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NATURE OF THE ACTION

In 1993, the Lake County State's Attorney brought criminal charges against Defendant-Appellee Richard Kastman, after which he was adjudged to be a sexually dangerous person and civilly committed under the Sexually Dangerous Persons Act ("Act"), 725 ILCS 205/0.01 *et seq.* (2020). In 2016, the circuit court ordered that Kastman be released from the custody of the Illinois Department of Corrections ("Department") onto conditional release under section 9(e) of the Act.

Four years later, Kastman filed a motion in the circuit court to compel Intervenor-Appellant Rob Jeffreys, the Department's Director ("Director"), to pay for his housing, sex offender treatment, and other living expenses while on conditional release. The circuit court granted his motion, compelling the Director to pay for his rent, sex offender treatment, cell phone, electricity, gas, water, groceries, medical copays, and cable television. The appellate court affirmed that injunction, holding that the Act requires the Director to pay Kastman's living expenses throughout his conditional release term. This Court granted the Director's petition for leave to appeal the appellate court's decision.

After the Director filed his petition for leave to appeal, Kastman was arrested and charged with new criminal offenses. The People, represented by the Attorney General, then filed a petition to revoke his conditional release

based on those new charges. The charges and the revocation petition are currently pending in the circuit court.

ISSUES PRESENTED FOR REVIEW

1. Whether this appeal still presents a live controversy because the circuit court's injunction remains in effect despite the pending petition to revoke Kastman's conditional release; whether, even if the appeal were to become moot, the public interest exception to mootness applies; and whether, even if no mootness exception applies, this Court should vacate the appellate court's judgment and circuit court's order.

2. Whether Act requires the Director to pay for a sexually dangerous person's living expenses while he is on conditional release.

JURISDICTION

On March 3, 2021, the circuit court entered an order granting Kastman’s motion to compel the Director “to provide care and treatment for [Kastman] outside the institutional setting and . . . pay for [his] monthly living expenses.” SR95.¹ Although not expressly labeled as such, that order was an appealable injunction. *See, e.g., In re Ohlman*, 259 Ill. App. 3d 120, 130-31 (1st Dist. 1994) (order that state agency provide psychotherapy sessions to individual five days a week constituted appealable injunction). On March 25, 2021, the Director filed a notice of appeal, SR97, and on March 29, 2021, an amended notice of interlocutory appeal, SR101, which were timely because they were filed within 30 days of the circuit court’s injunction, Ill. Sup. Ct. R. 307(a). The appellate court affirmed the circuit court’s injunction on August 19, 2021, and the Director filed a petition for leave to appeal on September 22, 2021. On November 24, 2021, this Court granted the Director’s petition for leave to appeal. A25.

¹ This brief cites the supporting record filed in the appellate court as “SR__,” the supplemental supporting record filed in the appellate court as “SUP SR__,” the Director’s opening brief in the appellate court as “AT Br. __,” the Director’s reply brief in the appellate court as “RY Br. __,” and the appendix to this brief as “A__.”

STATUTES INVOLVED

The full text of sections 8, 9, and 10 of the Act, 725 ILCS 205/8, 9, 10 (2020), are included in the appendix to this brief. A76-79.

STATEMENT OF FACTS

The Act

The Act establishes a system of civil commitment for individuals with mental disorders who have displayed propensities to commit sexual offenses. 725 ILCS 205/1.01, 3.01, 8 (2020). Such individuals fall into three categories: (1) sexually dangerous persons who are “committed to the custody of” the Director and are confined in a state facility, *id.* § 8; (2) sexually dangerous persons on “conditional release,” who are free to go “at large subject to such conditions and such supervision by the Director as in the opinion of the court will adequately protect the public,” *id.* § 10; and (3) those who are “fully recovered” and “no longer dangerous,” and thus may be “discharged” from any commitment or supervision, *id.* § 9(e).

The Director is the “guardian” of committed sexually dangerous persons and must “keep safely” and provide “care and treatment” for those “committed” to his custody. *Id.* § 8. Either the Director or a sexually dangerous person “may petition the committing court for an order authorizing the conditional release of any person committed to [the Director] under this Act.” *Id.* § 10; *see also id.* § 9(a), (e). The sexually dangerous person will be placed on conditional release if the committing court finds that the person “appears no longer to be dangerous but that it is impossible to determine with certainty under conditions of institutional care that the person has fully

recovered.” *Id.* §§ 9(e), 10. If the person violates the conditions of his release, he may be “recommit[ted]” to the Director’s custody. *Id.*

Circuit Court Proceedings

In 1994, the circuit court found Kastman to be a sexually dangerous person and committed him to the Director’s custody. SR10. In 2013, Kastman filed an application to be released from custody, claiming that he was recovered. SR2. The circuit court appointed two psychologists to evaluate Kastman, both of whom determined that he was no longer sexually dangerous “within the confines of an institution” and recommended that he continue his treatment “in the community under conditional release.” *Id.*

In a January 2016 agreed order, the circuit court found that Kastman “appears no longer to be dangerous,” but also that it was “impossible to determine with certainty under conditions of institutional care that he has fully recovered.” *Id.* The circuit court thus permitted Kastman “to go at large subject to” several conditions and the “supervision [of] the Director[.]” SR2-3. Among other conditions, the court required Kastman to participate in sex offender treatment and “become self-supporting by either becoming gainfully employed at least part-time at a job” or by volunteering at a site approved by the Department “while receiving . . . disability benefits.” SR5. In either case, the court required Kastman to “pay all monthly living expenses and comply with [the Department] in developing a budget.” *Id.*

Four years later, Kastman filed a motion to compel the Director to pay for his sex offender treatment and housing. SR18, SR22, SR25. Kastman argued that, while he was on conditional release, the Director remained his “guardian” and was thus responsible for “his support, care, comfort, health, education and maintenance.” SR23. In support, Kastman cited an unpublished order from the First District of the appellate court, *People v. Ford*, 2019 IL App (1st) 172592-U, and analogized his relationship with the Director to a guardian-ward relationship under the Probate Act of 1975, 755 ILCS 5/1-1 *et seq.* (2020). SR23-24, SR65-66.

After being granted leave to intervene, the Director argued that the circuit court should reject Kastman’s motion for two reasons. SR26, SR40-41. First, Kastman agreed to pay his own living expenses by agreeing to the conditional release order. SR42-43. Second, because Kastman was “no longer held in confinement,” the Director had no duty to provide him with housing or treatment under the Act. SR43.

At a hearing on Kastman’s motion on February 17, 2021, the circuit court asked Kastman’s counsel how he had been paying for his living expenses over the past five years. SR87. Counsel responded that Kastman had been receiving “a small amount of money through disability that [he was] using . . . to cover his expenses,” but that his disability benefits were not sufficient “for the long-term.” SR88. Kastman added that he had quit his previous job at a factory because he had an enlarged disc in his back that made it painful for

him to stand. SR89-90. The court took the motion under advisement and asked counsel to provide an estimate of Kastman's monthly expenses. SR91-92.

At a hearing on March 3, 2021, Kastman's counsel tendered Kastman's estimated monthly expenses to the court, which showed that Kastman received \$1,130 per month in disability, had \$9,000 in his checking account, and his monthly expenses totaled \$2,912, meaning that Kastman would run out of money without additional financial assistance. SUP SR3, SUP SR7. The Director reiterated that, since Kastman was "out of commitment," there was no basis to conclude that the Act required him to pay for Kastman's living expenses. SUP SR8.

At the same hearing, the circuit court stated that it had looked to *Ford* as "a guide" for its "rationale" and had relied on *Ford* "as precedent." SUP SR9-10. Based on *Ford*, the court concluded that the Act was "clear" that the Director was required to "provide for [Kastman's] care and treatment while he resides outside the [Department] setting." SUP SR10. The court thus ordered the Director to "pay for [Kastman's] monthly living expenses" and listed 10 specific expenses for which the Director was responsible:

- a. SCRAM bracelet, in the amount of \$310.00 per month;
- b. Sex offender treatment, in the amount of \$360.00 per month;
- c. Rent, in the amount of \$1800.00 per month;
- d. Cell phone, in the amount of \$85 per month;
- e. Electricity, in the amount of approximately \$40 per month;
- f. Gas, in the amount of approximately \$115 per month;
- g. Water, in the amount of approximately \$22 per month;

- h. Groceries (non-link), in the amount of approximately \$100 per month;
- i. Medical co-pays and medications, in the amount of about \$40 per month;
- j. Cable, in the amount of \$50 per month.

SR95. The order further required Kastman “to pay a \$500 monthly contribution to offset the aforementioned monthly expenses.” *Id.*

The Director filed an interlocutory appeal of that injunction. SR97, SR101.

Appellate Court Proceedings

On appeal, the Director noted that the Act states that he must “provide care and treatment for the person committed to him.” AT Br. at 11 (quoting 725 ILCS 205/8 (2020)). Thus, the Director argued, his duty to provide care and treatment was limited to those committed to his custody. *Id.*

And, the Director explained, individuals on conditional release are no longer committed to his custody, for several reasons. *Id.* at 11-12. First, section 10 of the Act, which describes a procedure by which the Director can petition the court for a sexually dangerous person’s conditional release, characterizes conditional release as the “release of any person committed to” the Director’s custody. *Id.* at 11 (quoting 725 ILCS 205/10 (2020)). Second, in using the phrase “at large” to describe the status of a person on conditional release, the General Assembly suggested that they are no longer committed to the Director’s custody. *Id.* at 12 (quoting 725 ILCS 205/9(e) (2020)). The plain meaning of “at large” suggests that sexually dangerous persons are free or

unrestrained apart from the conditions placed on them by the circuit court, and thus not committed to the Director's custody. *Id.* Third, both sections 9(e) and 10 require a circuit court to "recommit" a sexually dangerous person who violates his conditional release terms. *Id.* (quoting 725 ILCS 205/9(e), 10 (2020)). Accordingly, if individuals were still committed to the Director's custody while on conditional release, the legislature would not have stated that they should be recommitted for such a violation. *Id.*

For similar reasons, the Director argued that section 8's requirement that he "keep safely the person so committed until the person has recovered and is released" did not require him to pay Kastman's living expenses. *Id.* at 15 (quoting 725 ILCS 205/8 (2020)). The Director asserted that Kastman was no longer "committed" while on conditional release, so he could not be considered a "person so committed" under section 8. *Id.* Nor did section 8's use of the words "recovered" or "released" change that result. *Id.* at 15-16. The Director pointed out that the Act describes those individuals who are eligible to be completely discharged from any court supervision as "fully recovered," 725 ILCS 205/9(e) (2020), not merely "recovered." AT Br. at 16. As a result, there had to be some difference between sexually dangerous persons who are "recovered" and "fully recovered" to give effect to the word "fully." *Id.* And because the only other possible status of recovery other than full recovery and discharge was conditional release, conditional release should be interpreted as a stage of recovery. *Id.* Conversely, reading "recovered" as

equivalent to “fully recovered” would render the word “fully” a nullity. *Id.*; RY Br. at 10-11.

The Director further argued that the purpose of conditional release would not be served by requiring him to pay Kastman’s living expenses. AT Br. at 13-14. The Act provides that a sexually dangerous person should be placed on conditional release when “it is impossible to determine with certainty under conditions of institutional care that [a sexually dangerous] person has fully recovered.” 725 ILCS 205/9(e), 10 (2020). But if a sexually dangerous person remained dependent on the Director’s financial support, the circuit court would be unable to determine whether he is fully recovered and ready to reenter society. AT Br. at 13-14.

The Director also asserted that the circuit court’s reading of the Act created absurd results in two ways. *Id.* at 14-15. First, it created a financial disincentive for sexually dangerous persons to pursue full recovery by making it more lucrative for them to remain on conditional release. *Id.* at 14. Second, it did not leave the Director with the means to relieve the Department of its alleged financial obligation. *Id.* at 14-15. Section 10 of the Act only authorizes the Director to “petition the committing court for an order authorizing . . . conditional release,” 725 ILCS 205/10 (2020), not to petition the court for the complete “discharge[]” of a sexually dangerous person from all Department supervision, *id.* § 9(e). AT Br. at 14-15. The Director argued that it was absurd to believe that the legislature intended to encourage sexually

dangerous persons to remain on conditional release while not giving the Director any mechanism to end that financial incentive. *Id.* at 15.

The appellate court held that the Director’s duty to “keep safely” extended to Kastman because he had not yet “recovered.” A6. To support that conclusion, the appellate court relied on this Court’s decision in *People v. Cooper*, 132 Ill. 2d 347 (1989), which held that a circuit court retains jurisdiction over a sexually dangerous person on conditional release. A6-7. According to the appellate court, *Cooper* showed that “the Director’s guardianship extends to conditionally released sexually dangerous persons and is not limited solely to those in [Department] custody.” A7.

Next, the appellate court asserted that Kastman should receive financial assistance because he remained “on a string that the Director may pull, acting as an agent of the State, whenever [he] violates the conditions of his release.” *Id.* Similarly, the court expressed concern that, without the Director paying his living expenses, Kastman could “blamelessly” violate the conditions of his release and be recommitted because of his “inability to pay.” A9. And, according to the appellate court, “this court and others have held that the Director is the proper source for payment for a sexually dangerous person’s necessary expenses, including attorney fees.” A8 (collecting cases). Because the General Assembly had not amended the Act since those decisions, the appellate court maintained, the legislature had indicated that “this interpretation is consistent with its original intent.” *Id.*

Finally, the appellate court stated that “Kastman’s conditional release appears to be less expensive than the cost of his confinement,” citing the yearly cost of incarcerating an individual. *Id.* Acknowledging that it lacked “data on the average costs of confining sexually dangerous persons,” the court assumed that “it costs more to house such individuals” than to imprison someone. A8-9.

Proceedings After the Director Filed His Petition for Leave to Appeal

After the Director filed his petition for leave to appeal to this Court, Kastman was arrested and charged with new criminal offenses. A54-56.² Based on those offenses, the Attorney General, on behalf of the People, filed a petition to revoke Kastman’s conditional release, claiming that he violated the term of his conditional release prohibiting him from committing new crimes. A52-53. The criminal case and the revocation proceedings were consolidated, the circuit court set bond at \$500,000, and Kastman pled not guilty. A54, A56-57. As of the time of filing this brief, these proceedings remain pending and Kastman is in Lake County Jail awaiting trial. A26, A56.

² This Court may take judicial notice of the dockets, filings, and order in the new criminal case and revocation proceedings that are included in the appendix to this brief. A26-57; *see A&R Janitorial v. Pepper Constr. Co.*, 2018 IL 123220, ¶ 25 n.2 (taking judicial notice of lawsuit pending in circuit court). It also may take judicial notice of Lake County Jail’s online detainee information available at <https://bit.ly/3sywuq9>. *See Cordrey v. Prisoner Rev. Bd.*, 2014 IL 117155, ¶ 12 n.3 (taking judicial notice of prisoner information on Department’s website).

ARGUMENT

- I. The pending revocation of Kastman’s conditional release has not rendered this appeal moot and, even if it becomes moot, this Court should reach the merits under the public interest exception to mootness or, alternatively, vacate the appellate court’s opinion and the circuit court’s order.**

Despite the pending petition to revoke Kastman’s conditional release and his current detention in Lake County jail, this appeal still presents a live controversy. The circuit court’s order compelling the Director to pay Kastman’s living expenses has not been vacated and, if Kastman posts bond in his criminal case or his conditional release is not revoked, the Director will be required to resume paying those expenses. And even if this appeal becomes moot, this Court should address the important issue of the Director’s duty to pay living expenses under the Act under the public interest exception to mootness. Alternatively, if this Court declines to reach the merits, it should vacate the appellate court’s judgment and the circuit court’s March 3, 2021 order.

- A. This appeal is not moot because Kastman’s conditional release has not been revoked and the circuit court’s March 3, 2021 order remains in effect.**

An appeal is moot if no actual controversy exists or when events have occurred that make it impossible for this Court to render effectual relief.

Commonwealth Edison Co. v. Ill. Com. Comm’n, 2016 IL 118129, ¶ 10. But there is “life in an appeal where a decision could have a direct impact on the

rights and duties of the parties.” *Balmoral Racing Club, Inc. v. Illinois Racing Bd.*, 151 Ill. 2d 367, 387 (1992) (internal quotation marks omitted).

Here, a decision will have a direct impact on the rights and duties of the parties. Despite the charges pending against Kastman, the circuit court has not vacated its March 3, 2021 order. A26-27; *see In re A Minor*, 127 Ill. 2d 247, 256 (1989) (challenge to injunction prohibiting newspaper from publishing juvenile’s name was not moot despite conclusion of delinquency proceedings because injunction had not “been withdrawn”). The Director remains bound by the circuit court’s order and, if Kastman’s conditional release is not revoked, the Director will be required to abide by it. Indeed, at present, despite currently being housed at Lake County Jail, Kastman remains on conditional release for purposes of his civil commitment proceedings and will remain on conditional release until the circuit court grants the People’s petition to revoke it. *See* 725 ILCS 205/9(e), 10 (2020) (directing court to revoke conditional release if violation of conditions is proved).

In addition, nothing in the order’s language specifies that, if a petition to revoke Kastman’s conditional release is filed, the Director’s duty to pay living expenses terminates. *See* SR95. To the contrary, the order compels the Director to pay for Kastman’s living expenses at any time he is “outside the institutional setting.” *Id.* Thus, if Kastman is released from jail, either on bond or because of his acquittal, he will be out of the institutional setting and the Director’s obligation will resume. *See* 730 ILCS 5/5-6-4(b) (2020) (stating

that, when basis for revocation is a new criminal offense, offender “shall be admitted to bail on such terms” as apply to that new offense). Because this Court could grant the Director effectual relief, *Commonwealth Edison*, 2016 IL 118129, ¶ 10, by addressing the merits, this appeal is not moot.

B. Even if this appeal becomes moot, this Court should reach the merits under the public interest exception to mootness.

Even if this appeal becomes moot because the circuit court revokes Kastman’s conditional release, this Court should reach the merits under the public interest exception to mootness. This appeal presents an important question regarding the Director’s duties as to sexually dangerous persons that will affect his supervision of such persons throughout the State. And that question is likely to recur because it has arisen in other cases and may arise again in this case.

The public interest exception “permits review of an otherwise moot question when the magnitude or immediacy of the interests involved warrants action by the court.” *Commonwealth Edison*, 2016 IL 118129, ¶ 12. This exception applies when three criteria are met: “(1) the question presented is of a public nature; (2) an authoritative determination of the question is desirable for the future guidance of public officers; and (3) the question is likely to recur.” *Id.* (internal quotation marks omitted). This case meets all three.

First, the question presented here is of a public nature, as it involves the Director’s duties toward all sexually dangerous persons on conditional release.

Deciding whether the Director must pay such persons' living expenses will directly affect the Department's resources and the rights of all sexually dangerous persons, whether currently on conditional release or potentially subject to conditional release in the future. *See Holly v. Montes*, 231 Ill. 2d 153, 158 (2008) (validity of electronic home confinement as a term of mandatory supervised release satisfied public interest exception because any person on mandatory supervised release was "expos[ed] . . . to the possibility that the Board will impose" that term).³ And the meaning of the Act's language is also of public importance. *See In re D.L.*, 191 Ill. 2d 1, 8 (2000) ("[I]nterpretation of the [a phrase in the Adoption Act] is of substantial public importance."). Nor is there anything fact-specific about this case — the appellate court's interpretation of the Act applies to all sexually dangerous persons on conditional release, without qualification. *Cf. Commonwealth Edison*, 2016 IL 118129, ¶ 14 (question not of public nature where "the issue in this case uniquely applie[d] only to a specific group of regulated entities for a specific project," even if that project would have "incidentally affected" consumers); *In re Alfred H.H.*, 233 Ill. 2d 345, 356-57 (2009) ("Sufficiency of the evidence claims are inherently case-specific reviews that do not present the

³ As of June 30, 2021, there were 156 sexually dangerous person in the Department's custody. *See* Ill. Dep't of Corrs., Adult Individuals in Custody on June 30, 2021, <https://bit.ly/3Dl5snP> (last visited Dec. 29, 2021). This Court may take judicial notice of information on the Department's website. *Cordrey*, 2014 IL 117155, ¶ 12 n.3.

kinds of broad public interest issues” reviewable under the public interest exception).

Second, an authoritative determination is important to guide public officers in the future. As explained, *see infra* Argument Section II, the opinion below directly contradicts the Act’s plain language. Courts, litigants, and Department officials will be left questioning whether to follow that plain language, which shows that the Director owes no duty to keep safely or provide care and treatment for persons on conditional release, or the opinion below, which says the opposite. *See In re Andrea F.*, 208 Ill. 2d 148, 158 (2003) (appellate court’s “incorrect” interpretation of statute could be reviewed under public interest exception because, “if allowed to stand,” it would “disturb a great number of dispositions under” that statute). And even if this Court vacates the appellate court’s opinion on mootness grounds, *see infra* Argument Section I.C, its reasoning likely will influence lower courts — after all, the circuit court here expressly relied on the First District’s unpublished order in *Ford* in ordering the Director to pay Kastman’s living expenses, even though that order was not precedent. SUP SR9-10.

Finally, this issue is likely to recur — indeed, it already has. This is now the third case in which the Department has been ordered to pay a sexually dangerous person’s living expenses while on conditional release: in addition to this case and *Ford*, the circuit court of Wayne County also entered an order requiring the Department to pay for a sexually dangerous person’s “continued

treatment and the recommended evaluations, housing, and living expenses” while on conditional release. A67-68. And it is the second time that, during the pendency of an appeal from that order, the defendant was charged with new offenses: both here and in *Ford*, the defendants were charged with new offenses while the Director was in the process of appealing the orders compelling him to pay for their living expenses. A58-65.

In fact, this issue may recur in this case. Even if Kastman’s conditional release is revoked and he returns to Department custody, a new petition for his conditional release could be filed. *See* 725 ILCS 205/9(d) (2020) (allowing person to file petition within two years of finding that person “is still . . . sexually dangerous”); *id.* § 10 (allowing Director to petition for conditional release). And if that petition is granted, the circuit court will be presented with this issue again. This Court, therefore, should address the merits and provide clarity to lower courts, attorneys, and parties affected by this issue, including the parties to this case.

C. Alternatively, if this Court does not reach the merits, it should vacate the circuit court’s order and the appellate court’s judgment.

When an appeal is moot and no mootness exception applies, this Court will vacate the lower court orders or judgments on appeal because it “is unable to pass on the[ir] correctness.” *Commonwealth Edison*, 2016 IL 118129, ¶ 22 (collecting cases); *see also Felzak v. Hruby*, 226 Ill. 2d 382, 394 (2007) (vacating appellate and circuit court judgments in moot case “[t]o prevent the appellate

court's resolution of the issues presented to it from standing as precedent for future cases") (internal quotation marks omitted). Even if this Court declines to reach the merits of this appeal, therefore, it should vacate the circuit court's March 3, 2021 order and the appellate court's judgment affirming that order.

II. The Act does not require the Department to pay Kastman's living expenses while he is on conditional release.

The Act's clear language requires the Director to keep safely, and provide care and treatment for, only those sexually dangerous persons committed to his custody in an institutional setting, not those sexually dangerous persons on conditional release. Contradicting that plain language and the Act's purpose, the circuit and appellate courts concluded otherwise. This Court should give effect to the Act's plain language, reverse the appellate court's judgment, and vacate the circuit court's March 3, 2021 order.

A. This Court should apply *de novo* review and apply the Act's plain language.

The only issue in this appeal is the proper interpretation of the Act, which is a question of law. *Brunton v. Kruger*, 2015 IL 117663, ¶ 24. This Court, therefore, should review the injunction compelling the Director to pay Kastman's living expenses *de novo*. See, e.g., *Vaughn v. City of Carbondale*, 2016 IL 119181, ¶ 22 ("[W]hen the appeal of an order granting or denying a permanent injunction involves a question of law, the standard of review is *de novo*."); *Mohanty v. St. John Heart Clinic, S.C.*, 225 Ill. 2d 52, 63 (2006)

(applying *de novo* review where preliminary injunction’s validity depended on legal question).

In interpreting the Act, this Court’s goal “is to ascertain and give effect to the legislature’s intent.” *Palm v. Holocker*, 2018 IL 123152, ¶ 21. “The most reliable indicator of legislative intent is the language of the statute, given its plain and ordinary meaning.” *Id.* “Where statutory language is clear and unambiguous, it will be given effect without resort to other aids of construction.” *Id.* “Words and phrases must be interpreted in light of other relevant provisions of the statute and must not be construed in isolation.” *Id.* And this court has “an obligation to construe statutes in a manner that will avoid absurd, unreasonable, or unjust results that the legislature could not have intended.” *Id.*

B. The Director is not responsible for keeping safely or providing care and treatment for sexually dangerous persons on conditional release because they are not committed to his custody.

Under the Act, the Director’s duties are clear. Section 8 provides that, when a court finds that a person is sexually dangerous, it “shall appoint the Director . . . guardian of the person found to be sexually dangerous and such person shall stand committed to the custody of such guardian.” 725 ILCS 205/8 (2020). As guardian, the Director “shall keep safely *the person so committed* until the person has recovered and is released as hereinafter provided,” and “provide care and treatment for *the person committed to him* designed to effect recovery.” *Id.* (emphases added). Thus, section 8 limits the

duties to keep safely and provide care and treatment to those persons committed to the Director's custody.

But, for several reasons, a person on conditional release, like Kastman, is not committed to the Director's custody. First, the Act states that the Director may petition for “the *conditional release of any person committed to him* under this Act.” 725 ILCS 205/10 (2020) (emphasis added). By definition, then, conditional release ends a person's commitment to the Director's custody.

Second, sections 9(e) and 10 state that a person who is on conditional release is “at large,” subject only to the conditions set by the circuit court. *Id.* §§ 9(e), 10. The plain meaning of the phrase “at large” suggests that a person on conditional release is no longer committed to the Director's custody and, instead, is unrestrained apart from having to abide by the conditions imposed by the circuit court. *See At Large*, Black's Law Dictionary (10th ed. 2014) (defining “at large” in relevant part as “[f]ree; unrestrained; not under control”); *At Large*, Ballentine's Law Dictionary (3d ed. 1969) (defining “at large” in relevant part as “wandering, roving, or rambling at will and unrestrained”); *see also Cooke v. Ill. State Bd. of Elections*, 2021 IL 125386, ¶ 78 (courts “may look to the dictionary to discern an undefined term's plain and ordinary meaning”).

Third, sections 9(e) and 10 provide that the circuit court should “recommit” a person who violates the terms of his conditional release. 725

ILCS 205/9(e), 10 (2020); *see also Cooper*, 132 Ill. 2d at 349 (noting that revocation of defendant’s conditional release resulted in his “recommit[ment] to the custody of the Department”). If a person on conditional release remained committed to the Director’s custody, the legislature would not have specified that he should be recommitted for violating the terms of his conditional release.

Read together, these provisions all demonstrate the legislature’s intent that conditional release be considered the end of a sexually dangerous person’s commitment. And with the end of that commitment, the Director’s duties to keep safely and provide care and treatment also end. *See Valerio v. Moore Landscapes, LLC*, 2021 IL 126139, ¶ 22 (“[a]ll provisions of a statute should be viewed as a whole” and “[w]ords and phrases should not be viewed in isolation but should be considered in light of other relevant provisions of the statute”) (internal quotation marks omitted). This interpretation makes sense because, unlike sexually dangerous persons committed to a state facility, those persons on conditional release are able to seek employment and otherwise attend to their personal needs.

And that interpretation is supported by the fact that, once a sexually dangerous person is placed on conditional release, the Director’s sole responsibility is to “supervis[e]” him. 725 ILCS 205/9(e), 10 (2020). To “supervise” means to exercise oversight, not to assume someone’s financial obligations. *See Gusich v. Metro. Pier & Exposition Auth.*, 326 Ill. App. 3d

1030, 1033 (1st Dist. 2001) (“The plain and ordinary meaning of ‘supervise’ is to ‘oversee with the powers of direction and decision the implementation of one’s own or another’s intentions.’”) (quoting Webster’s Third New Int’l Dictionary 2296 (1986)); Merriam-Webster’s Online Dictionary, <https://bit.ly/3rMeapb> (last visited Dec. 29, 2021) (defining “supervise” as “to be in charge of: superintend, oversee”). If the legislature had intended to impose significant financial duties on the Director, it would not have stated that he must merely “supervis[e]” persons on conditional release. Interpreting “supervision” to include the payment of living expenses would drastically expand its plain meaning. *See In re Estate of Shelton*, 2017 IL 121199, ¶ 43 (reviewing court “can neither restrict nor enlarge the meaning of an unambiguous statute”) (internal quotation marks omitted).

This interpretation also could have unintended consequences. Many other statutes require the Department to supervise individuals outside of an institutional setting. *See, e.g.*, 730 ILCS 5/3-1-2(k) (2020) (defining “[p]arole” as “conditional and revocable release of a person committed to the Department . . . under the supervision of a parole officer”); *id.* § 3-2-2(1)(e) (requiring Department to “establish a system of supervision and guidance of committed persons in the community”); *id.* § 3-3-7(a)(21) (requiring Department to subject person on mandatory supervised release to “level of supervision” that corresponds to risk assessment). If supervision is interpreted to include a duty to pay living expenses, that could result in the Department becoming

responsible for the living expenses of a significant number of individuals under various forms of supervision. The General Assembly would not have intended to create this kind of duty without an express indication to that effect. *See Palm*, 2018 IL 123152, ¶ 21 (court has “an obligation to construe statutes in a manner that will avoid absurd, unreasonable, or unjust results that the legislature could not have intended”).

Indeed, in other contexts, the General Assembly has been clear when it intends that the Department should provide financial assistance and support. *See, e.g.*, 730 ILCS 5/3-14-1(a) (2020) (“Upon release of a person on parole, mandatory release, final discharge or pardon the Department . . . may provide such person with a grant of money for travel and expenses which may be paid in installments.”). If the legislature had a similar intent with respect to conditional release, it would have used language other than the word “supervision.” *See* 725 ILCS 205/9(e) (2020).

In addition to avoiding conflict with the Act’s plain language, the Director’s interpretation of the Act is consistent with the purposes of conditional release. *See Nelson v. Artley*, 2015 IL 118058, ¶ 24 (“When interpreting a statute, courts must consider the statute in its entirety, keeping in mind the subject it addresses and the apparent intent of the legislature in enacting it.”) (internal quotation marks omitted); *Cooper*, 132 Ill. 2d at 357 (rejecting interpretation of Act that would “not serve [its] purposes”). As noted, a sexually dangerous person is subject to conditional release when “it is

impossible to determine with certainty under conditions of institutional care that the person has fully recovered.” 725 ILCS 205/9(e) (2020). It follows that a purpose of conditional release is to allow the circuit court to determine if a sexually dangerous person is capable of functioning outside an institution before discharging him from all supervision. *See People v. Hannan*, 184 Ill. App. 3d 937, 944 (1st Dist. 1989) (noting that conditional release gives a sexually dangerous person “the opportunity to show that he can function in society”). But if a sexually dangerous person on conditional release remains dependent on the Director to pay his living expenses, the circuit court will not be able to determine if that person is ready to reenter society without supervision.

And requiring the Director to pay for a sexually dangerous person’s living expenses would undermine the Act’s goal of rehabilitation, by discouraging the person from pursuing full recovery and discharge from the court’s supervision. *See* 725 ILCS 205/9(e) (2020) (permitting sexually dangerous person to file petition seeking “discharge[]” from court supervision); *People v. Allen*, 107 Ill. 2d 91, 100-01 (1985) (noting that “treatment” and “recovery” are the Act’s goals). Take, for example, Kastman: prior to his recent arrest, he had been receiving approximately \$2,422 from the Director every month — more than \$29,000 per year — to pay for his living expenses. *See* SR95. If he were to seek discharge from court supervision, he would risk losing approximately 68% of his monthly income. SR95, SUP SR3.

It is absurd to conclude that the legislature intended to create a financial incentive that undermines a sexually dangerous person's incentives to fully recover, allowing him to seek discharge from court supervision. *See Palm*, 2018 IL 123152, ¶ 21 (“We have an obligation to construe statutes in a manner that will avoid absurd, unreasonable, or unjust results that the legislature could not have intended.”).

The fact that the Act does not expressly authorize the Director to file an application for the discharge of a sexually dangerous person is further confirmation that the appellate court's interpretation will produce absurd results. Section 10 authorizes the Director to “petition the committing court for an order authorizing . . . conditional release,” 725 ILCS 205/10 (2020), but does not authorize the Director to petition for discharge from conditional release. It would be absurd to conclude that the General Assembly established a method for the Director to petition for a sexually dangerous person's conditional release, yet intended that, despite that petition being granted, the Director would remain responsible for providing care and treatment, and keeping safely, a sexually dangerous person as if that person remained in custody.

Read as a whole, then, the Act imposes a duty on the Director to keep safely and provide care and treatment for sexually dangerous persons while they are committed to his custody in an institution. Once they are placed on conditional release, however, the Director's duty is limited to supervising their

compliance with the conditions set by the circuit court. This reading applies the plain meaning of the Act's language, furthers the Act's purposes, and avoids absurd results. By contrast, as discussed below, the appellate court's reading ignores key language in sections 8, 9(e), and 10, and misinterprets this Court's decision in *Cooper*.

C. The fact that the Director has a duty to keep safely the persons in his custody until they have “recovered” does not extend that duty to individuals on conditional release.

In holding that the Director must pay Kastman's living expenses, the appellate court concluded that persons on conditional release have not “recovered,” so the Director's duty to “keep safely” those committed to his custody extends until they are discharged from court supervision. A6. But for several reasons, this Court should reject the appellate court's interpretation and construe the word “recovered” to include individuals on conditional release.

First, adopting the appellate court's view would strip the phrase “so committed” of any meaning. 725 ILCS 205/8 (2020). As discussed, *see supra* pp. 22-24, the Director “as guardian shall keep safely the person *so committed* until the person has recovered and is released,” 725 ILCS 205/8 (2020) (emphasis added), but individuals on conditional release are not committed to the Director's custody. According to the appellate court, however, the Director's duty to keep safely extends to anyone who had not completely “recovered” and been discharged, irrespective of his commitment status. That

interpretation ignores the Act's express limitation of the Director's duty to those "so committed" to his custody, effectively depriving the phrase "so committed" of any meaning. *Id.* By contrast, interpreting "person . . . recovered" to include a person on conditional release gives effect to both the phrase "so committed" and the word "recovered," making clear that the Director's duty to keep safely remains in effect until a person is either placed on conditional release or discharged from any court supervision. *See Palm*, 2018 IL 123152, ¶ 21 (when possible, statutes must be "construed so as to give effect to every word, clause, and sentence").

Second, nothing in the Act states that a person on conditional release is not recovered or specifies that a person is only considered recovered when the court is satisfied that he is ready to be discharged from all supervision. *See* 725 ILCS 205/8, 9(e), 10 (2020). To the contrary, the Act provides that a sexually dangerous person should be placed on conditional release when he "appears no longer to be dangerous" and can safely live outside an institution, suggesting that he has recovered. 725 ILCS 205/9(e), 10 (2020).

Third, sections 9(e) and 10 specify that those persons who are eligible to be discharged from any court or Department supervision are considered "*fully* recovered," *id.* (emphasis added), whereas the Director's duties to keep safely and provide care and treatment end when a sexually dangerous person has merely "recovered," *id.* § 8. By using two different phrases, the legislature demonstrated its intent for the Director's duty to keep safely to end at some

stage before full recovery. *See People v. Clark*, 2019 IL 122891, ¶ 23 (“When the legislature includes particular language in one section of a statute but omits it in another section of the same statute, courts presume that the legislature acted intentionally and purposely in the inclusion or exclusion, and that the legislature intended different meanings and results.”) (citations and internal quotation marks omitted). And the only other possible stage of recovery before full recovery in the Act is conditional release — a stage at which a sexually dangerous person appears no longer dangerous but requires further supervision. 725 ILCS 205/9(e), 10 (2020).

Fourth, equating the phrase “fully recovered” to the word “recovered” would strip the word “fully” of any meaning, contradicting the principle that statutes must be “construed so as to give effect to every word, clause, and sentence.” *Palm*, 2018 IL 123152, ¶ 21. Or else it would insert the word “fully” into the provision defining the Director’s duty to keep safely those sexually dangerous persons committed to his custody — requiring him to keep safely those persons until they are “fully recovered” — which also would contradict the principles of statutory construction. *See Bridgestone/Firestone, Inc. v. Aldridge*, 179 Ill. 2d 141, 154-55 (1997) (“A court may not inject provisions not found in the statute, however desirable they may appear to be.”).

Finally, contrary to the appellate court’s opinion, this Court’s decision in *Cooper*, 132 Ill. 2d 347, does not support the proposition that an individual

on conditional release is not recovered. *Cooper* simply held that “a sexually dangerous person remains under the *jurisdiction of the court* which initially committed him until that court expressly finds that he is not sexually dangerous,” and thus rejected the defendant’s argument that the circuit court automatically lost jurisdiction to recommit him after his two-year conditional release term expired. *Id.* at 355 (emphasis added). *Cooper* did not interpret word “recovered” in section 8 or address the Director’s duties, much less equate the word “recovered” to “fully recovered.”

D. The appellate court’s other reasons for its holding are unfounded.

As detailed above, *see supra* pp. 22-29, the Act’s plain language is clear and unambiguous. This Court, therefore, should apply that plain language, as written. *Tillman v. Pritzker*, 2021 IL 126387, ¶ 17. Straying from the Act’s plain language, the appellate court based its holding on superseded precedent and misguided policy considerations. Those extra-textual reasons, therefore, do not show that the Director owes any duty to pay for a sexually dangerous person’s living expenses while he is on conditional release.

First, the appellate court cited a line of cases holding that the Act requires the Director to pay for a sexually dangerous person’s attorney fees and claimed that the legislature’s failure to amend the Act “to prohibit such payment . . . indicates that this interpretation is consistent with its original intent.” A8; *see also People v. Carter*, 392 Ill. App. 3d 520 (2d Dist. 2009); *People v. Downs*, 371 Ill. App. 3d 1187 (5th Dist. 2007); *People v. Wilcoxen*, 358

Ill. App. 3d 1076 (3d Dist. 2005). But in 2013, the legislature amended the Act to provide that “[t]he cost of representation by counsel for an indigent respondent shall be paid by the county in which the proceeding is brought.” Pub. Act 98-88, § 5 (eff. July 15, 2013) (amending 725 ILCS 205/5). Under that provision, a county, not the Department, is responsible for paying a sexually dangerous person’s attorney fees. *People v. Sharp*, 2021 IL App (5th) 190190, ¶ 15. Thus, contrary to the appellate court’s reasoning, the legislature amended to Act to effectively overrule *Carter*, *Downs*, and *Wilcoxon*.

Second, the appellate court incorrectly stated that, if Kastman could not afford to pay for sex offender treatment or other conditions of his release, he could be recommitted for “blamelessly violat[ing]” those conditions based on his “inability to pay.” A9. But a sexually dangerous person’s inability to pay is not grounds for recommitting him. Proceedings to revoke conditional release are conducted under section 5-6-4 of the Unified Code of Corrections, 725 ILCS 205/9(e), 10 (2020), which states that revocation may not be ordered for a person’s failure to satisfy “financial obligations” placed on him “unless such failure is due to his willful refusal to pay,” 730 ILCS 5/5-6-4(d) (2020). Thus, Kastman’s inability to pay for sex offender treatment or any other conditions would not be ground for his recommitment unless his failure to pay was “voluntary, conscious and intentional.” *People v. Davis*, 216 Ill. App. 3d 884, 888 (2d Dist. 1991).

The appellate court also misconstrued the Director's role in supervising the conditions of a sexually dangerous person's release by claiming that Kastman is "on a string that the Director may pull, acting as an agent of the State, whenever Kastman violates the conditions of his release." A7. Neither the Director nor the Department has the authority to initiate recommitment proceedings based Kastman's violation of his conditional release terms. That authority belongs to the Attorney General or the Lake County State's Attorney, acting on behalf of the People. *See* 725 ILCS 205/3 (2020) (empowering Attorney General or State's Attorneys to petition court for commitment of sexually dangerous persons); *see also Cooper*, 132 Ill. 2d at 351 (noting that State filed petition to revoke conditional release of respondents); *People v. Rendon*, 2014 IL App (1st) 123090, ¶¶ 8, 10 (same). Indeed, the pending petition to revoke Kastman's conditional release was filed by the Attorney General on behalf of the People, not the Director. A52-53. Nor does the Act state that the Department may issue a warrant for a sexually dangerous person's recommitment if he violates the conditions of his release. *Compare* 725 ILCS 205/9(e), 10 (2020) (authorizing Director to supervise compliance with conditional release) *with* 730 ILCS 5/3-14-2(c-1) (2020) (authorizing Department to "issue a parole violation warrant" for violations of conditions of mandatory supervised release). Although the Director must supervise Kastman's compliance with the terms of his conditional release, *see*

725 ILCS 205/9(e), 10 (2020), he plays no role in the determination of whether Kastman will be recommitted.

Finally, the appellate court's speculation that the Department will pay less for Kastman's living expenses on conditional release than it would to house him in a state facility lends no support to its interpretation of the Act. *See* A8-9. The appellate court itself recognized that it had no information on the cost to house a sexually dangerous person in civil commitment, relying instead on the cost of incarcerating an individual. *Id.* And this speculation has no bearing on the Act's plain language, which states that the Director's duties to keep safely and provide care and treatment for sexually dangerous persons end with the end of their commitment.

CONCLUSION

For these reasons, Intervenor-Appellant Rob Jeffreys requests that this Court reverse the appellate court's judgment and vacate the circuit court's March 3, 2021 order or, alternatively, vacate the appellate court's judgment and the circuit court's order on mootness grounds.

Respectfully submitted,

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December 29, 2021

CERTIFICATE OF COMPLIANCE

I certify that this brief conforms to the requirements of Rules 341(a) and (b). The length of this brief, excluding the pages contained in the Rule 341(d) cover, the Rule 341(h)(1) table of contents and statement of points and authorities, the Rule 341(c) certificate of compliance, the certificate of service, and those matters appended to the brief under Rule 342(a), is 36 pages.

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APPENDIX

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2021 IL App (2d) 210158
 No. 2-21-0158
 Opinion filed August 19, 2021

IN THE
 APPELLATE COURT OF ILLINOIS
 SECOND DISTRICT

THE PEOPLE OF THE STATE	)	Appeal from the Circuit Court
OF ILLINOIS,	)	of Lake County.
)	
Plaintiff,)	
)	
v.	)	No. 93-CM-4621
)	
RICHARD KASTMAN,)	
)	
Defendant-Appellee.)	
)	
(Rob Jeffreys, in His Official Capacity as	)	Honorable
Director of the Department of Corrections,	)	Theodore S. Potkonjak,
Intervenor-Appellant).	)	Judge, Presiding.

JUSTICE HUTCHINSON delivered the judgment of the court, with opinion.
 Presiding Justice Bridges and Justice McLaren concurred in the judgment and opinion.

OPINION

¶ 1 In 1994, defendant, Richard Kastman, was committed to the guardianship and custody of the director of the Department of Corrections (IDOC) under the Sexually Dangerous Persons Act (Act) (725 ILCS 205/0.01 *et seq.* (West 1994)). After his conditional release, Kastman sought, and the trial court granted, an injunction compelling the director of IDOC, Rob Jeffreys (Director), to pay, in part, for Kastman's sex offender treatment and housing. The Director appeals and asserts that the trial court lacked the statutory authority to order him to pay for any of Kastman's expenses, as he has been conditionally released. For the reasons that follow, we affirm.

¶ 2

I. BACKGROUND

¶ 3 In 1993, Kastman was charged with numerous acts of public indecency involving children and with disorderly conduct. Kastman had six prior convictions, all for sex crimes. The State subsequently sought, and the trial court ordered, his commitment pursuant to the Act. Relevant here, at the proceedings it was determined that Kastman suffered from pedophilia, antisocial personality disorder, exhibitionism, and alcohol dependency.

¶ 4 Kastman was committed to the Director's custody and placed in Big Muddy Correctional Center, a facility largely for sex offenders. Over the years, Kastman variously petitioned the trial court for his release or for review of his treatment. See *People v. McDougale*, 303 Ill. App. 3d 509, 518 (1999) (holding that sexually dangerous persons may seek judicial review of whether treatment was adequately "designed to effect [their] recovery"). In 2013, the trial court (Judge Thomas Schippers) ordered that Kastman receive additional alcohol-specific treatment. Subsequently, the Director asserted that the trial court lacked the statutory authority to hear Kastman's treatment petition, and that venue was proper in the circuit where Big Muddy was located (Jefferson County). We disagreed with the Director's position and explained that the court that committed Kastman pursuant to the Act was responsible for monitoring the Director's guardianship and, ultimately, was responsible for Kastman's wardship. See *People v. Kastman*, 2015 IL App (2d) 141245.

¶ 5 After our decision, in 2016, the parties returned to the trial court (Judge David Brodsky) and an agreed order was entered for Kastman's conditional release. The order contained the stipulated testimony of two evaluators who opined that, within a reasonable degree of psychological certainty, Kastman appeared to be "no longer sexually dangerous within the institutional parameters." Per the order, the trial court found that Kastman "appear[ed]" to no

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longer be sexually dangerous but that it was “impossible to determine with certainty under the conditions of institutional care that he has fully recovered *** pursuant to 725 ILCS 205/9(e).” Kastman was permitted to go at large subject to conditions including alcohol and illegal drug use testing and GPS monitoring (commonly known as a “SCRAM bracelet” although it is really an anklet) and outpatient sex offender treatment. The order also stated that Kastman “shall become self-supporting,” “shall actively seek employment” or pursue a course of study, and “shall pay all monthly living expenses and comply with Parole and Probation in developing a budget.” And, finally, the order provided that all conditions were subject to periodic review and modification by the committing court on either party’s motion.

¶ 6 In 2020, Kastman filed a motion seeking financial assistance from the Director, as Kastman’s guardian. The motion stated that Kastman had obtained housing compliant with the Sex Offender Registration Act (730 ILCS 150/1 *et seq.* (West 2018)) but also stated that he was unemployed, disabled, and could not afford his \$1800 monthly rent and \$300 monthly treatment costs.

¶ 7 The Director filed a petition to intervene—citing his role as Kastman’s “court-appointed guardian”—which the trial court (Judge Theodore Potkonjak) granted. The Director then filed a motion to dismiss stating that, while he “does not deny his guardianship of [Kastman],” he was not financially responsible for Kastman, because the conditional release order stated that Kastman would pay for his own monthly expenses. Further, the Director argued that he had no continuing duty to provide for Kastman’s housing and treatment as Kastman was no longer in an institutional setting.

¶ 8 The Director also acknowledged an unpublished, split decision of the First District Appellate Court, *People v. Ford*, 2019 IL App (1st) 172592-U, which held that the Director was

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required to pay for “care and treatment” for a conditionally released sexually dangerous person; however, the Director asserted that the decision was incorrect and noted that as an unpublished decision *Ford* was not binding on the trial court. In a reply, Kastman clarified that he was seeking a modification of the terms of his conditional release.

¶ 9 After hearing arguments, the trial court granted Kastman’s motion. The court stated that, while it was not bound by the decision in *Ford*, it nevertheless found the majority’s interpretation of the Act persuasive. The court received evidence concerning Kastman’s living expenses, which added up to approximately \$2900 per month and included \$310 per month for his SCRAM bracelet, and \$360 per month for sex offender treatment. The court assessed Kastman’s ability to pay, and it ordered him to contribute \$500 towards his expenses. The Director appealed.

¶ 10

II. ANALYSIS

¶ 11 On appeal, the Director contends that the trial court lacked the authority under the Act to enjoin him to pay for Kastman’s care and treatment during his conditional release. The Director takes no position on the amount he was ordered to pay; rather, the Director’s position is that the Act did not permit the court to order him to contribute anything. Whether the Act permits a court to grant such relief is a question of law, which we review *de novo*. *People v. Howard*, 2017 IL 120443, ¶ 19.

¶ 12 As an initial matter, we note that Kastman asserts that the Director has conceded the issue before this court. Kastman points out that the Director intervened on the basis that he was Kastman’s guardian and that therefore he should be bound by that as a judicial admission or, in the alternative, that any error in the trial court’s order was invited. We disagree with Kastman’s assessment. Strictly speaking, this case is not about whether the Director is Kastman’s guardian; rather this case is about *the scope* of the Director’s responsibilities as a sexually dangerous person’s

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guardian. The Director has preserved that issue for review, and there is no need to base our decision today on waiver or estoppel.

¶ 13 For background, we note that sexually dangerous persons are adjudged as suffering from a mental illness for at least one year. 725 ILCS 205/1.01 (West 2018). Thus, the Act reflects the legislature’s intent that sexually dangerous persons, “instead of being criminally punished for their criminal sexual offenses, [are] committed to the Department of Corrections *for treatment* until they are no longer considered sexually dangerous, and then discharged.” (Emphasis added.) *People v. Cooper*, 132 Ill. 2d 347, 355 (1989). Accordingly, the Act’s ultimate “aim” is “treatment, not punishment.” *People v. Allen*, 107 Ill. 2d 91, 100-01 (1985), *aff’d*, 478 U.S. 364 (1986).

¶ 14 This case turns on our construction of two sections of the Act—sections 8 and 9(e). Section 8, which is entitled “Director of Corrections as [G]uardian,” provides in relevant part as follows:

“If the respondent is found to be a sexually dangerous person then the court shall appoint the Director of [IDOC] guardian of the person found to be sexually dangerous and such person shall stand committed to the custody of such guardian. The Director of [IDOC] as guardian shall keep safely the person so committed until the person has recovered and is released as hereinafter provided. The Director of [IDOC] as guardian shall provide care and treatment for the person committed to him designed to effect recovery. *** The Director may place that ward in any facility in [IDOC] or portion thereof set aside for the care and treatment of sexually dangerous persons.” 725 ILCS 205/8 (West 2018).

¶ 15 Section 9(e) provides that, if the trial court finds that the committed person no longer appears to be dangerous, but “it is impossible to determine with certainty under conditions of institutional care that the person has fully recovered,” the court “shall enter an order permitting the person to go at large subject to the conditions and supervision by the Director as in the opinion of

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the court will adequately protect the public.” *Id.* § 9(e). However, “[i]f the person is found to be no longer dangerous, the court shall order that he or she be discharged.” *Id.*

¶ 16 Based on the foregoing, the Director maintains that his duty to provide care and treatment for sexually dangerous persons as their guardian “under section 8 extends only to those individuals who are committed to his custody in an institutional setting.” Thus, according to the Director, he has no responsibility to sexually dangerous persons on conditional release at all. The Director further suggests that, to the extent that the trial court’s order is “construed as modifying the terms of Kastman’s conditional release under section 9(e) of the Act,” the order should be overturned because section 9(e) does not specifically provide for the court to order the Director to pay for Kastman’s “living expenses.” We disagree with the Director’s position.

¶ 17 The duties of the Director, as guardian for a sexually dangerous person, include providing “care and treatment” for the person, and the Director must “keep safely” the person committed to him “*until the person has recovered* and is released.” (Emphasis added.) *Id.* § 8. A sexually dangerous person who has been conditionally released has of course been released but has *not* been considered to have recovered. The Act recognizes that conditional release may be a step towards recovery when it is “impossible to determine with certainty under the conditions of institutional care that the person *has fully recovered*.” (Emphasis added.) *Id.* §§ 9(e), 10. Thus, a person who has been conditionally released has *not* been considered to have recovered and has not been discharged; therefore, the Director remains the guardian of a conditionally released sexually dangerous person, and the Director is obliged to provide “care and treatment” designed to effect his ward’s recovery and to keep his ward safe.

¶ 18 Our interpretation of the Act is consistent with our supreme court’s holding that a conditionally released sexually dangerous person “remains under the jurisdiction of the court

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which initially committed him until that court expressly finds that he is not sexually dangerous.” *Cooper*, 132 Ill. 2d at 355. Furthermore, in *Cooper*, our supreme court differentiated between an order for conditional release on one hand, and “an order discharging defendant from the supervision of the Department of Corrections or from the jurisdiction of the trial court” on the other. *Id.* at 354. This distinction further clarifies that the Director’s guardianship extends to conditionally released sexually dangerous persons and is not limited solely to those in IDOC custody.

¶ 19 Kastman has been conditionally released, but he remains a ward of the court, and he remains subject to the Director’s guardianship and supervision. Kastman is, in essence, on a string that the Director may pull, acting as an agent of the State, whenever Kastman violates the conditions of his release. See generally *People v. Martin-Trigona*, 111 Ill. 2d 295, 300 (1986). The goal of conditional release, like all procedures under the Act, is to aid in a sexually dangerous person’s recovery. Accordingly, Kastman’s conditional release does not negate the Director’s obligation to provide Kastman with “care and treatment” (725 ILCS 205/8 (West 2018)), and does not deprive the court of jurisdiction to review the adequacy of the care and treatment the director provides. while Kastman is on conditional release (see *McDougle*, 303 Ill. App. 3d at 518), or to modify the terms of Kastman’s release subject to the court’s discretion (725 ILCS 205/9(e) (West 2018)). See also *Kastman*, 2015 IL App (2d) 141245, ¶ 20 (holding that, although the Director is the committed person’s guardian, that person “remains, until recovered [citation], a ward of the committing court”).

¶ 20 The Director also observes that there is no provision in the Act that dictates he must provide financial assistance for conditionally released sexually dangerous persons, but that observation helps us little. Even the most comprehensive legislation cannot exhaustively define each object it

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seeks to address. What is more compelling is that the Act frequently uses the term “guardian” to describe the Director’s relationship to his ward, and guardianship is a paradigmatic legal and judicial relationship that involves the court, the guardian (who acts as the hand of the court), and the ward. The legislature, of course, knows how to provide for limited guardianship in certain contexts; however, in contrast to the Act, other statutes do not require that guardians appointed under those acts devote themselves to their ward’s treatment or recovery. See 755 ILCS 5/11a-17 (West 2018) (duties of guardian of the person); *id.* § 11a-18 (duties of guardian of the estate); 20 ILCS 3955/32 (West 2018) (providing that the State Guardian shall have the same powers and duties as a private guardian as provided in the Probate Act of 1975). In addition, this court and others have held that the Director is the proper source for payment for a sexually dangerous person’s necessary expenses, including attorney fees. See *People v. Carter*, 392 Ill. App. 3d 520, 525-26 (2009); *People v. Downs*, 371 Ill. App. 3d 1187, 1189-91 (2007); *People v. Wilcoxon*, 358 Ill. App. 3d 1076, 1078-79 (2005). In the time since these holdings, the General Assembly has not amended the Act to prohibit such payment, which indicates that this interpretation is consistent with its original intent. See *Downs*, 371 Ill. App. 3d at 1191. All of this convinces us that the legislature envisioned a unique form of guardianship and fiduciary responsibility under the Act.

¶ 21 We note too that the cost of Kastman’s conditional release appears to be less expensive than the cost of his confinement. According to IDOC, the cost of incarcerating an individual in an IDOC facility during Fiscal Year 2020 was \$34,362. See Ill. Dep’t of Corr., Financial Impact Statement FY 20, <https://www2.illinois.gov/idoc/reportsandstatistics/Documents/FY20%20Financial%20Impact%20Statement.pdf> (last visited June 30, 2021) [<https://perma.cc/L8ZL-2Z5N>]. While we could not locate data on the average costs of confining sexually dangerous

2021 IL App (2d) 210158

persons specifically and providing for their in-custody treatment, it stands to reason that it costs more to house such individuals.

¶ 22 As we have noted before, “[c]ourts *** have an independent duty ‘not limited to express statutory terms’ to supervise appointed guardians and ‘to judicially interfere and protect the ward if the guardian is about to do anything that would cause harm.’ ” *Kastman*, 2015 IL App (2d) 141245, ¶ 20 (quoting *In re Mark W.*, 228 Ill. 2d 365, 375 (2008)). Similarly, a guardian’s inaction may cause harm as well. The Director appears to have accepted that Kastman is disabled and cannot work, but if Kastman were unable to attend sex offender treatment because he could not afford it, or could not find suitable housing, or lacked electricity to charge his SCRAM bracelet, then he will have blamelessly violated the conditions of his release. His inability to pay for his day-to-day expenses should not result in his (potentially indefinite) recommitment to custody. If the Director wishes not to be responsible for Kastman in such a way, he should make every effort to see that Kastman is not merely released but has truly recovered.

¶ 23

III. CONCLUSION

¶ 24 Once again, we reiterate that “[t]he treatment of sexually dangerous persons is a serious and sensitive undertaking.” *People v. Conley*, 2020 IL App (2d) 180953, ¶ 13. Sexually dangerous persons have been adjudged mentally disabled and are wards of the court and of the Director until they have recovered. In such a setting, “a person’s legal guardian”—in this case, the Director—“is the correct source of payment for the person’s essential expenses” (*Wilcoxon*, 358 Ill. App. 3d at 1078) until they have recovered and are discharged. We determine that the trial court’s order was sufficiently authorized by statute and appropriately tailored to the circumstances. Accordingly, the judgment of the circuit court of Lake County is affirmed.

¶ 25 Affirmed.

2021 IL App (2d) 210158

2021 IL App (2d) 210158

No. 2-21-0158

Cite as: *People v. Kastman*, 2021 IL App (2d) 210158

Decision Under Review: Appeal from the Circuit Court of Lake County, No. 93-CM-4621; the Hon. Theodore S. Potkonjak, Judge, presiding.

**Attorneys
for
Appellant:** Kwame Raoul, Attorney General, of Chicago (Jane Elinor Notz, Solicitor General, and Carson R. Griffis, Assistant Attorney General, of counsel), for appellant.

**Attorneys
for
Appellee:** John W. Radosevich, of Law Offices of David R. Del Re, P.C., of Waukegan, for appellee.

FILED

MAR 03 2021

IN THE CIRCUIT COURT OF THE NINETEENTH
JUDICIAL CIRCUIT, LAKE COUNTY, ILLINOIS

PEOPLE OF THE STATE OF ILLINOIS)

-vs-)

RICHARD KASTMAN)

GEN. NO. 93CM4621

ORDER

This matter coming before the Court on Respondent Richard Kastman's "Motion To Compel Rob Jeffreys, Director Of The Illinois Department Of Corrections And Richard Kastman's Guardian, To Provide Respondent With Housing And Treatment," the Respondent represented by Assistant Public Defender Sarah Raisch and Special Assistant Public Defender John Radosevich, and Intevenor Rob Jeffreys represented by Assistant Attorney General Andre Hunter, **IT IS HEREBY ORDERED:**

- 1) For the reasons stated on the record, the Respondent's motion is granted;
- 2) Rob Jeffreys in his role as the Director Of The Illinois Department Of Corrections and the Respondent's guardian is hereby ordered to provide care and treatment for the Respondent outside the institutional setting and shall pay for the Respondent's monthly living expenses which are currently as follows:
 - a. SCRAM bracelet, in the amount of \$310.00 per month;
 - b. Sex offender treatment, in the amount of \$360.00 per month;
 - c. Rent, in the amount of \$1800.00 per month;
 - d. Cell phone, in the amount of \$85 per month;
 - e. Electricity, in the amount of approximately \$40 per month;
 - f. Gas, in the amount of approximately \$115 per month;
 - g. Water, in the amount of approximately \$22 per month;
 - h. Groceries (non-link), in the amount of approximately \$100 per month;
 - i. Medical co-pays and medications, in the amount of approximately \$40 per month;
 - j. Cable, in the amount of \$50 per month.
- 3) The Respondent is ordered to pay a \$500 monthly contribution to offset the aforementioned monthly expenses.

It is so ordered.



JUDGE

Dated at Waukegan, Illinois
this 3rd day of March 2021

ORDER PREPARED BY:

John Radosevich, Special Assistant Public Defender (#6290516)
The Law Offices of David R. Del Re
200 N. Martin Luther King Jr Ave, 2nd Fl
Waukegan, IL 60085
jwr@delrelaw.net



127681
2-21-0158

E-FILED
Transaction ID: 2-21-0158
File Date: 3/25/2021 11:28 AM
Jeffrey H. Kaplan, Clerk of the Court
APPELLATE COURT 2ND DISTRICT

SB

APPEAL TO THE APPELLATE COURT OF ILLINOIS
SECOND JUDICIAL DISTRICT

FROM THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT
LAKE COUNTY, ILLINOIS

PEOPLE OF THE STATE
OF ILLINOIS,

Plaintiff,

v.

RICHARD KASTMAN,

Defendant-Appellee.

ROB JEFFREYS, DIRECTOR OF
THE ILLINOIS DEPARTMENT
OF CORRECTIONS, in his official
capacity,

Appellant.

No. 93CM4621

The Honorable
THEODORE S. POTKONJAK,
Judge Presiding.

FILED

MAR 25 2021

Ena Caranovic Weinstein
CIRCUIT CLERK

NOTICE OF APPEAL

PLEASE TAKE NOTICE that Appellant Rob Jeffreys, Director of the Illinois Department of Corrections, in his official capacity, by his attorney, KWAME RAOUL, Attorney General of the State of Illinois, hereby appeals to the Appellate Court of Illinois, Second Judicial District, from the order entered by The Honorable Judge Theodore S. Potkonjak of the Circuit Court for the Nineteenth Judicial Circuit, Lake County, Illinois on March 3, 2021, granting the motion filed by Defendant Richard Kastman in proceedings under the Illinois Sexually Dangerous Persons Act, 725 ILCS 205/0.01 *et seq.*, to compel his guardian, the Director of the Illinois Department of

Corrections, to provide care and treatment for him while he is on conditional release and outside the institutional setting, by paying certain monthly living expenses on his behalf. A copy of the circuit court's March 3, 2021 order is attached hereto.

By this appeal, Rob Jeffreys, in his official capacity as Director of the Illinois Department of Corrections, respectfully requests that the appellate court reverse and vacate the circuit court's order of March 3, 2021, and grant any other appropriate relief.

Respectfully submitted,

KWAME RAOUL
Attorney General
State of Illinois

By: /s/ Nadine J. Wichern
NADINE J. WICHERN
Assistant Attorney General
100 West Randolph Street
12th Floor
Chicago, Illinois 60601
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Primary e-service:
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Secondary e-service:
nwichern@atg.state.il.us

March 25, 2021

FILED
MAR 03 2021IN THE CIRCUIT COURT OF THE NINETEENTH
JUDICIAL CIRCUIT, LAKE COUNTY, ILLINOIS

PEOPLE OF THE STATE OF ILLINOIS)

-vs-)

RICHARD KASTMAN)

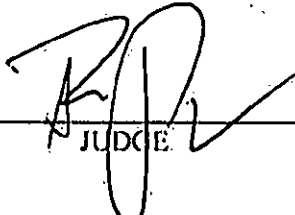
GEN. NO. 93CM4621

ORDER

This matter coming before the Court on Respondent Richard Kastman's "Motion To Compel Rob Jeffreys, Director Of The Illinois Department Of Corrections And Richard Kastman's Guardian, To Provide Respondent With Housing And Treatment," the Respondent represented by Assistant Public Defender Sarah Raisch and Special Assistant Public Defender John Radosevich, and Intervenor Rob Jeffreys represented by Assistant Attorney General Andre Hunter, **IT IS HEREBY ORDERED:**

- 1) For the reasons stated on the record, the Respondent's motion is granted;
- 2) Rob Jeffreys in his role as the Director Of The Illinois Department Of Corrections and the Respondent's guardian is hereby ordered to provide care and treatment for the Respondent outside the institutional setting and shall pay for the Respondent's monthly living expenses which are currently as follows:
 - a. SCRAM bracelet, in the amount of \$310.00 per month;
 - b. Sex offender treatment, in the amount of \$360.00 per month;
 - c. Rent, in the amount of \$1800.00 per month;
 - d. Cell phone, in the amount of \$85 per month;
 - e. Electricity, in the amount of approximately \$40 per month;
 - f. Gas, in the amount of approximately \$115 per month;
 - g. Water, in the amount of approximately \$22 per month;
 - h. Groceries (non-link), in the amount of approximately \$100 per month;
 - i. Medical co-pays and medications, in the amount of approximately \$40 per month;
 - j. Cable, in the amount of \$50 per month.
- 3) The Respondent is ordered to pay a \$500 monthly contribution to offset the aforementioned monthly expenses.

It is so ordered.


 JUDGE

Dated at Waukegan, Illinois
this 3rd day of March 2021

ORDER PREPARED BY:

John Radosevich, Special Assistant Public Defender (#6290516)
The Law Offices of David R. Del Re
200 N. Martin Luther King Jr Ave, 2nd Fl
Waukegan, IL 60085
jwr@delrelaw.net

CERTIFICATE OF FILING AND SERVICE

I hereby certify that on March 25, 2021, the foregoing Notice of Appeal was filed in person with the Clerk of the Circuit Court for the Nineteenth Judicial Circuit, Lake County, Illinois.

I further certify that the other participants in this case, named below, were served with the foregoing Notice of Appeal by placing a copy in an envelope bearing proper prepaid postage and directed to each address indicated below, and depositing each envelope in the United States mail at 100 West Randolph Street, Chicago, Illinois 60601, before 5:00 p.m. on March 25, 2021.

John Radosevich
Special Assistant Public Defender
The Law Offices of David R. Del Re
200 N. Martin Luther King Jr. Ave., 2nd Floor
Waukegan, IL 60085

Sarah M. Raisch
Assistant Public Defender
Office of the Lake County Public Defender
15 S. County St.
Waukegan, IL 60085

Lake County State's Attorney
18 N. County Street, 3rd Floor
Waukegan, IL 60085

Under penalties as provided by law pursuant to section 1-109 of the Illinois Code of Civil Procedure, I certify that the statements set forth in this instrument are true and correct to the best of my knowledge, information, and belief.

/s/ Nadine J. Wichern
NADINE J. WICHERN
Assistant Attorney General
100 West Randolph Street
12th Floor
Chicago, Illinois 60601
Primary e-service:
CivilAppeals@atg.state.il.us
Secondary e-service:
nwichern@atg.state.il.us



CLERK OF COURT
FILED
MAR 29 2021
Sonia Cantanogut Williams
CLERK

By this appeal, IDOC respectfully requests that the appellate court reverse and/or vacate the circuit court's order of March 3, 2021, and grant any other appropriate relief

Respectfully submitted,

KWAME RAOUL
Attorney General
State of Illinois

By: /s/ Carson R. Griffis
CARSON R. GRIFFIS
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March 29, 2021

FILED

MAR 25 2021

Ena. Courtney Lee
CIRCUIT CLERK

**APPEAL TO THE APPELLATE COURT OF ILLINOIS
SECOND JUDICIAL DISTRICT**

**FROM THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT
LAKE COUNTY, ILLINOIS**

**PEOPLE OF THE STATE
OF ILLINOIS,**

Plaintiff,

v.

RICHARD KASTMAN,

Defendant-Appellee.

No. 93CM4621

**ROB JEFFREYS, DIRECTOR OF
THE ILLINOIS DEPARTMENT
OF CORRECTIONS, in his official
capacity,**

Appellant.

**The Honorable
THEODORE S. POTKONJAK,
Judge Presiding.**

NOTICE OF APPEAL

PLEASE TAKE NOTICE that Appellant Rob Jeffreys, Director of the Illinois Department of Corrections, in his official capacity, by his attorney, KWAME RAOUL, Attorney General of the State of Illinois, hereby appeals to the Appellate Court of Illinois, Second Judicial District, from the order entered by The Honorable Judge Theodore S. Potkonjak of the Circuit Court for the Nineteenth Judicial Circuit, Lake County, Illinois on March 3, 2021, granting the motion filed by Defendant Richard Kastman in proceedings under the Illinois Sexually Dangerous Persons Act, 725 ILCS 205/0.01 *et seq.*, to compel his guardian, the Director of the Illinois Department of

Corrections, to provide care and treatment for him while he is on conditional release and outside the institutional setting, by paying certain monthly living expenses on his behalf. A copy of the circuit court's March 3, 2021 order is attached hereto.

By this appeal, Rob Jeffreys, in his official capacity as Director of the Illinois Department of Corrections, respectfully requests that the appellate court reverse and vacate the circuit court's order of March 3, 2021, and grant any other appropriate relief.

Respectfully submitted,

KWAME RAOUL
Attorney General
State of Illinois

By: /s/ Nadine J. Wichern
NADINE J. WICHERN
Assistant Attorney General
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Primary e-service:
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Secondary e-service:
nwichern@atg.state.il.us

March 25, 2021

FILED

MAR 03 2021

IN THE CIRCUIT COURT OF THE NINETEENTH
JUDICIAL CIRCUIT, LAKE COUNTY, ILLINOIS

PEOPLE OF THE STATE OF ILLINOIS)

-VS-)

RICHARD KASTMAN)

GEN. NO. 93CM4621

ORDER

This matter coming before the Court on Respondent Richard Kastman's "Motion To Compel Rob Jeffreys, Director Of The Illinois Department Of Corrections And Richard Kastman's Guardian, To Provide Respondent With Housing And Treatment," the Respondent represented by Assistant Public Defender Sarah Raisch and Special Assistant Public Defender John Radosovich, and Intervenor Rob Jeffreys represented by Assistant Attorney General Andre Hunter, **IT IS HEREBY ORDERED:**

- 1) For the reasons stated on the record, the Respondent's motion is granted;
- 2) Rob Jeffreys in his role as the Director Of The Illinois Department Of Corrections and the Respondent's guardian is hereby ordered to provide care and treatment for the Respondent outside the institutional setting and shall pay for the Respondent's monthly living expenses which are currently as follows:
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 - g. Water, in the amount of approximately \$22 per month;
 - h. Groceries (non-link), in the amount of approximately \$100 per month;
 - i. Medical co-pays and medications, in the amount of approximately \$40 per month;
 - j. Cable, in the amount of \$50 per month.
- 3) The Respondent is ordered to pay a \$500 monthly contribution to offset the aforementioned monthly expenses.

It is so ordered.


 JUDGE

Dated at Waukegan, Illinois
this 3rd day of March 2021

ORDER PREPARED BY:

John Radosovich, Special Assistant Public Defender (#6290516)
The Law Offices of David R. Del Re
200 N. Martin Luther King Jr Ave, 2nd Fl
Waukegan, IL 60085
jwr@delrelaw.net

CERTIFICATE OF FILING AND SERVICE

I hereby certify that on March 25, 2021, the foregoing Notice of Appeal was filed in person with the Clerk of the Circuit Court for the Nineteenth Judicial Circuit, Lake County, Illinois.

I further certify that the other participants in this case, named below, were served with the foregoing Notice of Appeal by placing a copy in an envelope bearing proper prepaid postage and directed to each address indicated below, and depositing each envelope in the United States mail at 100 West Randolph Street, Chicago, Illinois 60601, before 5:00 p.m. on March 25, 2021.

John Radosevich
Special Assistant Public Defender
The Law Offices of David R. Del Re
200 N. Martin Luther King Jr. Ave., 2nd Floor
Waukegan, IL 60085

Sarah M. Raisch
Assistant Public Defender
Office of the Lake County Public Defender
15 S. County St.
Waukegan, IL 60085

Lake County State's Attorney
18 N. County Street, 3rd Floor
Waukegan, IL 60085

Under penalties as provided by law pursuant to section 1-109 of the Illinois Code of Civil Procedure, I certify that the statements set forth in this instrument are true and correct to the best of my knowledge, information, and belief.

/s/ Nadine J. Wichern
NADINE J. WICHERN
Assistant Attorney General
100 West Randolph Street
12th Floor
Chicago, Illinois 60601
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Secondary e-service:
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FILED

MAR 03 2021

IN THE CIRCUIT COURT OF THE NINETEENTH
JUDICIAL CIRCUIT, LAKE COUNTY, ILLINOIS

PEOPLE OF THE STATE OF ILLINOIS)

-vs-)

RICHARD KASTMAN)

GEN. NO. 93CM4621

ORDER

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 - e. Electricity, in the amount of approximately \$40 per month;
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 - h. Groceries (non-link), in the amount of approximately \$100 per month;
 - i. Medical co-pays and medications, in the amount of approximately \$40 per month;
 - j. Cable, in the amount of \$50 per month.
- 3) The Respondent is ordered to pay a \$500 monthly contribution to offset the aforementioned monthly expenses.

It is so ordered.


 JUDGE

Dated at Waukegan, Illinois
this 3rd day of March 2021

ORDER PREPARED BY:

John Radosevich, Special Assistant Public Defender (#6290516)
The Law Offices of David R. Del Re
200 N. Martin Luther King Jr Ave, 2nd Fl
Waukegan, IL 60085
jwr@delrelaw.net

2-21-0158

E-FILED
 Transaction ID: 2-21-0158
 File Date: 3/29/2021 12:25 PM
 Jeffrey H. Kaplan, Clerk of the Court
 APPELLATE COURT 2ND DISTRICT



CERTIFICATE OF FILING AND SERVICE

SB

I hereby certify that on March 29, 2021, the foregoing Amended Notice of Interlocutory Appeal was filed in person with the Clerk of the Circuit Court for the Nineteenth Judicial Circuit, Lake County, Illinois.

I further certify that the other participants in this case, named below, were served with the foregoing Amended Notice of Interlocutory Appeal by placing a copy in an envelope bearing proper prepaid postage directed to each address indicated below, and depositing each envelope in the United States mail at 100 West Randolph Street, Chicago, Illinois, 60601, before 5:00 p.m. on March 29, 2021.

Sarah M. Raisch
 Assistant Public Defender
 Office of the Lake County
 Public Defender
 15 S. County St.
 Waukegan, IL 60085

Lake County State's Attorney
 18 N. County Street, 3rd Floor
 Waukegan, IL 60085

John Radosevich
 Special Assistant Public Defender
 The Law Offices of David R. Del Re
 200 N. Martin Luther King Jr. Ave., 2nd Floor
 Waukegan, IL 60085

Under penalties as provided by law pursuant to section 1-109 of the Illinois Code of Civil Procedure, I certify that the statements set forth in this instrument are true and correct to the best of my knowledge, information, and belief.

/s/ Carson R. Griffis
CARSON R. GRIFFIS
 Assistant Attorney General
 100 West Randolph Street
 12th Floor
 Chicago, Illinois 60601
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SUPREME COURT OF ILLINOIS

SUPREME COURT BUILDING
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SPRINGFIELD, ILLINOIS 62701-1721
(217) 782-2035

FIRST DISTRICT OFFICE
160 North LaSalle Street, 20th Floor
Chicago, IL 60601-3103
(312) 793-1332
TDD: (312) 793-6185

November 24, 2021

In re: People State of Illinois v. Richard Kastman, Appellee (Rob
Jeffreys, etc., Appellant). Appeal, Appellate Court, Second District.
127681

The Supreme Court today ALLOWED the Petition for Leave to Appeal in the above
entitled cause.

We call your attention to Supreme Court Rule 315(h) concerning certain notices which
must be filed.

Very truly yours,

A handwritten signature in cursive script that reads "Carolyn Taft Gosbell".

Clerk of the Supreme Court

Clerk of the Circuit Court Public
Access System

Search

Contact Us

Search > Select a Case > Case Number 93CM00004621, PEOPLE KASTMAN

Court Case Details

Case Number: 93CM00004621

Case Status: ACTIVE

Case Title: PEOPLE KASTMAN

Filed Date: 1993-10-01

Case CRIMINAL
Type: MISDEMEANOR

Parties on Case

Charges/Disposition/Sentences

Court Events

Documents Filed

Financials

FUTURE COURT EVENTS

Event Date	Event Time	Courtroom	Event Type
2022-01-07	09:00:00	T610	STATUS

PREVIOUS COURT EVENTS

Event Date	Courtroom	Event Type
2021-12-13	T610	DEFENDANT'S PRESENCE WAIVED
2021-12-13	T610	STATUS
2021-12-13	T610	DEFENDANT REMAINS IN CUSTODY
2021-11-18	T610	DEF PRESENT IN CUSTODY
2021-11-18	T610	STATUS
2021-11-18	T610	ARRAIGNMENT ON PETITION TO REVOKE
2021-11-18	T610	DEF ENTERS DENIAL TO THE PTR
2021-11-18	T610	REMAND
2021-11-05	T020	STATUS
2021-10-27	T612	SET STATUS DATE
2021-10-13	T120	DEF PRESENT IN CUSTODY
2021-10-13	T120	MOTION OF COURT
2021-10-13	T120	CONTINUED TO PREVIOUS SET DATE
2021-10-13	T120	REMAND
2021-10-05	T612	MOTION OF STATE
2021-10-05	T020	DEFENDANT IN CUSTODY ON OTHER CHARGES
2021-10-05	T612	ORDER ENTERED
2021-10-05	T020	CAUSE REASSIGNED
2021-10-05	T020	CONSOLIDATED WITH ANOTHER CASE
2021-10-05	T020	BOND REVIEW
2021-10-05	T020	BOND SET
2021-10-05	T020	TO BE SUPERVISED BY PRETRIAL SERVICES
2021-10-05	T020	SET STATUS DATE

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Event Date	Courtroom	Event Type
2021-10-05	T020	REMAND
2021-08-16	T120	STATUS
2021-08-16	T120	ORDER ENTERED
2021-08-16	T120	ORDER ENTERED
2021-08-16	T120	RELEASE
2021-07-19	T120	DEF PRESENT IN CUSTODY
2021-07-19	T120	MOTION OF DEFENSE
2021-07-19	T120	SET STATUS DATE
2021-07-19	T120	REMAND
2021-04-19	T120	HEARING
2021-04-19	T120	ORDER ENTERED
2021-04-19	T120	RELEASE
2021-04-12	T120	STATUS
2021-04-12	T120	HEARING DATE SET
2021-04-12	T120	RELEASE
2021-04-06	T120	STATUS
2021-04-06	T120	MOTION OF DEFENSE
2021-04-06	T120	RELEASE
2021-03-03	C403	RULING
2021-03-03	C403	ORDER ENTERED
2021-03-03	C403	RELEASE
2021-02-17	C403	HEARING
2021-02-17	C403	RULING DATE SET
2021-02-17	C403	RELEASE
2021-01-25	C405	HEARING
2021-01-25	C405	RELEASED ON CONTINUED BOND
2021-01-11	C405	HEARING
2021-01-11	C405	MOTION OF COURT
2020-12-08	C405	MOTION OF DEFENSE
2020-12-08	T612	MOTION OF STATE
2020-12-08	C405	HEARING DATE SET
2020-12-08	T612	ORDER ENTERED
2020-12-08	C405	RELEASE
2020-09-21	C405	MOTION OF STATE
2020-09-21	C405	ORDER ENTERED
2020-09-15	C405	STATUS
2020-09-15	C405	ORDER ENTERED
2020-09-15	C405	ORDER ENTERED
2020-08-31	C405	DEF PRESENT IN CUSTODY
2020-08-31	C405	STATUS
2020-08-31	C405	ORDER ENTERED
2020-08-31	C405	REMAND
2020-08-17	C405	DEF PRESENT IN CUSTODY
2020-08-17	C405	STATUS
2020-08-17	C405	REMAND
2020-07-30	T110	DEF PRESENT IN CUSTODY
2020-07-30	C403	HEARING
2020-07-30	T110	STATUS

Event Date	Courtroom	Event Type
2020-07-30	T110	REMAND
2020-06-11	C403	HEARING
2020-06-11	C403	MOTION OF COURT
2020-05-07	C403	HEARING
2020-05-07	C403	MOTION OF COURT
2020-04-02	C403	HEARING
2020-04-02	C403	MOTION OF COURT
2020-02-13	C403	DEF PRESENT IN CUSTODY
2020-02-13	C403	HEARING
2020-02-13	C403	ORDER ENTERED
2020-02-13	C403	REMAND
2019-12-13	C403	DEF PRESENT IN CUSTODY
2019-12-13	C403	STATUS
2019-12-13	C403	MOTION OF DEFENSE
2019-12-13	C403	HEARING DATE SET
2019-12-13	C403	REMAND
2019-11-19	C401	DEF PRESENT IN CUSTODY
2019-11-19	C401	COURT REPORTER WAIVED
2019-11-19	C401	STATUS
2019-11-19	C401	ORDER ENTERED
2019-11-19	C401	ORDER ENTERED
2019-11-19	C401	REMAND
2019-11-13	C401	DEF PRESENT IN CUSTODY
2019-11-13	C401	STATUS
2019-11-13	C401	MOTION OF DEFENSE
2019-11-13	C401	REMAND
2019-11-06	C401	STATUS
2019-11-06	C401	MOTION OF COURT
2019-11-06	C401	DEFENDANT'S PRESENCE WAIVED
2019-11-06	C401	DEFENDANT REMAINS IN CUSTODY
2019-10-08	C401	DEF PRESENT IN CUSTODY
2019-10-08	C401	STATUS
2019-10-08	C401	REMAND
2019-08-20	C401	402 CONFERENCE
2019-08-20	T110	402 CONFERENCE
2019-08-20	T110	SET STATUS DATE
2019-08-20	T110	ORDER ENTERED
2019-08-20	T110	DEFENDANT'S PRESENCE WAIVED
2019-08-20	T110	DEFENDANT REMAINS IN CUSTODY
2019-08-14	C404	DEF PRESENT IN CUSTODY
2019-08-14	C404	ORDER ENTERED
2019-08-14	C404	STATUS
2019-08-14	C404	REMAND
2019-08-13	C401	STATUS
2019-08-13	C401	ORDER ENTERED
2019-08-13	C401	DEFENDANT'S PRESENCE WAIVED
2019-08-13	C401	DEFENDANT REMAINS IN CUSTODY
2019-07-16	C401	STATUS

Event Date	Courtroom	Event Type
2019-07-16	C401	STATUS
2019-07-16	T110	STATUS
2019-07-16	T110	ORDER ENTERED
2019-07-16	T110	DEFENDANT'S PRESENCE WAIVED
2019-07-16	T110	DEFENDANT REMAINS IN CUSTODY
2019-06-28	C401	DEFENDANT'S PRESENCE WAIVED
2019-06-28	C401	402 CONFERENCE
2019-06-28	C401	SET STATUS DATE
2019-06-28	C401	DEFENDANT REMAINS IN CUSTODY
2019-06-18	C401	DEF PRESENT IN CUSTODY
2019-06-18	C401	402 CONFERENCE
2019-06-18	C401	ORDER ENTERED
2019-06-18	C401	REMAND
2019-06-14	C401	DEF PRESENT IN CUSTODY
2019-06-14	C401	STATUS
2019-06-14	C401	REMAND
2019-05-23	C401	MOTION OF STATE
2019-05-23	T712	FILE PETITION TO REVOKE
2019-05-23	T712	MOTION OF STATE
2019-05-23	T712	MOTION OF DEFENSE
2019-05-23	T712	SET STATUS DATE
2019-05-23	T712	REMAND
2019-04-16	C401	STATUS
2019-04-16	C401	RELEASE
2019-03-19	T512	STATUS
2019-03-19	T712	CAUSE REASSIGNED
2019-03-19	T712	SET STATUS DATE
2019-03-19	T712	RELEASE
2019-01-22	T512	STATUS
2019-01-22	T512	MOTION OF DEFENSE
2019-01-22	T512	SET STATUS DATE
2019-01-22	T512	RELEASE
2018-11-20	T512	HEARING ON MOTION
2018-11-20	T512	CONTINUED TO PREVIOUS SET DATE
2018-11-20	T512	RELEASE
2018-11-15	T512	HEARING ON MOTION
2018-11-15	T512	MOTION OF DEFENSE
2018-11-15	T512	RELEASE
2018-11-13	T512	STATUS
2018-11-13	T512	ORDER ENTERED
2018-11-13	T512	MOTION OF DEFENSE
2018-11-13	T512	SET STATUS DATE
2018-11-13	T512	RELEASE
2018-10-02	T512	HEARING ON MOTION TO RECONSIDER
2018-09-04	T512	DEF PRESENT IN CUSTODY
2018-09-04	T512	SENTENCING ON PETITION TO REVOKE
2018-09-04	T512	ORDER ENTERED
2018-09-04	T512	MOTION FILED

Event Date	Courtroom	Event Type
2018-09-04	T512	HEARING DATE SET
2018-09-04	T512	REMAND
2018-08-28	T512	HEARING IN AGGRAVATION & MITIGATION
2018-08-28	T512	DEF EXERCISES RIGHT TO ALLOCUTION
2018-08-28	T512	SENTENCING ON PETITION TO REVOKE
2018-08-28	T512	REMAND
2018-08-17	T512	DEF PRESENT IN CUSTODY
2018-08-17	T512	SENTENCING ON PETITION TO REVOKE
2018-08-17	T512	MOTION OF DEFENSE
2018-08-17	T512	NO OBJECTION BY THE STATE
2018-08-17	T512	REMAND
2018-07-17	C402	DEF PRESENT IN CUSTODY
2018-07-17	C402	PETITION TO REVOKE HEARING
2018-07-17	C402	DEF ADMITS TO ALLEGATIONS IN PTR
2018-07-17	C402	MOTION OF DEFENSE
2018-07-17	C402	SET SENTENCING DATE
2018-07-17	C402	REMAND
2018-06-29	C402	DEF PRESENT IN CUSTODY
2018-06-29	C402	STATUS OF PETITION TO REVOKE
2018-06-29	C402	MOTION OF DEFENSE
2018-06-29	C402	CONTINUED TO PREVIOUS SET DATE
2018-06-29	C402	REMAND
2018-06-08	C402	DEF PRESENT IN CUSTODY
2018-06-08	C402	STATUS OF PETITION TO REVOKE
2018-06-08	C402	HEARING ON PETITION TO REVOKE DATE SET
2018-06-08	C402	REMAND
2018-06-05	C402	DEF PRESENT IN CUSTODY
2018-06-05	C402	STATUS OF PETITION TO REVOKE
2018-06-05	C402	MOTION OF DEFENSE
2018-06-05	C402	REMAND
2018-05-30	C402	STATUS OF PETITION TO REVOKE
2018-05-30	C402	DEFENDANT REMAINS IN CUSTODY
2018-05-21	C402	DEF PRESENT IN CUSTODY
2018-05-21	C402	STATUS OF PETITION TO REVOKE
2018-05-21	C402	ORDER ENTERED
2018-05-21	C402	REMAND
2018-05-18	C402	STATUS OF PETITION TO REVOKE
2018-05-18	C402	BY AGREEMENT
2018-05-18	C402	DEFENDANT'S PRESENCE WAIVED
2018-05-18	C402	DEFENDANT REMAINS IN CUSTODY
2018-04-24	C402	DEF PRESENT IN CUSTODY
2018-04-24	C402	PRE-TRIAL ON PETITION TO REVOKE
2018-04-24	C402	MOTION OF DEFENSE
2018-04-24	C402	STATUS OF PETITION TO REVOKE DATE SET
2018-04-24	C402	ORDER ENTERED
2018-04-24	C402	REMAND
2018-04-04	C402	DEF PRESENT IN CUSTODY
2018-04-04	C402	PETITION TO REVOKE AMENDED

Event Date	Courtroom	Event Type
2018-04-04	C402	ARRAIGNMENT ON PETITION TO REVOKE
2018-04-04	C402	DEF ENTERS DENIAL TO THE PTR
2018-04-04	C402	MOTION OF DEFENSE
2018-04-04	C402	PRE-TRIAL ON PETITION TO REVOKE DATE SET
2018-04-04	C402	TIMELINES WAIVED
2018-04-04	C402	REMAND
2018-03-23	C402	DEF PRESENT IN CUSTODY
2018-03-23	C402	ARRAIGNMENT ON PETITION TO REVOKE
2018-03-23	C402	REMAND
2018-02-28	C402	DEF PRESENT IN CUSTODY
2018-02-28	C402	ARRAIGNMENT ON PETITION TO REVOKE
2018-02-28	C402	REMAND
2018-02-14	C402	DEF PRESENT IN CUSTODY
2018-02-14	C402	ARRAIGNMENT ON PETITION TO REVOKE
2018-02-14	C402	ENTER AGREED ORDER
2018-02-14	C402	MOTION OF DEFENSE
2018-02-14	C402	ARRAIGNMENT ON PET. TO REVOKE DATE SET
2018-02-14	C402	REMAND
2018-01-30	C402	DEF PRESENT IN CUSTODY
2018-01-30	C402	ARRAIGNMENT ON PETITION TO REVOKE
2018-01-30	C402	MOTION OF DEFENSE
2018-01-30	C402	REMAND
2018-01-16	C402	STATUS
2018-01-16	C402	PETITION FILED
2018-01-16	C402	MOTION OF STATE
2018-01-16	C402	SET ARRAIGNMENT DATE
2018-01-16	C402	REMAND
2018-01-04	C402	STATUS
2018-01-04	C402	BY AGREEMENT
2017-12-19	C402	STATUS
2017-12-19	C402	BY AGREEMENT
2017-12-07	C402	STATUS
2017-12-07	C402	BY AGREEMENT
2017-12-07	C402	SET STATUS DATE
2017-11-22	A	STATUS
2017-11-22	A	ENTER AGREED ORDER
2017-11-16	C401	STATUS
2017-10-23	C207	STATUS
2017-10-23	C207	CONTINUED TO PREVIOUS SET DATE
2017-09-26	C401	STATUS
2017-09-21	C402	MOTION OF DEFENSE
2017-09-21	C402	BY AGREEMENT
2017-09-21	C402	SET STATUS DATE
2017-09-21	C402	RELEASED ON CONTINUED BOND
2017-08-24	C401	STATUS
2017-08-24	C401	RELEASED ON CONTINUED BOND
2017-07-20	C401	STATUS
2017-07-20	C401	ORDER ENTERED

Event Date	Courtroom	Event Type
2017-07-20	C401	RELEASED ON CONTINUED BOND
2017-06-29	C401	STATUS
2017-06-29	C401	DEFENDANT'S PRESENCE WAIVED
2017-06-29	C401	ORDER ENTERED
2017-06-29	C401	SET STATUS DATE
2017-06-08	C401	STATUS
2017-06-08	C401	ORDER ENTERED
2017-05-18	C401	STATUS
2017-05-18	C401	ORDER ENTERED
2017-05-18	C401	ORDER ENTERED
2017-04-18	C401	HEARING ON MOTION
2017-04-18	C401	ORDER ENTERED
2017-04-18	C401	SET STATUS DATE
2017-04-18	C401	RELEASED ON CONTINUED BOND
2017-04-11	C401	STATUS
2017-04-11	C401	ORDER ENTERED
2017-04-11	C401	HEARING DATE SET
2017-03-23	C401	STATUS
2017-03-23	C401	ENTER AGREED ORDER
2017-03-16	C402	ENTER AGREED ORDER
2017-02-23	C401	STATUS
2017-02-23	C401	ORDER ENTERED
2017-02-02	C401	STATUS
2017-02-02	C401	ORDER ENTERED
2017-02-02	C401	RELEASE
2017-01-19	C401	STATUS
2017-01-19	C401	ENTER AGREED ORDER
2017-01-19	C401	RELEASE
2017-01-12	C401	STATUS
2017-01-05	C207	BY AGREEMENT
2017-01-05	C207	ORDER ENTERED
2016-12-08	C401	STATUS
2016-12-08	C401	RELEASED ON CONTINUED BOND
2016-10-20	C401	ENTER AGREED ORDER
2016-10-20	C401	STATUS
2016-10-13	C402	ENTER AGREED ORDER
2016-09-08	C401	STATUS
2016-09-08	C401	RELEASED ON CONTINUED BOND
2016-08-11	C401	ORDER ENTERED
2016-08-11	C401	STATUS
2016-08-11	C401	RELEASED ON CONTINUED BOND
2016-07-21	C401	STATUS
2016-07-21	C401	ENTER AGREED ORDER
2016-07-21	C401	RELEASE
2016-07-07	C401	STATUS
2016-06-16	C401	STATUS
2016-06-16	C401	SET STATUS DATE
2016-06-16	C401	RELEASED ON CONTINUED BOND

Event Date	Courtroom	Event Type
2016-06-09	C401	ORDER ENTERED
2016-05-24	C401	STATUS
2016-05-24	C401	SET STATUS DATE
2016-05-24	C401	RELEASED ON CONTINUED BOND
2016-05-10	C401	STATUS
2016-05-10	C401	SET STATUS DATE
2016-05-10	C401	RELEASED ON CONTINUED BOND
2016-04-28	C401	STATUS
2016-04-28	C401	SET STATUS DATE
2016-04-28	C401	RELEASED ON CONTINUED BOND
2016-04-14	C401	STATUS
2016-04-14	C401	RELEASED ON CONTINUED BOND
2016-03-10	C401	STATUS
2016-03-10	C401	RELEASED ON CONTINUED BOND
2016-03-07	C401	STATUS
2016-03-07	C401	RELEASE
2016-02-08	C401	STATUS
2016-01-11	C401	DEF PRESENT IN CUSTODY
2016-01-11	C401	STATUS
2016-01-11	C401	ENTER AGREED ORDER
2016-01-11	C401	ORDER ENTERED
2016-01-11	C401	SET STATUS DATE
2016-01-11	C401	REMAND
2015-12-28	C120	DEF PRESENT IN CUSTODY
2015-12-28	C120	STATUS
2015-12-28	C120	BOND SET
2015-12-28	C120	ENTER AGREED ORDER
2015-12-28	C120	ENTER AGREED ORDER
2015-12-28	C120	REMAND
2015-12-18	C403	MOTION OF DEFENSE
2015-12-15	C403	STATUS
2015-12-15	C403	WRIT ISSUED
2015-12-15	C403	ORDER ENTERED
2015-11-19	C401	STATUS OF MANDATE
2015-10-15	C401	STATUS
2015-10-15	C401	ORDER ENTERED
2015-09-28	C401	CASE MANAGEMENT CONFERENCE
2015-09-28	C401	BY AGREEMENT
2015-09-28	C401	ORDER ENTERED
2015-09-28	C401	SET STATUS DATE
2015-09-03	C401	STATUS
2015-09-03	C401	BY AGREEMENT
2015-08-17	C401	JURY TRIAL
2015-08-17	C401	CASE MANAGEMENT CONFERENCE
2015-08-17	C401	ADMONISH
2015-08-17	C401	SET STATUS DATE
2015-08-12	C401	WRIT ISSUED
2015-06-15	C401	JURY TRIAL

Event Date	Courtroom	Event Type
2015-06-15	C401	STATUS
2015-06-15	C401	BY AGREEMENT
2015-06-15	C401	CASE MANAGEMENT CONFERENCE DATE SET
2015-05-11	C401	STATUS
2015-05-11	C401	ORDER ENTERED
2015-04-21	C401	STATUS
2015-04-21	C401	BY AGREEMENT
2015-04-21	C401	TRIAL CONTINUANCE GRANTED
2015-04-21	C401	SET JURY TRIAL DATE
2015-04-13	C401	HEARING
2015-04-13	C401	CASE MANAGEMENT CONFERENCE
2015-04-13	C401	BY AGREEMENT
2015-04-13	C401	SET STATUS DATE
2015-03-27	C401	STATUS
2015-03-27	C401	DEFENDANT'S PRESENCE WAIVED
2015-03-27	C401	ORDER ENTERED
2015-03-25	C401	MOTION OF DEFENSE
2015-03-25	C401	SET STATUS DATE
2015-03-10	C401	CASE MANAGEMENT CONFERENCE
2015-03-10	C401	RULING
2015-03-10	C401	SET JURY TRIAL DATE
2015-03-10	C401	ORDER ENTERED
2015-03-03	C403	ORDER ENTERED
2015-02-20	C401	MOTION IN LIMINE
2015-01-22	C401	HEARING DATE SET
2014-12-03	C401	HEARING
2014-12-03	C401	ORDER ENTERED
2014-12-03	C401	COURT APPOINTS COUNSEL
2014-12-03	C401	ORDER ENTERED
2014-11-26	C221	STATUS
2014-11-26	C221	HEARING DATE SET
2014-11-12	C401	STATUS
2014-11-12	C401	ORDER ENTERED
2014-10-14	C401	HEARING
2014-10-14	C401	ORDER ENTERED
2014-09-24	C401	HEARING
2014-09-24	C401	ORDER ENTERED
2014-09-24	C401	CASE MANAGEMENT CONFERENCE DATE SET
2014-09-24	C401	HEARING DATE SET
2014-09-17	C401	STATUS
2014-09-17	C401	ORDER ENTERED
2014-08-08	C401	MOTION OF ATTORNEY
2014-08-08	C401	ORDER ENTERED
2014-08-08	C401	SET STATUS DATE
2014-07-11	C401	STATUS
2014-07-11	C401	PETITION FOR RULE TO SHOW CAUSE
2014-07-11	C401	HEARING DATE SET
2014-06-27	C401	HEARING

Event Date	Courtroom	Event Type
2014-06-27	C401	ENTER AGREED ORDER
2014-05-23	C401	MOTION OF ATTORNEY
2014-04-03	C401	HEARING ON MOTION
2014-04-03	C401	MOTION OF DEFENSE
2014-04-03	C401	ORDER ENTERED
2014-03-21	C401	MOTION OF DEFENSE
2014-03-06	C401	STATUS
2014-03-06	C401	MOTION OF DEFENDANT
2014-03-06	C401	HEARING DATE SET
2014-02-06	C401	STATUS
2014-02-06	C401	ORDER ENTERED
2014-01-03	C401	DEF PRESENT IN CUSTODY
2014-01-03	C401	HEARING ON MOTION TO DISMISS
2014-01-03	C401	ORDER ENTERED
2014-01-03	C401	REMAND
2014-01-02	C401	ORDER ENTERED
2013-12-13	C401	HEARING
2013-12-13	C401	STATUS
2013-12-13	C401	ORDER ENTERED
2013-12-06	C401	HEARING ON MOTION
2013-12-06	C401	MOTION OF STATE
2013-12-06	C401	ORDER ENTERED
2013-11-13	C401	ORDER ENTERED
2013-11-13	C401	ORDER ENTERED
2013-10-31	C401	HEARING
2013-10-31	C401	HEARING ON MOTION TO RECONSIDER
2013-10-31	C401	ORDER ENTERED
2013-10-18	C401	RULING
2013-10-18	C401	HEARING
2013-10-18	C401	STATUS
2013-10-18	C401	MOTION OF DEFENSE
2013-10-18	C401	ORDER ENTERED
2013-10-18	C401	ORDER ENTERED
2013-10-18	C401	REMAND
2013-10-10	C401	HEARING
2013-09-26	C401	HEARING ON MOTION TO RECONSIDER
2013-09-19	C401	HEARING
2013-09-18	C401	DEF PRESENT IN CUSTODY
2013-09-18	C401	HEARING
2013-09-18	C401	RULING
2013-09-18	C401	PETITION FILED
2013-09-18	C401	SET STATUS DATE
2013-09-18	C401	REMAND
2013-08-29	C401	HEARING
2013-08-29	C401	HEARING ON MOTION
2013-08-29	C401	MOTION FILED
2013-08-29	C401	HEARING DATE SET
2013-08-29	C401	WRIT ISSUED

Event Date	Courtroom	Event Type
2013-08-22	C401	STATUS
2013-08-22	C401	MOTION OF STATE
2013-08-22	C401	HEARING DATE SET
2013-08-15	C401	STATUS
2013-08-15	C401	STATUS
2013-08-15	C401	HEARING DATE SET
2013-07-12	C401	RULING
2013-07-12	C401	HEARING
2013-07-12	C401	ORDER ENTERED
2013-07-12	C401	SET STATUS DATE
2013-07-12	C401	HEARING DATE SET
2013-06-19	C401	STATUS
2013-06-19	C401	HEARING CONTINUANCE
2013-06-19	C401	HEARING ON MOTION TO COMPEL
2013-06-19	C401	HEARING
2013-06-19	C401	RULING DATE SET
2013-06-19	C401	HEARING DATE SET
2013-06-06	C401	DEFENDANT'S PRESENCE WAIVED
2013-06-06	C401	HEARING
2013-06-06	C401	SET STATUS DATE
2013-05-29	C401	HEARING
2013-05-09	C401	HEARING
2013-05-09	C401	BY AGREEMENT
2013-04-05	C401	HEARING
2013-04-05	C401	ORDER ENTERED
2013-04-05	C401	ORDER ENTERED
2013-03-07	C406	ENTER AGREED ORDER
2013-02-15	C401	DEF PRESENT IN CUSTODY
2013-02-15	C401	HEARING
2013-02-15	C401	HEARING ON MOTION
2013-02-15	C401	HEARING ON PETITION
2013-02-15	C401	HEARING ON MOTION
2013-02-15	C401	HEARING ON MOTION
2013-02-15	C401	ORDER ENTERED
2013-02-15	C401	COURT APPOINTS COUNSEL
2013-02-15	C401	DEFENSE TO PREPARE,FILE NOTICE OF APPEAL
2013-02-15	C401	CLERK TO PREPARE, CERTIFY APPEAL RECORD
2013-02-15	C401	REPORTERS TO PREPARE, FILE ROP
2013-02-15	C401	ORDER ENTERED
2013-02-15	C401	HEARING DATE SET
2013-02-15	C401	REMAND
2013-01-25	C401	HEARING ON MOTION
2013-01-24	C401	WRIT ISSUED
2013-01-23	C401	HEARING CONTINUANCE
2013-01-23	C401	WRIT TO ISSUE
2013-01-23	C401	ENTER AGREED ORDER
2012-12-07	C401	STATUS
2012-12-07	C401	MOTION FILED

Event Date	Courtroom	Event Type
2012-12-07	C401	HEARING DATE SET
2012-12-07	C401	WRIT TO ISSUE
2012-11-30	C401	STATUS
2012-11-30	C401	MOTION OF DEFENSE
2012-11-30	C401	NO OBJECTION BY THE STATE
2012-11-02	C401	STATUS
2012-11-02	C401	MOTION OF DEFENSE
2012-11-02	C401	COURT REPORTER WAIVED
2012-10-12	C401	STATUS
2012-10-12	C401	BY AGREEMENT
2012-10-12	C401	ORDER ENTERED
2012-08-31	C401	DEF PRESENT IN CUSTODY
2012-08-31	C401	RULING
2012-08-31	C401	DEFENDANT FOUND TO BE SEXUALLY DANGEROUS
2012-08-31	C401	SET STATUS DATE
2012-08-31	C401	REMAND
2012-08-17	C401	RULING
2012-07-27	C401	BENCH TRIAL
2012-07-27	C401	BENCH TRIAL
2012-07-27	C401	BENCH TRIAL
2012-07-27	C401	PROOFS HEARD
2012-07-27	C401	PROOFS HEARD
2012-07-27	C401	CAUSE ADJOURNED
2012-07-27	C401	PROOFS CLOSED
2012-07-27	C401	EXHIBITS ADMITTED
2012-07-27	C401	DEFENSE RESTS
2012-07-27	C401	HRG ON DEFS MOTION-DIRECTED VERDICT
2012-07-27	C401	EXHIBITS ADMITTED
2012-07-27	C401	CLOSING ARGUMENTS
2012-07-27	C401	RULING
2012-07-27	C401	RELEASE
2012-07-25	C401	DEF PRESENT IN CUSTODY
2012-07-25	C401	BENCH TRIAL
2012-07-25	C401	BENCH TRIAL
2012-07-25	C401	PROOFS HEARD
2012-07-25	C401	PROOFS HEARD
2012-07-25	C401	CAUSE ADJOURNED
2012-07-25	C401	CAUSE ADJOURNED
2012-07-25	C401	REMAND
2012-07-24	C401	DEF PRESENT IN CUSTODY
2012-07-24	C401	BENCH TRIAL
2012-07-24	C401	BENCH TRIAL
2012-07-24	C401	STATE RESTS
2012-07-24	C401	HRG ON DEFS MOTION-DIRECTED VERDICT
2012-07-24	C401	WITNESS SWORN
2012-07-24	C401	PROOFS HEARD
2012-07-24	C401	CAUSE ADJOURNED
2012-07-24	C401	PROOFS HEARD

Event Date	Courtroom	Event Type
2012-07-24	C401	CAUSE ADJOURNED
2012-07-24	C401	REMAND
2012-07-20	C401	STATUS OF WRIT
2012-07-20	C401	ORDER ENTERED
2012-07-20	C401	REMAND
2012-07-06	C401	DEF PRESENT IN CUSTODY
2012-07-06	C401	BENCH TRIAL
2012-07-06	C401	PROOFS HEARD
2012-07-06	C401	CAUSE ADJOURNED
2012-07-06	C401	ORDER ENTERED
2012-07-06	C401	SET BENCH TRIAL DATE
2012-07-06	C401	SET STATUS DATE
2012-07-06	C401	RELEASE
2012-07-05	C401	DEF PRESENT IN CUSTODY
2012-07-05	C401	BENCH TRIAL
2012-07-05	C401	PROOFS HEARD
2012-07-05	C401	CAUSE ADJOURNED
2012-07-05	C401	ORDER ENTERED
2012-07-05	C401	REMAND
2012-07-03	C401	DEF PRESENT IN CUSTODY
2012-07-03	C401	BENCH TRIAL
2012-07-03	C401	PROOFS HEARD
2012-07-03	C401	CAUSE ADJOURNED
2012-07-03	C401	REMAND
2012-07-02	C401	DEF PRESENT IN CUSTODY
2012-07-02	C401	MOTION IN LIMINE
2012-07-02	C401	JURY TRIAL WAIVED
2012-07-02	C401	BENCH TRIAL
2012-07-02	C401	BENCH TRIAL
2012-07-02	C401	OPENING STATEMENTS
2012-07-02	C401	PROOFS HEARD
2012-07-02	C401	WITNESS SWORN
2012-07-02	C401	CAUSE ADJOURNED
2012-07-02	C401	PROOFS HEARD
2012-07-02	C401	REMAND
2012-06-29	C401	DEF PRESENT IN CUSTODY
2012-06-29	C401	STATUS
2012-06-29	C401	HEARING ON MOTION TO RECONSIDER
2012-06-29	C401	MOTION OF STATE
2012-06-29	C401	REMAND
2012-06-22	C401	DEF PRESENT IN CUSTODY
2012-06-22	C401	RULING
2012-06-22	C401	ORDER ENTERED
2012-06-22	C401	WRIT CONTINUED
2012-06-22	C401	REMAND
2012-06-12	C401	CASE MANAGEMENT CONFERENCE
2012-06-12	C401	WRIT CONTINUED
2012-06-12	C401	REMAND

Event Date	Courtroom	Event Type
2012-06-11	C401	BENCH TRIAL
2012-05-18	C401	CASE MANAGEMENT CONFERENCE
2012-05-18	C401	TRIAL CONTINUANCE GRANTED
2012-05-18	C401	BY AGREEMENT
2012-05-18	C401	ORDER ENTERED
2012-05-18	C401	WRIT TO ISSUE
2012-05-18	C401	WRIT ISSUED
2012-05-14	C401	JURY TRIAL
2012-05-09	C401	CASE MANAGEMENT CONFERENCE
2012-05-09	C401	HEARING ON MOTION
2012-05-09	C401	WRIT ISSUED
2012-05-04	C401	WRIT ISSUED
2012-04-27	C401	DEF PRESENT IN CUSTODY
2012-04-27	C401	CASE MANAGEMENT CONFERENCE
2012-04-27	C401	ORDER ENTERED
2012-04-27	C401	HEARING ON MOTION TO COMPEL
2012-04-27	C401	ORDER ENTERED
2012-04-27	C401	JURY TRIAL WAIVED
2012-04-27	C401	JURY TRIAL WAIVED
2012-04-27	C401	SET BENCH TRIAL DATE
2012-04-27	C401	ORDER ENTERED
2012-04-27	C401	WRIT TO ISSUE
2012-04-27	C401	ORDER ENTERED
2012-04-27	C401	REMAND
2012-04-26	C401	STATUS
2012-04-23	C401	JURY TRIAL
2012-04-13	C401	DEF PRESENT IN CUSTODY
2012-04-13	C401	CASE MANAGEMENT CONFERENCE
2012-04-13	C401	BY AGREEMENT
2012-04-13	C401	TRIAL CONTINUANCE GRANTED
2012-04-13	C401	SET STATUS DATE
2012-04-13	C401	SET JURY TRIAL DATE
2012-04-13	C401	REMAND
2012-04-05	C401	STATUS
2012-03-28	C401	WRIT ISSUED
2012-03-26	C401	MOTION OF STATE
2012-03-26	C401	WRIT TO ISSUE
2012-03-09	C401	STATUS
2012-03-08	C401	STATUS
2012-02-14	C401	STATUS OF WRIT
2012-02-14	C401	ATTORNEY GIVEN LEAVE TO FILE APPEARANCE
2012-02-14	C401	ORDER ENTERED
2012-02-14	C401	REMAND
2012-01-30	C401	WRIT ISSUED
2012-01-27	C401	MOTION OF DEFENSE
2012-01-27	C401	SET STATUS DATE
2012-01-26	C401	MOTION OF DEFENSE
2012-01-24	C401	MOTION OF DEFENSE

Event Date	Courtroom	Event Type
2012-01-20	C401	MOTION OF DEFENSE
2012-01-13	C401	MOTION OF DEFENSE
2011-12-02	C401	DEF PRESENT IN CUSTODY
2011-12-02	C401	218 CONFERENCE
2011-12-02	C401	ORDER ENTERED
2011-12-02	C401	STATUS
2011-12-02	C401	CASE MANAGEMENT CONFERENCE DATE SET
2011-12-02	C401	SET JURY TRIAL DATE
2011-12-02	C401	REMAND
2011-11-18	C401	WRIT ISSUED
2011-11-17	C401	STATUS
2011-11-17	C401	BY AGREEMENT
2011-11-17	C401	WRIT TO ISSUE
2011-11-10	C401	STATUS
2011-11-10	C401	DISCOVERY TENDERED
2011-11-10	C401	SET STATUS DATE
2011-10-14	C401	STATUS
2011-10-07	C401	STATUS
2011-10-07	C401	BY AGREEMENT
2011-10-07	C401	DEFENDANT'S PRESENCE WAIVED
2011-09-16	C401	STATUS
2011-09-09	C401	STATUS
2011-09-09	C401	ORDER ENTERED
2011-09-09	C401	DEFENDANT'S PRESENCE WAIVED
2011-09-09	C401	SET STATUS DATE
2011-09-02	C401	MOTION OF DEFENSE
2011-09-02	C401	SET STATUS DATE
2011-06-23	C401	STATUS
2011-06-23	C401	DEFENDANT'S PRESENCE WAIVED
2011-06-17	C401	STATUS
2011-05-13	C401	STATUS
2011-05-13	C401	HEARING
2011-04-29	C401	STATUS
2011-04-29	C401	DEF PRESENT IN CUSTODY
2011-04-29	C401	MOTION OF DEFENSE
2011-04-29	C401	OVER STATE'S OBJECTION
2011-04-29	C401	SET STATUS DATE
2011-04-29	C401	ORDER ENTERED
2011-04-29	C401	MOTION OF DEFENSE
2011-04-29	C401	ORDER ENTERED
2011-04-29	C401	REMAND
2011-04-04	C401	MOTION OF DEFENSE
2011-03-25	C401	WRIT ISSUED
2011-03-18	C401	STATUS
2011-03-11	C401	STATUS
2011-03-11	C401	BY AGREEMENT
2011-03-04	C401	HEARING
2011-03-04	C401	RULING

Event Date	Courtroom	Event Type
2011-03-04	C401	SET STATUS DATE
2011-02-25	C401	DEF PRESENT IN CUSTODY
2011-02-25	C401	HEARING
2011-02-25	C401	WITNESS SWORN
2011-02-25	C401	PROOFS HEARD
2011-02-25	C401	PROOFS CLOSED
2011-02-25	C401	CLOSING ARGUMENTS
2011-02-25	C401	RULING
2011-02-25	C401	REMAND
2011-02-08	C401	WRIT ISSUED
2011-02-04	C401	HEARING DATE SET
2011-01-28	C401	STATUS
2011-01-28	C401	BY AGREEMENT
2011-01-28	C401	HEARING DATE SET
2011-01-19	C401	DEF PRESENT IN CUSTODY
2011-01-19	C401	HEARING
2011-01-19	C401	SET STATUS DATE
2011-01-19	C401	REMAND
2010-12-03	C401	DEF PRESENT IN CUSTODY
2010-12-03	C401	HEARING
2010-12-03	C401	MOTION FOR DISCOVERY
2010-12-03	C401	ENTER AGREED ORDER
2010-12-03	C401	REMAND
2010-11-17	C401	STATUS
2010-11-04	C401	STATUS
2010-11-04	C401	HEARING DATE SET
2010-11-04	C401	WRIT TO ISSUE
2010-11-04	C401	WRIT ISSUED
2010-10-28	C401	WRIT ISSUED
2010-10-22	C401	EVALUATION STATUS
2010-10-22	C401	SET STATUS DATE
2010-10-22	C401	WRIT TO ISSUE
2010-10-08	C401	STATUS
2010-07-23	C401	EVALUATION STATUS
2010-07-23	C401	DEFENDANT'S PRESENCE WAIVED
2010-04-23	C401	DEF PRESENT IN CUSTODY
2010-04-23	C401	STATUS OF ATTORNEY
2010-04-23	C401	APPOINT PUBLIC DEFENDER
2010-04-23	C401	EVALUATION ORDERED
2010-04-23	C401	ORDER ENTERED
2010-04-23	C401	SET STATUS DATE
2010-04-23	C401	REMAND
2010-04-12	C401	STATUS
2010-04-12	C401	STATUS OF ATTORNEY DATE SET
2010-04-12	C401	WRIT TO ISSUE
2010-04-12	C401	WRIT ISSUED
2010-03-24	C401	DEF PRESENT IN CUSTODY
2010-03-24	C401	STATUS

Event Date	Courtroom	Event Type
2010-03-24	C401	DISMISSED WITHOUT PREJUDICE
2010-03-24	C401	ORDER ENTERED
2010-03-24	C401	REMAND
2010-03-10	C401	STATUS OF WRIT
2010-03-10	C401	WRIT ISSUED
2010-03-10	C401	SET STATUS DATE
2010-03-04	C401	STATUS
2010-03-04	C401	WRIT TO ISSUE
2009-12-28	C401	DEF PRESENT IN CUSTODY
2009-12-28	C401	STATUS
2009-12-28	C401	APPOINT PUBLIC DEFENDER
2009-12-28	C401	SET STATUS DATE
2009-12-28	C401	REMAND
2009-12-23	C401	STATUS
2009-12-11	C401	WRIT ISSUED
2009-12-08	C401	MOTION OF COURT
2009-12-08	C401	SET STATUS DATE
2009-12-08	C401	WRIT TO ISSUE
2009-12-03	C401	STATUS
2009-12-01	C401	HEARING ON MOTION
2009-12-01	C401	STIPULATE
2009-11-19	C401	STATUS
2009-11-19	C401	MOTION OF COURT
2009-09-11	C401	HEARING ON MOTION
2009-08-07	C401	STATUS
2009-08-07	C401	COURT APPOINTS COUNSEL
2009-08-07	C401	ORDER ENTERED
2009-07-31	C401	DEF PRESENT IN CUSTODY
2009-07-31	C401	HEARING ON MOTION
2009-07-31	C401	HEARING ON MOTION
2009-07-31	C401	CLERK TO PREPARE, FILE NOTICE OF APPEAL
2009-07-31	C401	REPORTERS TO PREPARE, FILE ROP
2009-07-31	C401	CLERK TO PREPARE, CERTIFY APPEAL RECORD
2009-07-31	C401	SET STATUS DATE
2009-07-31	C401	REMAND
2009-07-17	C401	HEARING ON MOTION
2009-05-07	C401	STATUS
2009-05-07	C401	HEARING DATE SET
2009-05-07	C401	ORDER ENTERED
2009-04-08	C401	ENTER AGREED ORDER
2009-04-03	C401	DEF PRESENT IN CUSTODY
2009-04-03	C401	JURY RETURNS VERDICT
2009-04-03	C401	JURY TRIAL
2009-04-03	C401	PROOFS HEARD
2009-04-03	C401	JUDGMENT ON VERDICT
2009-04-03	C401	PROOFS CLOSED
2009-04-03	C401	JURY DISCHARGED
2009-04-03	C401	STATE RESTS

Event Date	Courtroom	Event Type
2009-04-03	C401	REMAND
2009-04-03	C401	HRG ON DEFS MOTION-DIRECTED VERDICT
2009-04-03	C401	EXHIBITS ADMITTED
2009-04-03	C401	DEFENSE RESTS
2009-04-03	C401	HRG ON DEFS MOTION-DIRECTED VERDICT
2009-04-03	C401	CLOSING ARGUMENTS
2009-04-03	C401	JUROR EXCUSED FROM CAUSE
2009-04-03	C401	ALTERNATE JUROR SEATED ON PANEL
2009-04-03	C401	RETIRE IN OFFICERS CHARGE
2009-04-02	C401	DEF PRESENT IN CUSTODY
2009-04-02	C401	PROOFS HEARD
2009-04-02	C401	JURY TRIAL
2009-04-02	C401	REMAND
2009-04-02	C401	PROOFS HEARD
2009-04-01	C401	DEF PRESENT IN CUSTODY
2009-04-01	C401	JURY TRIAL
2009-04-01	C401	PROOFS HEARD
2009-04-01	C401	REMAND
2009-03-31	C401	DEF PRESENT IN CUSTODY
2009-03-31	C401	ORDER ENTERED
2009-03-31	C401	JURY TRIAL
2009-03-31	C401	JURY IMPANELLING
2009-03-31	C401	JURY SWORN
2009-03-31	C401	OPENING STATEMENTS
2009-03-31	C401	WITNESS SWORN
2009-03-31	C401	PROOFS HEARD
2009-03-31	C401	REMAND
2009-03-30	C401	DEF PRESENT IN CUSTODY
2009-03-30	C401	JURY TRIAL
2009-03-30	C401	JURY CALLED
2009-03-30	C401	JURY IMPANELLING
2009-03-30	C401	REMAND
2009-03-27	C401	DEF PRESENT IN CUSTODY
2009-03-27	C401	STATUS
2009-03-27	C401	ORDER ENTERED
2009-03-27	C401	REMAND
2009-03-26	C401	DEF PRESENT IN CUSTODY
2009-03-26	C401	HEARING
2009-03-26	C401	SET STATUS DATE
2009-03-26	C401	REMAND
2009-03-20	C401	HEARING
2009-03-20	C401	WRIT CONTINUED
2009-03-20	C401	ORDER ENTERED
2009-03-20	C401	DEFENDANT REMAINS IN CUSTODY
2009-03-16	C401	DEF PRESENT IN CUSTODY
2009-03-16	C401	ORDER ENTERED
2009-03-16	C401	STATE ANSWERS READY FOR TRIAL
2009-03-16	C401	JURY TRIAL

Event Date	Courtroom	Event Type
2009-03-16	C401	MOTION OF DEFENSE
2009-03-16	C401	OVER STATE'S OBJECTION
2009-03-16	C401	TRIAL CONTINUANCE GRANTED
2009-03-16	C401	HEARING DATE SET
2009-03-16	C401	REMAND
2009-03-13	C401	DEF PRESENT IN CUSTODY
2009-03-13	C401	STATUS
2009-03-13	C401	ORDER ENTERED
2009-03-13	C401	ORDER ENTERED
2009-03-13	C401	ORDER ENTERED
2009-03-13	C401	ORDER ENTERED
2009-03-13	C401	REMAND
2009-03-12	C401	DEF PRESENT IN CUSTODY
2009-03-12	C401	STATUS
2009-03-12	C401	HEARING ON MOTION FOR SANCTIONS
2009-03-12	C401	REMAND
2009-03-11	C401	DEF PRESENT IN CUSTODY
2009-03-11	C401	STATUS
2009-03-11	C401	HEARING ON MOTION
2009-03-11	C401	SET STATUS DATE
2009-03-11	C401	REMAND
2009-03-06	C401	DEF PRESENT IN CUSTODY
2009-03-06	C401	HEARING
2009-03-06	C401	SET STATUS DATE
2009-03-06	C401	REMAND
2009-03-05	C401	WRIT ISSUED
2009-02-23	C401	WRIT ISSUED
2009-02-19	C401	CONFERENCE
2009-02-17	C401	HEARING ON MOTION FOR SANCTIONS
2009-02-17	C401	ORDER ENTERED
2009-02-17	C401	SET CONFERENCE DATE
2009-02-10	C401	HEARING ON MOTION FOR SANCTIONS
2009-02-09	C401	HEARING ON MOTION FOR SANCTIONS
2009-01-30	C401	STATUS
2009-01-30	C401	ORDER ENTERED
2009-01-27	C401	JURY TRIAL
2009-01-26	C403	JURY TRIAL
2009-01-23	C401	HEARING
2009-01-23	C401	MOTION OF COURT
2009-01-23	C401	ORDER ENTERED
2009-01-16	C401	CASE RESOLUTION CONFERENCE
2009-01-09	C403	HEARING
2009-01-09	C401	MOTION OF DEFENSE
2009-01-09	C401	TRIAL CONTINUANCE GRANTED
2009-01-09	C401	DEFENDANT'S PRESENCE WAIVED
2009-01-09	C401	HEARING DATE SET
2009-01-09	C401	SET JURY TRIAL DATE
2008-12-05	C401	MOTION OF COURT

Event Date	Courtroom	Event Type
2008-11-07	C401	CASE RESOLUTION CONFERENCE DATE SET
2008-11-07	C401	SET JURY TRIAL DATE
2008-11-07	C401	ENTER AGREED ORDER
2008-10-31	C401	SET JURY TRIAL DATE
2008-10-31	C401	BY AGREEMENT
2008-10-20	C401	SET JURY TRIAL DATE
2008-10-08	C404	STATUS
2008-10-03	C404	MOTION OF STATE
2008-10-03	C405	MOTION OF STATE
2008-10-03	C404	MOTION OF COURT
2008-10-03	C405	CAUSE REASSIGNED
2008-10-03	C405	ORDER ENTERED
2008-09-22	C403	MOTION OF COURT
2008-09-19	C403	MOTION OF COURT
2008-09-19	C403	DEFENDANT'S PRESENCE WAIVED
2008-09-19	C403	CAUSE REASSIGNED
2008-09-19	C403	SET STATUS DATE
2008-09-05	C403	STATUS
2008-09-04	C403	STATUS OF WRIT
2008-09-04	C403	ORDER ENTERED
2008-09-04	C403	SET STATUS DATE
2008-09-04	C403	REMAND
2008-08-29	C403	STATUS
2008-08-29	C403	WRIT TO ISSUE
2008-08-22	C403	STATUS
2008-08-22	C403	ORDER ENTERED
2008-08-22	C403	SET STATUS DATE
2008-08-08	C403	STATUS
2008-08-08	C403	MOTION OF DEFENSE
2008-08-08	C403	SET STATUS DATE
2008-08-08	C403	DEFENDANT'S PRESENCE WAIVED
2008-07-31	C205	ORDER ENTERED
2008-07-18	C403	HEARING ON MOTION
2008-07-18	C403	ENTER AGREED ORDER
2008-06-06	C403	STATUS
2008-06-06	C403	HEARING ON MOTION
2008-06-06	C403	ORDER ENTERED
2008-06-06	C403	WRIT TO ISSUE
2008-06-06	C403	HEARING DATE SET
2008-06-06	C403	SET JURY TRIAL DATE
2008-04-25	C403	HEARING ON MOTION
2008-04-25	C403	MOTION WITHDRAWN
2008-04-25	C403	SET STATUS DATE
2008-04-11	C403	HEARING
2008-03-14	C403	HEARING ON MOTION
2008-03-14	C403	ORDER ENTERED
2008-03-14	C403	HEARING DATE SET
2008-03-07	C403	HEARING ON MOTION

Event Date	Courtroom	Event Type
2008-02-08	C403	HEARING ON MOTION
2008-02-08	C403	ORAL MOTION
2007-07-27	C403	STATUS
2007-07-27	C403	MOTION OF STATE
2007-07-27	C403	ENTER AGREED ORDER
2007-07-27	C403	ORDER ENTERED
2007-07-27	C403	APPOINT PUBLIC DEFENDER
2007-07-27	C403	DEFENDANT'S PRESENCE WAIVED
2007-07-23	C403	STATUS
2007-06-29	C403	HEARING ON MOTION
2007-06-29	C403	DEF PRESENT IN CUSTODY
2007-06-29	C403	SET STATUS DATE
2007-06-29	C403	DEFENDANT REMANDED ON OTHER CHARGES
2007-06-22	C403	HEARING ON MOTION
2007-06-18	C403	HEARING ON MOTION
2007-06-18	C403	DEFENDANT'S PRESENCE WAIVED
2007-06-18	C403	WRIT TO ISSUE
2007-06-15	C403	HEARING
2007-06-12	C403	STATUS
2007-06-12	C403	HEARING DATE SET
2007-06-11	C403	MOTION OF STATE
2007-05-11	C403	HEARING
2007-05-11	C403	MOTION OF DEFENSE
2007-05-11	C403	RESPONSE FILED
2007-04-17	C403	STATUS
2007-04-17	C403	COURT APPOINTS COUNSEL
2007-04-12	C403	RULING
2007-04-05	C403	STATUS
2007-04-05	C403	MOTION FILED
2007-03-29	C403	STATUS
2007-03-08	C403	MOTION OF STATE
2007-03-08	C403	APPOINT PUBLIC DEFENDER
2007-03-08	C403	DEFENDANT'S PRESENCE WAIVED
2007-03-08	C403	ORDER ENTERED
2007-03-08	C403	WRIT TO ISSUE
2007-03-08	C403	HEARING DATE SET
2007-03-08	C403	SET STATUS DATE
2006-11-17	C404	MOTION OF DEFENSE
2006-11-17	C404	APPELLATE DEPUTY DEFENDER APPOINTED
2006-11-17	C404	CLERK TO PREPARE, FILE NOTICE OF APPEAL
2006-11-17	C404	REPORTERS TO PREPARE, FILE ROP
2006-11-17	C404	CLERK TO PREPARE, CERTIFY APPEAL RECORD
2006-10-20	C405	HEARING
2006-10-20	C404	HEARING
2006-10-20	C405	REMAND
2006-10-20	C404	DEFENDANT IN CUSTODY ON OTHER CHARGES
2006-10-20	C404	DEFENDANT REMANDED ON OTHER CHARGES
2006-10-04	C405	HEARING ON MOTION

Event Date	Courtroom	Event Type
2006-10-04	C405	ORDER ENTERED
2006-09-21	C405	STATUS
2006-09-21	C404	STATUS
2006-09-21	C404	STATUS
2006-09-21	C404	HEARING DATE SET
2006-09-21	C404	ORDER ENTERED
2006-09-15	C405	MOTION OF DEFENSE
2006-09-15	C405	SET STATUS DATE
2006-09-15	C405	RELEASED ON CONTINUED BOND
2006-07-21	C404	DEF PRESENT IN CUSTODY
2006-07-21	C404	DEF PRESENT IN CUSTODY
2006-07-21	C404	PROOFS HEARD
2006-07-21	C404	JURY RETURNS VERDICT
2006-07-21	C404	PROOFS CLOSED
2006-07-21	C404	JURY POLLED, ANSWER IN AFFIRMATIVE
2006-07-21	C404	DEFENSE RESTS
2006-07-21	C404	JURY DISCHARGED
2006-07-21	C404	CLOSE
2006-07-21	C404	JURY INSTRUCTED
2006-07-21	C404	MOTION OF DEFENSE
2006-07-21	C404	ALTERNATE JUROR(S) DISCHARGED
2006-07-21	C404	ORDER ENTERED
2006-07-21	C404	RETIRE IN OFFICERS CHARGE
2006-07-21	C404	REMAND
2006-07-21	C404	REMAND
2006-07-20	C404	PROOFS HEARD
2006-07-20	C404	PROOFS CLOSED
2006-07-20	C404	STATE RESTS
2006-07-20	C404	HRG ON DEFS MOTION-DIRECTED VERDICT
2006-07-20	C404	PROOFS HEARD
2006-07-20	C404	REMAND
2006-07-19	C404	DEF PRESENT IN CUSTODY
2006-07-19	C404	PROOFS HEARD
2006-07-19	C404	MOTION OF STATE
2006-07-19	C404	CAUSE ADJOURNED
2006-07-19	C404	OVER DEFENDANT'S OBJECTION
2006-07-19	C404	REMAND
2006-07-19	C404	DENIED
2006-07-19	C404	PROOFS HEARD
2006-07-18	C404	JURY TRIAL
2006-07-18	C404	DEF PRESENT IN CUSTODY
2006-07-18	C404	OPENING STATEMENTS
2006-07-18	C404	PROOFS HEARD
2006-07-18	C404	ORDER ENTERED
2006-07-18	C404	REMAND
2006-07-17	C405	JURY TRIAL
2006-07-17	C404	DEF PRESENT IN CUSTODY
2006-07-17	C404	DEF PRESENT IN CUSTODY

Event Date	Courtroom	Event Type
2006-07-17	C404	JURY CALLED
2006-07-17	C404	CAUSE ADJOURNED
2006-07-17	C404	CAUSE ADJOURNED
2006-07-17	C404	REMAND
2006-07-17	C404	REMAND
2006-07-07	C404	JURY TRIAL
2006-05-24	C405	HEARING ON MOTION
2006-05-22	C404	HEARING ON MOTION
2006-05-22	C404	DEF PRESENT IN CUSTODY
2006-05-22	C404	MOTION OF COURT
2006-05-22	C404	ORDER ENTERED
2006-05-22	C404	SET JURY TRIAL DATE
2006-05-22	C404	REMAND
2006-04-18	C405	JURY TRIAL
2006-04-17	C405	STATUS
2006-04-17	C404	DEF PRESENT IN CUSTODY
2006-04-17	C404	MOTION IN LIMINE
2006-04-17	C404	MOTION IN LIMINE
2006-04-17	C404	MOTION IN LIMINE
2006-04-17	C404	MOTION IN LIMINE
2006-04-17	C404	MOTION IN LIMINE
2006-04-17	C404	MOTION IN LIMINE
2006-04-17	C404	HEARING DATE SET
2006-04-17	C404	SUBPOENAS CONTINUED
2006-04-17	C404	ORDER ENTERED
2006-04-17	C404	REMAND
2006-04-13	C404	HEARING ON MOTION
2006-04-13	C404	SET STATUS DATE
2006-04-13	C404	ORDER ENTERED
2006-04-12	C405	HEARING
2006-04-12	C405	MOTION FILED
2006-04-11	C405	HEARING
2006-04-11	C405	DEFENDANT IN CUSTODY ON OTHER CHARGES
2006-04-11	C405	BOND SET
2006-04-11	C405	REMAND
2006-03-30	C405	WRIT ISSUED
2006-03-14	C405	HEARING DATE SET
2006-03-14	C405	SET STATUS DATE
2006-03-10	C405	HEARING DATE SET
2006-03-09	C405	HEARING DATE SET
2006-03-03	C405	STATUS
2006-03-03	C405	ENTER AGREED ORDER
2006-03-02	C405	STATUS
2005-09-23	C405	HEARING
2005-09-22	C405	HEARING ON MOTION
2005-09-22	C405	SET STATUS DATE
2005-09-16	C405	HEARING
2005-09-09	C405	HEARING

Event Date	Courtroom	Event Type
2005-08-26	C405	HEARING
2005-08-26	C405	ORDER ENTERED
2005-08-19	C405	STATUS
2005-07-22	C405	HEARING ON MOTION
2005-07-21	C405	MOTION OF DEFENSE
2005-06-02	C405	STATUS
2005-05-26	C405	MOTION OF DEFENSE
2005-05-26	C405	ORDER ENTERED
2005-04-12	C405	STATUS
2005-04-07	C405	STATUS
2005-04-07	C405	ORDER ENTERED
2005-04-07	C405	ORDER ENTERED
2005-04-04	C405	STATUS
2005-04-04	C405	DEF PRESENT IN CUSTODY
2005-04-04	C405	REMAND
2005-03-29	C405	MOTION OF DEFENSE
2005-03-22	C405	STATUS OF WRIT
2005-03-22	C405	WRIT TO ISSUE
2005-03-22	C405	SET STATUS DATE
2005-03-18	C405	MOTION OF DEFENSE
2005-03-18	C405	SET STATUS DATE
2005-03-17	C405	MOTION OF DEFENSE
2005-03-08	C405	STATUS
2005-01-28	C405	MOTION OF DEFENSE
2005-01-28	C405	ORDER ENTERED
2005-01-14	C405	MOTION OF DEFENSE
2005-01-14	C405	ORDER ENTERED
2004-12-14	C405	MOTION OF DEFENSE
2004-12-14	C405	ORDER ENTERED
2004-10-14	C405	STATUS
2004-10-12	C405	STATUS
2004-10-05	C405	STATUS
2004-10-05	C405	BY AGREEMENT
2004-09-16	C405	STATUS
2004-09-16	C405	BY AGREEMENT
2004-08-19	C405	STATUS
2004-08-12	C405	STATUS
2004-04-15	C405	STATUS
2004-04-15	C405	BY AGREEMENT
2004-04-13	C405	STATUS
2004-03-18	C405	STATUS
2004-03-18	C405	ORDER ENTERED
2004-03-04	C405	STATUS OF WRIT
2004-03-04	C405	SET STATUS DATE
2004-02-27	C405	STATUS OF WRIT
2004-01-15	C405	STATUS OF MANDATE
2000-12-04	C401	HEARING
2000-12-04	C401	CLERK TO PREPARE, FILE NOTICE OF APPEAL

Event Date	Courtroom	Event Type
2000-12-04	C401	APPELLATE DEPUTY DEFENDER APPOINTED
2000-11-13	C401	HEARING ON MOTION
2000-09-26	C401	DEF PRESENT IN CUSTODY
2000-09-26	C401	HEARING
2000-09-26	C401	JURY TRIAL WAIVED
2000-09-26	C401	BENCH TRIAL
2000-09-26	C401	OPENING STATEMENTS
2000-09-26	C401	PROOFS HEARD
2000-09-26	C401	STATE RESTS
2000-09-26	C401	CLOSING ARGUMENTS
2000-09-26	C401	DENIED
2000-09-26	C401	REMAND
2000-09-26	C401	DEF ADVISED OF RIGHT TO APPEAL
2000-09-19	C401	MOTION OF DEFENDANT
2000-09-19	C401	DEF PRESENT IN CUSTODY
2000-09-19	C401	REMAND
2000-08-22	C401	STATUS
2000-08-22	C401	DEF PRESENT IN CUSTODY
2000-08-22	C401	REMAND
2000-08-10	C401	HEARING
2000-08-07	C401	HEARING ON MOTION
2000-07-19	C401	HEARING
2000-07-12	C401	STATUS
2000-07-10	C401	HEARING ON MOTION
2000-07-10	C401	MOTION OF DEFENSE
2000-06-22	C401	HEARING ON MOTION
2000-06-02	C401	DEF PRESENT IN CUSTODY
2000-06-02	C401	STATUS
2000-06-02	C401	REMAND
2000-06-01	C401	DEF PRESENT IN CUSTODY
2000-06-01	C401	HEARING ON MOTION
2000-06-01	C401	REMAND
2000-05-30	C401	PRE-TRIAL
2000-05-24	C401	HEARING ON MOTION
2000-05-24	C401	DEF PRESENT IN CUSTODY
2000-05-24	C401	REMAND
2000-05-16	C401	STATUS OF MANDATE
2000-04-19	C401	HEARING
2000-04-19	C401	DEF PRESENT IN CUSTODY
2000-03-06	C405	HEARING
2000-03-06	C405	HEARING DATE SET
2000-02-14	C405	HEARING
2000-02-14	C405	HEARING DATE SET
2000-02-03	C405	MOTION OF DEFENSE
2000-02-03	C405	HEARING ON MOTION
2000-02-03	C405	SET STATUS DATE
2000-01-25	C405	STATUS
2000-01-25	C405	HEARING DATE SET

Event Date	Courtroom	Event Type
2000-01-14	C404	STATUS
2000-01-14	C404	SET STATUS DATE
1999-12-03	C404	STATUS
1999-11-05	C404	HEARING
1999-10-22	C404	HEARING
1999-10-15	C405	HEARING
1999-10-14	C405	MOTION OF DEFENSE
1999-10-14	C405	SET STATUS DATE
1997-10-31	C101	STATUS
1997-08-22	C507	STATUS
1997-08-06	C101	HEARING ON MOTION
1997-08-01	C405	HEARING ON MOTION
1994-11-30	C220	HEARING ON MOTION
1994-09-15	C403	HEARING ON MOTION
1994-09-12	C405	STATUS
1994-07-22	C405	HEARING ON MOTION
1994-06-01	C202	HEARING ON MOTION
1994-05-20	C101	STATUS
1994-05-19	C405	STATUS
1994-04-20	C220	JURY TRIAL
1994-04-19	C220	JURY TRIAL
1994-04-18	C220	JURY TRIAL
1994-03-03	C305	HEARING ON MOTION
1994-02-24	C304	HEARING ON MOTION
1994-02-17	C101	HEARING ON MOTION
1994-02-10	C203	HEARING ON MOTION
1994-01-27	C101	STATUS
1994-01-13	C404	HEARING ON MOTION
1994-01-12	C202	HEARING ON MOTION
1994-01-04	C220	STATUS
1993-12-09	C404	STATUS
1993-11-23	C401	STATUS
1993-11-18	C101	STATUS
1993-11-16	C404	STATUS
1993-11-10	C101	STATUS
1993-11-09	C101	STATUS
1993-11-02	C402	HEARING ON MOTION
1993-11-01	C402	STATUS
1993-10-20	C402	STATUS
1993-10-15	C403	PRE-TRIAL
1993-10-08	C403	ARRAIGNMENT
1993-10-07	C101	ARRAIGNMENT
1993-10-01	C120	BOND HEARING

**IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT
LAKE COUNTY, ILLINOIS**

PEOPLE OF THE STATE OF ILLINOIS,
Plaintiff/Petitioner,

v.

RICHARD KASTMAN,
Defendant/Respondent

General No. 93 CM 4621

**PETITION TO REVOKE CONDITIONAL RELEASE
AND RECOMMIT RESPONDENT**

NOW COME the People of the State of Illinois, by KWAME RAOUL, Illinois Attorney General, through Assistant, Michael Gambach, and in support of this Petition state as follows:

1. Respondent was previously adjudicated a Sexually Dangerous Person as defined by the Sexually Dangerous Persons ("SDP") Commitment Act ("Act"), and subsequently committed to the guardianship and custody of the Illinois Department of Corrections ("IDOC") for institutional care in a secure setting.
2. On January 11, 2016, Respondent was placed on conditional release pursuant to 725 ILCS 205/9(e) after the Court reviewed and approved the Agreed Order of Conditional Release.
3. The Court modified the Agreed Order of Conditional Release on September 4, 2018, September 15, 2020, March 3, 2021, and August 16, 2021.
4. This Petition to Revoke and Recommit Respondent is brought pursuant to the Act at 725 ILCS 205/9(e).
5. Since being released and placed in the community, Respondent has violated the following conditions of his conditional release plan:
 - a. Respondent violated condition #1 which states:
"Mr. Kastman shall not violate any criminal statute of the State of Illinois."
6. The Respondent has violated the terms of his conditional release in that:
 - a. On October 1, 2021, he knowingly engaged in a sex act, masturbation, in the presence of a child, S.W., a juvenile under the age 13, with knowledge that a child or one whom he believes to be a child would view his act., in violation of 720 ILCS 5/11-9.1(a)(1). The Respondent was also in violation of Chapter 720, Section 5/11-30(a)(2) for his act of masturbation, an act of lewd exposure of the

body done with the intent to arouse or satisfy his sexual desire, in a public place where the conduct may reasonably be expected to be viewed by others, after having been previously convicted of public indecency on at least two prior occasions.


- b. On October 4, 2021 he knowingly engaged in a sex act, masturbation, in the presence of a child, S.W., a juvenile under the age of 13, and/or S.S., a juvenile under the age of 17, with knowledge that a child or one whom he believes to be a child would view his act in violation of 720 ILCS 5/11-9.1(a)(1). The Respondent was also in violation of Chapter 720, Section 5/11-30(a)(2) for his act of masturbation, an act of lewd exposure of the body done with the intent to arouse or satisfy his sexual desire, in a public place where the conduct may reasonably be expected to be viewed by others, after having been previously convicted of public indecency on at least two prior occasions.
7. The Respondent's violation of terms of his conditional release plan requires his conditional release be revoked. 725 ILCS 205/9(e).

WHEREFORE, the People of the State of Illinois respectfully request that this Honorable Court, pursuant to section 9(e) of the Act and section 5-6-4 of the Unified Code of Corrections (730 ILCS 5/5-6-4):

- A. Find that Respondent violated the terms of his conditional release plan and revoke respondent's conditional release;
- B. Find that the respondent should return to secure institutional care in the custody of IDOC for care, control, and treatment under the terms of the original commitment until further order of court;
- D. For such other and further relief as is just and equitable.

Respectfully submitted,

KWAME RAOUL
Illinois Attorney General

By: 
Michael Gambach
Assistant Attorney General
Office of the Illinois Attorney General
100 W. Randolph, 12th Floor
Chicago, IL 60601
773.590.7843 (p)
Michael.Gambach@ilag.gov

Clerk of the Circuit Court Public
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Search > Select a Case > Case Number 21CF00001498, PEOPLE VS KASTMAN

Court Case Details

Case Number: 21CF00001498

Case Status: ACTIVE

Case Title: PEOPLE VS KASTMAN

Filed Date: 2021-10-05

Case Type: CRIMINAL FELONY

Parties on Case

Charges/Disposition/Sentences

Court Events

Documents Filed

Financials

FUTURE COURT EVENTS

Event Date	Event Time	Courtroom	Event Type
2022-01-07	09:00:00	T610	CASE MANAGEMENT CONFERENCE

PREVIOUS COURT EVENTS

Event Date	Courtroom	Event Type
2021-12-13	T610	DEFENDANT'S PRESENCE WAIVED
2021-12-13	T610	CASE MANAGEMENT CONFERENCE
2021-12-13	T610	DEFENDANT REMAINS IN CUSTODY
2021-11-19	T610	SUBPOENAED MATERIALS TENDERED
2021-11-18	T610	DEF PRESENT IN CUSTODY
2021-11-18	T610	ARRAIGNMENT
2021-11-18	T610	NOT GUILTY PLEA
2021-11-18	T610	RECIPROCAL DISCOVERY ORDERED
2021-11-18	T610	CASE MANAGEMENT CONFERENCE DATE SET
2021-11-18	T610	REMAND
2021-11-15	T511	PETITION FILED
2021-11-15	T511	PETITION FILED
2021-11-15	T511	ORDER ENTERED
2021-11-15	T511	ORDER ENTERED
2021-11-05	T020	PRELIMINARY HEARING
2021-10-27	T612	RETURN INDICTMENT
2021-10-27	T612	BOND SET
2021-10-27	T612	SET ARRAIGNMENT DATE
2021-10-27	T612	STATE TO NOTIFY DEF,COUNSEL OF DATE
2021-10-05	T612	MOTION OF STATE
2021-10-05	T020	DEF PRESENT IN CUSTODY
2021-10-05	T020	APPOINT PUBLIC DEFENDER
2021-10-05	T612	ORDER ENTERED

A54

Event Date	Courtroom	Event Type
2021-10-05	T020	ATTORNEY GIVEN LEAVE TO FILE APPEARANCE
2021-10-05	T020	BOND HEARING
2021-10-05	T020	GERSTEIN HEARING
2021-10-05	T020	BOND SET
2021-10-05	T020	TO BE SUPERVISED BY PRETRIAL SERVICES
2021-10-05	T020	SET PRELIMINARY HEARING DATE
2021-10-05	T020	REMAND



SHERIFF'S OFFICE

JOHN D. IDLEBURG, SHERIFF

Inmate Detail



Name: RICHARD ANTHONY KASTMAN

Address: WAUKEGAN, IL 60085

Booking #: L58916

Sex: M

Status: Full Custody

[Visit Inmate](#)

[Fund Inmate Account](#)

Confined	Court Date	Disposition	Bond Type	Bond Amount	Offense
10/05/2021	01/07/2022 09:00	PENDING	TEN	\$500,000.00	SEX EXPLOIT CHILD<13/SEX ACT
10/05/2021	01/07/2022 09:00	PENDING			PUBLIC INDECENCY/EXPOSURE/3+
10/05/2021	01/07/2022 09:00	PENDING			SEX EXPLOIT CHILD<13/SEX ACT
10/05/2021	01/07/2022 09:00	PENDING			PUBLIC INDECENCY/EXPOSURE/3+
10/05/2021	01/07/2022 09:00	PENDING			PUBLIC INDECENCY/LEWD EXPOSURE
10/05/2021	01/07/2022 09:00	PENDING			PUBLIC INDECENCY/LEWD EXPOSURE
10/05/2021	01/07/2022 09:00	PENDING			DISORDERLY CONDUCT
10/05/2021	01/07/2022 09:00	PENDING			DISORDERLY CONDUCT
10/05/2021	01/07/2022 09:00	PENDING			DISORDERLY CONDUCT
10/05/2021	01/07/2022 09:00	PENDING			DISORDERLY CONDUCT

1 2

Return

STATE OF ILLINOIS)
) SS
 COUNTY OF LAKE)

IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT
 LAKE COUNTY, ILLINOIS

FILED

OCT 05 2021

People)
)
)
)
 VS.)
)
Kastman)
)
)

General No.

938 ~~2021-11-13~~

93cm 4621

REASSIGNMENT ORDER

This cause being referred to the Office of the Chief Judge for reassignment of Judge for the following reason:

Recusal due to:

- ☐ Motion for Substitution by Plaintiff. Specify _____
- ☐ Motion for substitution by Defendant. Specify _____
- ☐ Judicial Conflict.
- ☐ Other _____

Administrative Reassignment due to:

- ☐ Consolidation of Cases-(Case # of C0-Def(s)) _____
- ☐ Previous involvement by Judge to whom case is to be reassigned. (Probation Case #) _____
- ☒ Other Consolidate with 21CF 1498

IT IS HEREBY ORDERED THAT pursuant to assignment by the Office of the Chief Judge this cause be
 reassigned to the Honorable Judge BODRAS
 for _____

ENTER:

PaB M

JUDGE

Dated at Waukegan, IL this

5 day of October, 2021

A57

No. 1-17-2592

E-FILED
Transaction ID: 1-17-2592
File Date: 10/10/2018 9:29 AM
Thomas D. Palella
Clerk of the Appellate Court
APPELLATE COURT 1ST DISTRICT

IN THE
APPELLATE COURT OF ILLINOIS
FIRST JUDICIAL DISTRICT

PEOPLE OF THE STATE OF	)	On Appeal from the Circuit Court of
ILLINOIS,	)	Cook County, Illinois, County
	)	Department, Criminal Division
Plaintiff-Appellant,)	
)	
v.)	
)	
KARI FORD,)	
	)	No. 78 CR 0094201
Defendant-Appellee.)	
)	
)	
ILLINOIS DEPARTMENT OF)	
CORRECTIONS,	)	The Honorable
	)	ALFREDO MALDONADO,
Intervenor-Appellant.	)	Judge Presiding.

**INTERVENOR-APPELLANT'S MOTION
TO DISMISS APPEAL AS MOOT**

Pursuant to Illinois Supreme Court Rule 361, Intervenor-Appellant, Illinois Department of Corrections (the Department), through its attorney, Lisa Madigan, Attorney General of Illinois, requests that this Court dismiss this appeal as moot and vacate the circuit court's unreviewed order of September 21, 2017, stating as follows.

1. This appeal arises from an injunction that the circuit court entered against the Department's Director on September 21, 2017. R. C204-11. It required that he, as "guardian," pay the reasonable living expenses of Defendant-Appellee Kari Ford during the time that Ford lives on conditional release from his civil

commitment at the Big Muddy Correctional Center. R. C211. At the time, Ford was housed at Big Muddy after being declared to be a sexually dangerous person in circuit court proceedings in 1979. R. C71; *see* 725 ILCS 205/8 (2016). On January 23, 2017, Ford secured an order from the circuit court allowing his conditional release, R. C133, but Ford could not meet the Department's conditions because he could not afford his own housing when living in the community, *see* R. C211-12. The September 2017 order was designed to allow Ford to be released even though he had no means to pay for the reasonable expenses of his own care. R. C211. The Department filed this appeal pursuant to Illinois Supreme Court Rule 307(a)(1), arguing that the circuit court had exceeded its jurisdiction where the Director and Department had sovereign immunity and, regardless, had misconstrued the relevant law. R. C242.

2. After the Department's requests for stays of the circuit court's September 2017 order were denied by both the circuit court and this Court, R. C219; AT Br. A16, Ford took up residence at a half way house funded by the Department, AE Br. 3-4. But in June 2018, Ford was removed and taken into custody based on allegations that he violated the terms of his conditional release. *See id.* at 4. Those proceedings remain pending. Because Ford is no longer living in the community, the circuit court's September 2017 order has no current effect. This appeal is therefore moot because the relief that the Department seeks — a reversal of the circuit court's order — is no longer relevant. *See Holly v. Montes*, 231 Ill. 2d 153, 157 (2008) (appeal

becomes moot when intervening events precludes reviewing court from granting effective relief to complaining party).

3. Nor does any exception to the mootness doctrine apply. The public interest exception to the mootness doctrine requires a party to make a “clear showing” that the question presented is of a public nature; there is a need for an authoritative determination for the future guidance of public officers; and there is a likelihood of a future recurrence of the question. *In re Alfred H.H.*, 233 Ill. 2d 345, 355-56 (2009). This exception is “narrowly construed,” *id.*, and the court will not review the case “merely to set precedent or guide future litigation,” *id.* at 357 (internal quotation marks and citation omitted). It applies only “where the law is in disarray or there is conflicting precedent.” *Id.* at 358 (internal quotation marks and citation omitted). Here, Ford has not even attempted to make such a showing, arguing only the merits, AE Br. 5-34, even though recognizing that his circumstance has substantially changed, *id.* at 3-4.

4. Likewise, the “capable of repetition yet avoiding review exception” does not apply. This exception may be applied where the challenged action is of a duration too short to be fully litigated prior to its cessation and there is a reasonable expectation that the complaining party would be subjected to the same action again. *Id.* But here, the only reason that this Court was not afforded sufficient time to reach the issue presented is because Ford’s release was cut short by conduct unrelated to the parties’ dispute. True, if Ford secures conditional release again, the

circuit court will have to revisit the question and fashion a new order, but there is no reason to believe that *that* order will not remain in place long enough for the parties to secure a ruling from this Court if they continue to disagree.

5. Lastly, the collateral consequences exception does not apply because there are no legal consequences to Ford or the Department from the dismissal of this appeal as being moot. *See Alfred H.H.*, 233 Ill. 2d at 363 (“Every collateral consequence that can be identified already existed as a result of respondent’s previous adjudications and felony conviction.”). Indeed, the supreme court has explained that when a dispute becomes moot on appeal, the correct procedure is for the unreviewed circuit court’s order to be vacated, meaning that there cannot be prejudice because the parties are placed back to the same legal positions occupied before the court’s order was ever entered. *See In re Adoption of Walgreen*, 186 Ill. 2d 362, 366 (1999); *People ex rel. Black v. Dukes*, 96 Ill. 2d 273, 278 (1983); *Madison Park Bank v. Zagel*, 91 Ill. 2d 231, 236

For these reasons, this Court cannot provide the Department meaningful relief in this appeal. Because no mootness exception applies, this Court should dismiss the appeal and vacate the circuit court’s unreviewed order.

Respectfully submitted,

LISA MADIGAN

Attorney General
State of Illinois

DAVID L. FRANKLIN

Solicitor General

CARL J. ELITZ

Assistant Attorney General
100 West Randolph Street
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CivilAppeals@atg.state.il.us
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celitz@atg.state.il.us

100 West Randolph Street
12th Floor
Chicago, Illinois 60601
(312) 814-3312

Attorneys for Intervenor-Appellant

October 10, 2018

CERTIFICATE OF FILING AND SERVICE

I certify that on October 10, 2018, I electronically filed the foregoing **Intervenor-Appellant's Motion to Dismiss Appeal as Moot** with the Clerk of the Court for the Appellate Court of Illinois, First District, by using the Odyssey eFileIL system.

I further certify that the other participant[s] in this appeal, named below, are registered service contacts on the Odyssey eFileIL system, and thus will be served by the Odyssey eFileIL system:

For Kari Ford:

maria.hawilo@law.northwestern.edu
tgeraghty@law.northwestern.edu

For State's Attorney of Cook County:

eserve.criminalappeals@cookcounty.gov

Under penalties as provided by law pursuant to section 1-109 of the Illinois Code of Civil Procedure, I certify that the statements set forth in this instrument are true and correct to the best of my knowledge, information, and belief.

/s/ Carl J. Elitz

Assistant Attorney General

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12th Floor

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Elitz

No. 1-17-2592

IN THE
APPELLATE COURT OF ILLINOIS
FIRST JUDICIAL DISTRICT

PEOPLE OF THE STATE OF	)	On Appeal from the Circuit Court of
ILLINOIS,	)	Cook County, Illinois, County
	)	Department, Criminal Division
Plaintiff-Appellant,)	
)	
v.)	
)	
KARI FORD,)	
	)	No. 78 CR 0094201
Defendant-Appellee.)	
)	
ILLINOIS DEPARTMENT OF)	
CORRECTIONS,	)	The Honorable
	)	ALFREDO MALDONADO,
Intervenor-Appellant.	)	Judge Presiding.

ORDER

THIS CAUSE COMING TO BE HEARD on Intervenor-Appellant's motion to dismiss appeal as moot, due notice having been given, and the court being fully advised.

IT IS HEREBY ORDERED that the motion is ~~GRANTED~~ / DENIED.

ORDER ENTERED

OCT 25 2018

ENTER:

APPELLATE COURT, FIRST DISTRICT

Carl J. Elitz
Illinois Attorney General's Office
Civil Appeals Division

Justice

Justice

Justice

**IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT
WAYNE COUNTY, ILLINOIS**

PEOPLE OF THE STATE OF ILLINOIS

vs.

GREG WILKIN

Defendant.

)
)
) **Case No. 1996- CF-67**
)
)
)

FILED
JUL 23 2021

**ORDER FOR
GREG WILKIN PLAN
FOR CONDITIONAL RELEASE**

Patricia J. Antkowiak
CIRCUIT CLERK, WAYNE CO., IL

In accordance with the Sexually Dangerous Persons Act, (725 ILCS 205/1 *et seq.*) and this Court's Order dated 7-23-21, the following is the Plan prepared by the Illinois Attorney General's Office for the conditional release of Greg Wilkin as set forth at 725 ILCS 205/9(e).

In accordance with the provisions of 725 ILCS 205/9(e), Greg Wilkin is ORDERED to abide by the following conditions of his release into the community. Greg Wilkin shall be given a certificate of compliance (Attachment "A") setting forth the conditions hereinafter listed and shall indicate by his initials and signature that he (1) has received a copy of the certificate of conditions; (2) understands and agrees to abide by all such conditions; and (3) understands that his failure to abide by these conditions of his release as ordered by this Court may result in the issuance of an arrest warrant, the revocation of his release and his return to the Illinois Department of Corrections.

IT IS HEREBY ORDERED BY THIS COURT that Greg Wilkin shall comply with the following conditions of release:

1. Mr. Wilkin shall not violate any criminal statute of any jurisdiction. 730 ILCS 5/5-6-3(a)(1); 730 ILCS 5/3-3-7(a)(1); 725 ILCS 207/40(b)(5)(A).
2. Mr. Wilkin shall report to an Illinois Department of Corrections (IDOC) Parole Agent or other Conditional Release Supervising Agent as directed by the court and IDOC. 730 ILCS 5/5-6-3(a)(2); 730 ILCS 5/3-3-7(a)(3); 725 ILCS 207/40(b)(5)(B).
3. Mr. Wilkin will be responsible for obtaining a residence prior to release. Mr. Wilkin shall provide addresses for IDOC Parole to investigate for suitability for residence in the community. Once an address is approved by IDOC Parole, Mr. Wilkin shall reside only in that residence. Mr. Wilkin shall not change or establish any other living arrangement or residence without prior approval of IDOC Parole. 730 ILCS 5/3-3-7(b-1)(1); 725 ILCS 207/40(b)(5)(W).

4. Mr. Wilkin shall permit the Parole Agent to visit his residence, employment, or elsewhere at any time to the extent necessary to discharge such agent's duties. *Modified* 730 ILCS 5/5-6-3(a)(5); 730 ILCS 5/3-3-7(a)(4); 725 ILCS 207/40(b)(5)(L)(ii). Mr. Wilkin shall submit to the search of his person, residence, vehicle or any personal or real property under his control at any time by IDOC Parole and designated law enforcement persons. *Modified* 730 ILCS 5/3-3-7(a)(10); 725 ILCS 207/40(b)(5)(J).
5. Mr. Wilkin shall not leave his county of residence except with the prior permission of his IDOC parole agent and he shall provide the Agent with written travel routes to and from such destinations, making immediate notification to IDOC of any emergency deviations from the approved travel route. Mr. Wilkin shall not leave the State of Illinois without the consent of the court or, in circumstances in which the reason for the absence is of such an emergency nature that prior consent by the court is not possible, without the prior notification and approval of IDOC Parole. 730 ILCS 5/5-6-3(a)(4); 730 ILCS 5/3-3-7(a)(8),(9); 725 ILCS 207/40 (b)(5)(D),(Y).
6. Mr. Wilkin shall as deemed necessary by the Department, be monitored continuously (24 hours a day/7 days a week) by global positioning satellite (GPS) system for the duration of conditional release. An ankle bracelet will be affixed to the Defendant which is to remain on his body at all times. The GPS system will consist of device(s) placed in the Defendant's home and it is the responsibility of Mr. Wilkin to ensure that the equipment is not tampered with in any way. It is also Mr. Wilkin's responsibility to ensure that the ankle bracelet is charged in accordance with the guidelines set forth by the IDOC Parole Agent. If the ankle bracelet or any of the other devices are tampered with or destroyed the Defendant will be charged a fee to repair or replace the unit and can face criminal charges for damaging the unit(s). *Modified* 730 ILCS 5/5-6-3(a)(10)(iii); 730 ILCS 5/3-3-7(a)(7.7),(b-1)(6); 725 ILCS 207/40.
7. Mr. Wilkin shall not possess a firearm or any other type of dangerous weapon, including but not limited to, hunting knife, bow and arrow; and outside his residence Mr. Wilkin shall not possess or have under his control any knife, razor blade, box cutter, or any other sharp instrument that could be used in connection with a sexual assault or other illegal acts. *Modified* 730 ILCS 5/5-6-3; 730 ILCS 5/3-3-7; 725 ILCS 207/40(b)(5)(C). Mr. Wilkin shall not possess or have under his control certain specified items of contraband related to the incidence of sexually offending as determined by an agent of the Department of Corrections. 730 ILCS 5/3-3-7(b-1)(13); 725 ILCS 207/40(b)(5)(Z).
8. Mr. Wilkin shall enroll in and successfully complete, a sex offender evaluation and treatment by an approved licensed clinical sex offender treatment provider; said provider shall be approved by the Sex Offender Evaluators and Treatment Providers Act that requires licensure through the IL Department of Financial and Professional Regulation; and said community treatment shall be coordinated at the direction of IDOC with treatment and evaluation conducted in conformance with the standards developed under this Act. IDOC shall pay to implement and provide for such as

deemed necessary to implement the terms of these conditions, such as continued treatment and the recommended evaluations, housing, and living expenses, all subject to reimbursement by the Defendant. *Modified* 20 ILCS 4026/17; 730 ILCS 5/5-6-3(a)(8.5), (b)(4); 730 ILCS 5/3-3-7(a)(7.5),(b)(2); 725 ILCS 207/40(b)(5)(F).

9. Mr. Wilkin shall establish and follow a sexual offender treatment safety plan as created by said approved licensed clinical sex offender treatment provider with collaboration from the IDOC Sexually Dangerous Persons treatment team for establishing guidelines or other special conditions as related to individualized dynamic risk factors to assist Mr. Wilkin in maintaining healthy social relationships, restrict Mr. Wilkin from high-risk situations, protect the public, and limit access to potential victims. Such safety plan will include the guidelines for notification of third parties of the risks that may be occasioned by Mr. Wilkin's criminal record or his sexual offending history or characteristics, and permit the Parole Agent to make such notification requirements. *Modified* 730 ILCS 5/3-3-7(a)(7.5),(b)(2); (b-1)(3), (15); 725 ILCS 207/40(b)(5)(E), (F),(BB).
10. Mr. Wilkin shall cooperate with and successfully complete any and all evaluations, treatment, cognitive behavioral programs, and any other programs as directed by the Illinois Department of Corrections and the approved licensed community treatment provider listed above in paragraph 8. Mr. Wilkin shall provide true and accurate information, as it relates to his treatment and commitment history, adjustment in the community while on conditional release or to his conduct while incarcerated to his treatment provider and/or IDOC agents. Mr. Wilkin shall then attend and fully participate in any treatment and/or behavior monitoring as recommended including, but not limited to, medical, psychological or psychiatric treatment specific to sexual offending, drug addiction/substance abuse, or alcoholism. Mr. Wilkin shall actively follow any and all conditions of the sexual offender treatment contract, treatment conditions and recommendations, program rules and the safety plan as created above in paragraph 8 and 9. The Defendant is to follow any and all recommendations of the evaluations and provide proof of evaluations, participation, and completion to the IDOC treatment providers. *Modified* 730 ILCS 5/5-6-3(b)(4); 730 ILCS 5/3-3-7(a)(14), (b)(2); 725 ILCS 207/40(b)(5)(F).
11. Mr. Wilkin shall waive confidentiality allowing the Court and IDOC access to assessment and treatment results as well as treatment notes, reports, and other related documents. The sex offender treatment staff at IDOC Big Muddy River Correctional Center shall have consultation, as needed, with Parole and community treatment personnel concerning Mr. Wilkin's progress. This includes access to all treatment related reports and information. *Modified* 725 ILCS 207/40(b)(5)(G).
12. Mr. Wilkin shall, if deemed appropriate by the treatment provider or parole agent, be required to submit to polygraph evaluations. *Modified* 730 ILCS 5/3-3-7(b-1)(16).
13. Mr. Wilkin shall, if deemed appropriate by the treatment staff or therapists, be required to submit to phallometric assessments.

14. Mr. Wilkin shall refrain from having in possession or in his body the presence of alcohol, narcotics, any other controlled substance, or illicit drug prohibited by the Cannabis Control Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act, unless prescribed by a physician. Mr. Wilkin shall submit samples of his breath, saliva, blood, or urine for tests to determine the presence of alcohol, narcotic, controlled substance, or any illicit drug. *Modified* 730 ILCS 5/5-6-3(b)(16); 730 ILCS 5/3-3-7(a)(11), ; 725 ILCS 207/40(b)(5)(R). Mr. Wilkin shall not possess prescription drugs for erectile dysfunction. 730 ILCS 5/3-3-7(a)(7.10).
15. Mr. Wilkin shall, at the direction of IDOC, establish and follow a safety plan under a licensed clinical sex offender treatment provider for establishing guidelines related to individualized dynamic risk factors for maintaining employment or volunteer activities. Such safety plan will include the guidelines for establishing gainful employment, including whether a supervisory position is allowed, and whether notification should be made to third parties regarding the risks that may be occasioned by his offenses, his criminal record, or sexual offending history or characteristics, and permit the Parole Agent to make such notification requirements if required. Mr. Wilkin shall not be employed in or participate in any volunteer activity that involves contact with children, except under circumstances approved in advance and in writing by IDOC Parole and his community treatment provider. Under said safety plan, Mr. Wilkin shall obtain the approval of an agent of the Department of Corrections prior to accepting employment or pursuing a course of study or vocational training, seek to work regularly at the approved occupation, and notify the Parole Agent prior to any change in employment, study, or training. *Modified* 730 ILCS 5/3-3-7(b)(1),(b-1)(4),(5); 725 ILCS 207/40(b)(E),(H),(I).
16. Mr. Wilkin shall register with the local police departments in accordance with state law and parole regulations. He shall at all times comply fully with the requirements of the Illinois Sex Offender Registration Act, 730 ILCS 150/1, et. seq. and comply with the continuing duty to report under 730 ILCS 150/6. *Modified* 730 ILCS 5/3-3-7(b-1)(2).
17. Mr. Wilkin shall not have any communication or contact, including direct or indirect, personally, by means of the internet, telephone, letter or through a third party, with any minor child or adolescents under the age of 18, or whom Mr. Wilkin reasonably believes to be under 18 years of age, or adults with physical, developmental, or cognitive impairments at any time. Mr. Wilkin can seek approval by IDOC Parole and his community treatment provider to communicate with or have contact with a family member. A family member is: (i) the spouse, brother or sister; (ii) a descendant of Mr. Wilkin, (iii) a first or second cousin or (iv) a step-child or adopted child of Mr. Wilkin. If contact of an individual excluded by this paragraph is sought, then Mr. Wilkin shall seek written approval by IDOC Parole and his community treatment provider. Mr. Wilkin shall provide notice and identification of any such individual, and Mr. Wilkin shall not be around any children or adolescents under the age of 18 without the consent and supervision of treatment staff, in conjunction with Parole personnel. Supervision must be direct supervision by an adult as approved by

- IDOC Parole, DCFS, and/or his treatment provider(s). *Modified* 730 ILCS 5/5-6-3(a)(8.7); 730 ILCS 5/3-3-7(a)(7.8),(b)(7.5),(b-1)(4),(5)(9); 725 ILCS 207/40(b)(5)(Q).
18. Mr. Wilkin shall not reside near, visit, or be in or about parks, schools, day care centers, daycares, swimming pools, beaches, theatres, or any other places where minor children congregate without advance approval of IDOC Parole and his community treatment provider; and he shall report any incidental contact with minor children to IDOC Parole within 72 hours, or in accordance with the law. 730 ILCS 5/3-3-7(b-1)(12); 725 ILCS 207/40(b)(5)(V).
 19. Mr. Wilkin shall refrain from having any contact, including written or oral communications, directly or indirectly, with certain specified "high risk individuals" including, but not limited to, the Defendant's victims (J.C. or J.J.C.) or victim's family, Sexually Dangerous Persons committed to institutional care within the IDOC, any other committed person in an IDOC facility, felons, ex-felons, members of street gangs, drug users, drug dealers, or prostitutes. Mr. Wilkin shall refrain from any such contact with these high-risk individuals without prior identification and written approval by IDOC Parole and his licensed community treatment provider. Mr. Wilkin shall not have any contact with the immediate family of any of his victims regardless of reason or condition unless such contact is deemed appropriate and approved in writing by his licensed community Sex Offender Treatment Provider and approved by the IDOC Parole Agent. Mr. Wilkin shall refrain from entering onto the premises of, traveling past, or loitering near the victim's residence, place of employment, or other places frequented by the victim. Mr. Wilkin shall report any incidental contact to the Department within 72 hours. *Modified* 730 ILCS 5/5-6-3(b)15; 730 ILCS 5/3-3-7(a)(6),(13),(b-1)(4),(5),(8); 725 ILCS 207/40 (b)(5) (E),(H),(I), (O),(P).
 20. Mr. Wilkin shall not establish a dating, intimate or sexual relationship with a person without prior written notification and in compliance with the safety plan provided by the approved licensed community treatment provider. *Modified* 725 ILCS 207/40(b)(S).
 21. Mr. Wilkin shall comply with any other special conditions that IDOC Parole IDOC Parole and/or his licensed community treatment provider may impose that restrict him from high-risk situations and limit his access to potential victims. 730 ILCS 5/3-3-7(b-1)(15)); 725 ILCS 207/40(b)(5)(BB).
 22. Mr. Wilkin shall refrain from entering into a designated geographic area except upon terms the Department finds appropriate. The terms may include consideration of the purpose of the entry, the time of day, others accompanying the person, and advance approval by the Department. 730 ILCS 5/5-6-3(b)(14); 730 ILCS 5/3-3-7(b-1)(7); 725 ILCS 207/40(b)(5)(N).

23. Mr. Wilkin shall not purchase, use, possess, have in his control, own, review, or view any pornography or any material that is pornographic, sexually oriented, or sexually stimulating in any fashion, or that shows male or female sex organs or any pictures depicting children under 18 years of age nude or any written or audio material describing sexual intercourse or that depicts or alludes to sexual activity, including but not limited to visual, auditory, written, printed stories or pictures, photographs, telephone services/telephonic, or electronic media, or any matter obtained through access to any computer or material linked to computer access use. This would include any materials that depict or allude to adult sexual activity or depicts minors under the age of 18. *Modified* 730 ILCS 5/3-3-7(b-1)(10); 725 ILCS 207/40(b)(5)(T).
24. Mr. Wilkin shall not enter or patronize any business providing sexually stimulating or sexually oriented entertainment, including but not limited to adult bookstores, strip clubs, gentlemen's clubs, or any other establishment which provides sexually stimulating services or sells sexual materials; nor utilize "900" or any other sex-related telephone numbers. *Modified* 730 ILCS 5/3-3-7(b-1)(11); 725 ILCS 207/40(b)(5)(U).
25. Mr. Wilkin shall not possess or have under his control specified items of contraband related to the incidence of sexual offending items including but not limited to, video or still camera items or children's toys, binoculars, telescopes, or other items as determined by his parole agent or treatment staff. *Modified* 725 ILCS 207/40(b)(5)(Z); 730 ILCS 5/3-3-7(b-1)(13).
26. Mr. Wilkin shall not publish any materials or print any advertisement without first providing a copy of the proposed publications to IDOC Parole and his licensed community treatment provider and obtaining permission prior to publication. *Modified* 725 ILCS 207/40(b)(5)(X).
27. Mr. Wilkin shall report the issuance of any citation, written or verbal warning, police stop, arrest, and/or other incidents involving law enforcement to IDOC Parole within 24 hours. 730 ILCS 5/3-3-7(a)(7).
28. Mr. Wilkin shall not use any fictitious names or aliases. Pursuant to 730 ILCS 5/3-3-7(b-1)(15)); 725 ILCS 207/40(b)(5)(BB).
29. Mr. Wilkin shall not possess, access, or use a computer or any other device with Internet capability without the prior written approval of an agent of the Illinois Department of Corrections, except in connection with the defendant's employment or search for employment with the prior approval of an agent of the Illinois Department of Corrections. 730 ILCS 5/5-6-3(a)(8.8)(i); 730 ILCS 5/3-3-7(a)(7.11), (b)(7.6).

If Mr. Wilkin is given approval in writing to possess such devices, or if found in possession of such devices, he shall:

- 29 (c) omitted
 Peoria v. GALLEY,
 2021 Ill App 2d 180112
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 7-23-21
- a) Submit to periodic unannounced examinations of his computer or any other device (including cellular phones or similar devices) with internet capability by the parole officer, law enforcement officer, or assigned computer or information technology specialist, including the retrieval and copying of all data from the computer or device and any internal or external peripherals and shall permit removal of such information, equipment, or devices to conduct a more thorough inspection. 730 ILCS 5/5-6-3(a)(8.8)(ii); 730 ILCS 5/3-3-7(a)(7.11), (b)(7.6).
 - b) Submit to installation to the computer or device with internet capability, at the defendant's expense, of one or more hardware or software systems to monitor internet use. 730 ILCS 5/5-6-3(a)(8.8)(iii); 730 ILCS 5/3-3-7(a)(7.11), (b)(7.6).
 - ~~c) Refrain from accessing or using social networking websites, including, but not limited to Myspace, Facebook, Twitter, Google+, AOL, Yahoo, Instagram, and Snapchat. Modified 730 ILCS 5/5-6-3(a)(8.9); 730 ILCS 5/3-3-7(a)(7.12.)~~
 - d) Not use any computer scrub software on any computer or device used by the defendant. 730 ILCS 5/5-6-3(a)(11); 730 ILCS 5/3-3-7(a)(7.13).
 - e) Notify the probation officer of any and all passwords for any devices or computers used by the defendant.
 - f) Submit to any other appropriate restrictions imposed by the parole officer concerning the defendant's use of or access to a computer or any other device with internet capability imposed by the defendant's parole officer. 730 ILCS 5/5-6-3(a)(8.8)(iv); 730 ILCS 5/3-3-7(a)(7.11), (b)(7.6).
 - g) Consent to the search of computers, PDAs, cellular phones, and other devices under the defendant's control that are capable of accessing the Internet or storing electronic files, in order to confirm Internet protocol addresses reported in accordance with the Sex Offender Registration Act and comply with conditions in this Act. 730 ILCS 5/3-3-7(a)(7.9).

30. Mr. Wilkin shall at the direction of his licensed community treatment provider participate in family therapy if he resides with his family during his conditional release. Anyone living in the household should participate in the family therapy. Pursuant to 730 ILCS 5/3-3-7(b-1)(15); 725 ILCS 207/40(b)(5)(BB).

31. Mr. Wilkin shall remain in his home and not participate on any official or unofficial day celebrated, such as Halloween, any trick-or-treat gathering or function, or any other holiday event involving children under the age of 18 such as distributing candy

or other items to children on Halloween; Mr. Wilkin shall refrain from dressing up in any type of costume at any time on or preceding any holiday, custom or observance such as Halloween, Christmas, Easter, or birthdays and shall not be employed at a department store in any such costume; refrain from any travel on designated holidays unless for verified employment or counseling and approved by the IDOC Parole Agent; refrain from answering the door for trick-or-treaters, Christmas carolers, or children who are engaged in fundraising, collecting or canvassing door to door for any reason; refrain from passing out any toy, treat, item to trick-or-treaters or have any trick-or-treat items in his home; Mr. Wilkin or anyone residing at his residence is not allowed to have his porch light on during any of the official or unofficial trick-or-treat days and he is not allowed to display any Halloween decorations or decoration for any other holiday display placed strategically to entice or lure children to his residence; Mr. Wilkin or anyone residing with him shall not have or participate in an Easter egg hunt or allow anyone to use his residence for this purpose; refrain from participating in these events at all times including when he is at his place of employment or church. *Modified 730 ILCS 5/5-6-3(a)(10); 730 ILCS 5/3-3-7(a)(16).*

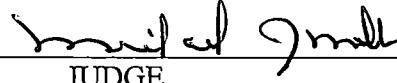
32. Mr. Wilkin shall not have photos or pictures of any child that is or appeared to be under the age of 18, including his own child or children, in his residence or in his control unless the photo(s) or picture(s) are approved in writing by his community treatment provider and approved by the IDOC Parole Agent. *Pursuant to 725 ILCS 207/40(b)(5)(Z), (BB); 730 ILCS 5/3-3-7(b-1)(13),(15).*
33. Mr. Wilkin shall refrain from owning or having in his possession any animal of any type; refrain from pet sitting, caring for or otherwise watching any pet or animal at any time. Mr. Wilkin shall not have any contact with any type of animal of any species and Mr. Wilkin is not allowed to visits, be near or around any zoo, petting zoo, circus, or anywhere animals may be present and/or that attract children. *Pursuant to 725 ILCS 207/40(b)(5)(Z), (BB); 730 ILCS 5/3-3-7(b-1)(13),(15).*
34. Mr. Wilkin shall refrain from joining any health or fitness clubs or YMCAs at any time while on conditional release. *Pursuant to 725 ILCS 207/40(b)(5)(Z), (BB); 730 ILCS 5/3-3-7(b-1)(13),(15).*
35. Mr. Wilkin shall refrain from visiting, or being in or about any high school, junior high, elementary school or pre-school for any reason unless permission has been granted by the school superintendent, his community treatment provider, and approved by the IDOC Parole Agent. *Pursuant to 725 ILCS 207/40(b)(5)(Z), (BB); 730 ILCS 5/3-3-7(b-1)(13),(15).*
36. Mr. Wilkin shall refrain from being present in places where illicit drugs or look-a-like substance are sold, used, distributed, or administered including but not limited to clubs, bars, and crack houses; refrain from purchasing, possessing, or having in his body the presence of look-a-like drugs at any time; refrain from purchasing, possessing, or having in his body the presence of any prescription medication that is not prescribed to him with a valid verifiable prescription in Mr. Wilkin's name; refrain from ingesting any substance which could, potentially, lower his inhibitions

and cause him to re-offend or groom potential victims, including, but not limited to, alcoholic or intoxicating beverages, illegal drugs, prescription drugs for erectile dysfunction, or medications without a prescription or not being used as medically directed, K2, Spice, Bath Salts, or any other synthetically derived narcotic substitute. *Modified* 730 ILCS 5/5-6-3 (b)(16); 730 ILCS 5/3-3-7(a)(7.10),(11),(12); 725 ILCS 207/40(b)(5)(R).

37. Mr. Wilkin shall not own, rent, or have in his possession a recordable device such as a DVD-R,DVD-RW, DVR, or VHS. Mr. Wilkin shall not possess or have in his possession at any time a recorded or unlicensed copy of any movie in any format including but not limited to, VHS tape, DVD, Blu-Ray Disc, Digital and/or Ultraviolet. All Blu-Ray, DVD, VHS movies or programs must be with the original case and purchased from a retail or mercantile establishment. This condition shall not be so construed to negate condition number twenty-nine (29) above. *Pursuant to* 725 ILCS 207/40(b)(5)(Z), (BB); 730 ILCS 5/3-3-7(b-1)(13),(15).
38. Mr. Wilkin shall sign release of information forms once placed on conditional release that will allow the IDOC Parole Agent to monitor financial records, treatment and medical records, and any records that may be deemed necessary for the supervision of the Defendant in the community. *Modified* 725 ILCS 207/40(b)(5)(K), (G).
39. Mr. Wilkin shall refrain from watching or looking in or out of any window or a residence for sexual gratification; if after determination by IDOC Parole Agent that window coverings are necessary, upon notification and request by IDOC Parole Agent Mr. Wilkin shall immediately place coverings over all windows to restrict view as directed. *Pursuant to* 730 ILCS 5/3-3-7(a)(15), (b-1)(15); 725 ILCS 207/40(b)(5)(BB).
40. Mr. Wilkin shall obey all rules and regulations and must follow any specific instructions or special conditions provided by the parole agent or community treatment provider that are consistent with furthering conditions set in this conditional release plan or by the Court or by law to achieve the goals and objectives of his conditional release, to protect the public, restrict Mr. Wilkin from high-risk situations and limit access or potential victims. Instructions by the IDOC conditional release supervising agent must be consistent with the conditions in this conditional release plan, and may be modified at any time, as the IDOC agent and/or community treatment provider deems appropriate with notice to be provided to the State and the Court. *Modified* 730 ILCS 5/3-3-7(a)(15); 725 ILCS 207/40(b)(5)(BB).
41. Mr. Wilkin shall be responsible for compliance with each of the above conditions and will accordingly take an active role in ensuring that he is in compliance. If there are any questions as to whether an activity is permissible it is the Defendant's responsibility to inquire prior to engaging in said activity.
42. In the event that Mr. Wilkin commits any violation of any of this conditional release order or that he becomes uncooperative, unmanageable, manipulative, at extreme high risk, or a danger to himself or others, as determined by treatment staff including

the treatment providers employed by IDOC or the approved community treatment provider, or a parole agent, this will be reported by the Parole Agent, the Chief of Parole, or his designee to the committing county State's Attorney's Office and the Attorney General's Office and those individuals shall determine whether or not a petition for recommitment is appropriate and upon the filing of a petition to revoke conditional release may seek the issuance of an arrest warrant. A hearing shall be held pursuant to section 5-6-4 of the Unified Code of Corrections in order to determine whether Mr. Wilkin should be returned to the Illinois Department of Corrections.

ENTERED: 7-28, 2021



JUDGE

[725 ILCS 205/8](#)

Statutes current with legislation through P.A. 102-297 of the 2021 Session of the 102nd Legislature.

Illinois Compiled Statutes Annotated > *Chapter 725 CRIMINAL PROCEDURE (§§ 5/100-1 — 245/4)* > *Sexually Dangerous Persons Act (Art. 105)* > *Article 105. Sexually Dangerous Persons (§§ 205/0.01 — 205/12)*

725 ILCS 205/8 [Appointment of Director of Corrections as guardian]

If the respondent is found to be a sexually dangerous person then the court shall appoint the Director of Corrections guardian of the person found to be sexually dangerous and such person shall stand committed to the custody of such guardian. The Director of Corrections as guardian shall keep safely the person so committed until the person has recovered and is released as hereinafter provided. The Director of Corrections as guardian shall provide care and treatment for the person committed to him designed to effect recovery. Any treatment provided under this Section shall be in conformance with the standards promulgated by the Sex Offender Management Board Act [[20 ILCS 4026/1](#) et seq.] and conducted by a treatment provider licensed under the Sex Offender Evaluation and Treatment Provider Act [[225 ILCS 109/1](#) et seq.]. The Director may place that ward in any facility in the Department of Corrections or portion thereof set aside for the care and treatment of sexually dangerous persons. The Department of Corrections may also request another state Department or Agency to examine such person and upon such request, such Department or Agency shall make such examination and the Department of Corrections may, with the consent of the chief executive officer of such other Department or Agency, thereupon place such person in the care and treatment of such other Department or Agency.

History

P.A. 77-2477; [92-786](#), § 5; [93-616](#), § 15; [97-1098](#), § 185.

Illinois Compiled Statutes Annotated
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[725 ILCS 205/9](#)

Statutes current with legislation through P.A. 102-297 of the 2021 Session of the 102nd Legislature.

Illinois Compiled Statutes Annotated > *Chapter 725 CRIMINAL PROCEDURE (§§ 5/100-1 — 245/4)* > *Sexually Dangerous Persons Act (Art. 105)* > *Article 105. Sexually Dangerous Persons (§§ 205/0.01 — 205/12)*

725 ILCS 205/9 Recovery; examination and hearing

(a) An application in writing setting forth facts showing that the sexually dangerous person or criminal sexual psychopathic person has recovered may be filed before the committing court. Upon receipt thereof, the clerk of the court shall cause a copy of the application to be sent to the Director of the Department of Corrections. The Director shall then cause to be prepared and sent to the court a socio-psychiatric report concerning the applicant. The report shall be prepared by an evaluator licensed under the Sex Offender Evaluation and Treatment Provider Act [[225 ILCS 109/1](#) et seq.]. The court shall set a date for the hearing upon the application and shall consider the report so prepared under the direction of the Director of the Department of Corrections and any other relevant information submitted by or on behalf of the applicant.

(b) At a hearing under this Section, the Attorney General or State's Attorney who filed the original application shall represent the State. The sexually dangerous person or the State may elect to have the hearing before a jury. The State has the burden of proving by clear and convincing evidence that the applicant is still a sexually dangerous person.

(c) If the applicant refuses to speak to, communicate with, or otherwise fails to cooperate with the State's examiner, the applicant may only introduce evidence and testimony from any expert or professional person who is retained to conduct an examination based upon review of the records and may not introduce evidence resulting from an examination of the person. Notwithstanding the provisions of Section 10 of the Mental Health and Developmental Disabilities Confidentiality Act [[740 ILCS 110/10](#)], all evaluations conducted under this Act and all Illinois Department of Corrections treatment records shall be admissible at all proceedings held under this Act.

(d) If a person has previously filed an application in writing setting forth facts showing that the sexually dangerous person or criminal sexual psychopathic person has recovered and the court determined either at a hearing or following a jury trial that the applicant is still a sexually dangerous person, or if the application is withdrawn, no additional application may be filed for 2 years after a finding that the person is still sexually dangerous or after the application is withdrawn, except if the application is accompanied by a statement from the treatment provider that the applicant has made exceptional progress and the application contains facts upon which a court could find that the condition of the person had so changed that a hearing is warranted.

(e) If the person is found to be no longer dangerous, the court shall order that he or she be discharged. If the court finds that the person appears no longer to be dangerous but that it is impossible to determine with certainty under conditions of institutional care that the person has fully recovered, the court shall enter an order permitting the person to go at large subject to the conditions and supervision by the Director as in the opinion of the court will adequately protect the public. In the event the person

violates any of the conditions of the order, the court shall revoke the conditional release and recommit the person under Section 5-6-4 of the Unified Code of Corrections [730 ILCS 5/5-6-4] under the terms of the original commitment. Upon an order of discharge every outstanding information and indictment, the basis of which was the reason for the present detention, shall be quashed.

History

P.A. 77-2477; [92-786](#), § 5; [94-404](#), § 5; [98-88](#), § 5.

Illinois Compiled Statutes Annotated
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725 ILCS 205/10

Statutes current with legislation through P.A. 102-297 of the 2021 Session of the 102nd Legislature.

Illinois Compiled Statutes Annotated > *Chapter 725 CRIMINAL PROCEDURE (§§ 5/100-1 — 245/4)* > *Sexually Dangerous Persons Act (Art. 105)* > *Article 105. Sexually Dangerous Persons (§§ 205/0.01 — 205/12)*

725 ILCS 205/10 [Petition for conditional release]

Whenever the Director finds that any person committed to him under this Act as now or hereafter amended, appears no longer to be dangerous but that it is impossible to determine with certainty under conditions of institutional care that such person has fully recovered, the Director of the Department of Corrections may petition the committing court for an order authorizing the conditional release of any person committed to him under this Act and the court may enter an order permitting such person to go at large subject to such conditions and such supervision by the Director as in the opinion of the court will adequately protect the public. In the event the person violates any of the conditions of such order, the court shall revoke such conditional release and re-commit the person pursuant to Section 5-6-4 of the Unified Code of Corrections [730 ILCS 5/5-6-4] under the terms of the original commitment.

History

P.A. 77-2477.

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CERTIFICATE OF FILING AND SERVICE

The undersigned certifies that on December 29, 2021, I electronically filed the foregoing Brief and Appendix of Intervenor-Appellant with the Clerk of the Court for the Illinois Supreme Court by using the Odyssey eFileIL system.

I further certify that the other participants in this matter, named below, are registered service contacts on the Odyssey eFileIL system, and thus will be served via the Odyssey eFileIL system.

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Under penalties as provided by law pursuant to section 1-109 of the Illinois Code of Civil Procedure, I certify that the statements set forth in this instrument are true and correct to the best of my knowledge, information, and belief.

/s/ Carson R. Griffis

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