26.

Even under *Sargent*, the State need not corroborate each element of the offense. Because we treat jurisdiction like an element here, *Sargent* likewise does not undermine our conclusion.

¶ 41 To reiterate, we find that the *corpus delicti* rule does not require evidence corroborating jurisdiction apart from the defendant’s own statements. Instead, as *Lara* stated, “[C]orroboration is sufficient to satisfy the *corpus delicti* rule if the evidence, or reasonable

inferences based on it, tends to support the commission of a crime that is at least closely related to the charged offense.” *Id.* ¶ 45.

¶ 42 Here, the State provided sufficient evidence tending to support that defendant committed an act closely related to the predatory criminal sexual assault of B.H. Indeed, B.H. herself testified that defendant touched her “crotch.” In *Lara*, the evidence that the defendant touched the minor’s genitals was sufficient to corroborate the *corpus delicti* for the defendant’s offense, even though the State did not corroborate the essential element of sexual penetration. *Id.* ¶¶ 52-65. Similarly, here, the evidence that defendant touched B.H.’s genitals was sufficient to corroborate the *corpus delicti* for his offense, even though the State did not prove that he sexually assaulted her in Illinois except through defendant’s own statements.

¶ 43 III. CONCLUSION

¶ 44 For the reasons stated, we affirm the trial court’s judgment.

¶ 45 Affirmed.

People v. Hancock, 2026 IL App (4th) 251090

Decision Under Review: Appeal from the Circuit Court of Winnebago County, No. 23-CF-1084, the Hon. Debra D. Schafer, Judge, presiding.

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