

NOTICE
This Order was filed under
Supreme Court Rule 23 and is
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limited circumstances allowed
under Rule 23(e)(1).

2026 IL App (4th) 251254-U

NO. 4-25-1254

IN THE APPELLATE COURT

OF ILLINOIS

FOURTH DISTRICT

FILED

September 21, 2026
Carla Bender
4th District Appellate
Court, IL

THE PEOPLE OF THE STATE OF ILLINOIS,	)	Appeal from the
Plaintiff-Appellee,	)	Circuit Court of
v.	)	McLean County
RACHAEL LYNN MITCHELL,	)	No. 23CF973
Defendant-Appellant.	)	
	)	Honorable
	)	William A. Yoder,
	)	Judge Presiding.

JUSTICE LANNERD delivered the judgment of the court.
Justices Cavanagh and Harris concurred in the judgment.

ORDER

¶ 1 *Held:* The trial court did not abuse its discretion in sentencing defendant to consecutive terms of 25 years' imprisonment for dissemination of child pornography.

¶ 2 In February 2025, defendant, Rachael Lynn Mitchell, pleaded guilty to three counts of dissemination of child pornography, a Class X felony (720 ILCS 5/11-20.1(a)(2), (c-5) (West 2022)). The trial court sentenced her to an aggregate 75 years' imprisonment. Defendant appeals, arguing the court abused its discretion in sentencing where it failed to give proper weight to certain mitigating factors and her potential for rehabilitation. We affirm.

¶ 3 I. BACKGROUND

¶ 4 On September 20, 2023, the State charged defendant with nine counts of possession of child pornography, a Class 2 felony (*id.* § 11-20.1(a)(6), (c-5)), and seven counts of dissemination of child pornography, a Class X felony (*id.* § 11-20.1(a)(2), (c-5)). In February

2025, defendant pleaded guilty to three counts of dissemination of child pornography (counts XII, XIV, and XV), and the remaining counts were dismissed. There was no agreement as to defendant's sentence.

¶ 5 The State presented the following factual basis for defendant's plea. In December 2022, Detective Tyrel Klein, with the Bloomington Police Department, received multiple cybertips from the National Center for Missing & Exploited Children. The cybertip contained defendant's name, birth date, verified e-mail address, and phone number. Pursuant to a search warrant, the Bloomington Police Department obtained records from defendant's Google account that showed "several images and videos containing child pornography." Additionally, it obtained online chat messages between defendant and other users that showed defendant had sent images and videos of child pornography to "multiple separate users." In January 2023, Klein interviewed defendant at the police department. During the interview, defendant admitted to sending child pornography to other users in the chat conversations. Defendant stated she did not create the images and "indicated she obtained [the] images from other people sending them to her." After consenting to a search of her cell phone, the full extraction of defendant's phone contained "multiple different images and videos of child pornography." To support the three counts to which defendant was pleading guilty, the State described two images and one video obtained from defendant's phone. After proper admonishments, the trial court accepted defendant's guilty plea, finding it was knowingly and voluntarily entered.

¶ 6 On May 27, 2025, the trial court conducted defendant's sentencing hearing. The State requested the court sentence defendant to the maximum sentence of 30 years on each count, for a total of 90 years' imprisonment. Defense counsel requested the court impose the minimum sentence of 6 years for each count, for a total of 18 years' imprisonment. Defendant made a

statement in allocution, acknowledging she had “made a terrible mistake,” deeply regretted her decisions, and was “wrong for viewing the images and sharing them with others.” The court stated it had considered the presentence investigation report, the evidence submitted by the parties, and defendant’s statement in allocution. The court noted it had also “reviewed the sex offender evaluation,” which considered defendant “a low risk for re-offense.” The court reiterated defendant had pleaded guilty to three offenses and explained the sentencing ranges.

¶ 7 As stipulated by the parties, the trial court had previously reviewed the images of child pornography “contained in the three offenses” for which defendant was being sentenced and the images “associated with the other offenses” that were dismissed pursuant to the plea agreement. The court indicated “the child porn associated with this case [was] the most disturbing that [it had] ever seen.”

¶ 8 The trial court stated it had “considered all statutory factors in aggravation and mitigation.” While it did not specifically list all the factors, the court found “a number of factors in aggravation” and “several factors in mitigation” applied. The court noted defendant’s lack of a prior criminal record was a “significant mitigating factor.” The court explained defendant’s “extensive history of alcohol and drug use *** could be either mitigating or aggravating.” The court acknowledged defendant’s “difficult past” and her “assertion of a sexual assault” she experienced as a child.

¶ 9 The trial court sentenced defendant to 25 years in prison for each count, “to be served mandatorily consecutive with one another,” as required by section 5-8-4(d)(2.5) of the Unified Code of Corrections (Unified Code) (730 ILCS 5/5-8-4(d)(2.5) (West 2022)). Defendant filed a motion to reconsider her sentence, which argued her sentence was excessive. Following a hearing, the court denied the motion in October 2025.

¶ 10 This appeal followed.

¶ 11 II. ANALYSIS

¶ 12 On appeal, defendant argues her 75-year sentence is excessive. Specifically, defendant contends the trial court failed to give proper weight to several mitigating factors, including her history of mental illness and substance abuse, her traumatic upbringing, her history of steady employment, her lack of a prior criminal record, and her guilty plea.

¶ 13 A trial court's sentence must be based on "the particular circumstances of the case, including (1) the defendant's history, character, and rehabilitative potential; (2) the seriousness of the offense; (3) the need to protect society; and (4) the need for punishment and deterrence." *People v. Sturgeon*, 2019 IL App (4th) 170035, ¶ 102. Additionally, the Unified Code sets forth the mitigating and aggravating factors the court must consider when determining an appropriate sentence. See *id.* ¶ 105. However, "[t]he weight to be given to any proper factor *** is left to the sound discretion of the trial court and will not be disturbed on appeal absent an abuse of discretion." (Emphasis omitted.) *Id.* ¶ 104. "A trial court's sentence is an abuse of discretion only if it is greatly at odds with the spirit and purpose of the law or is manifestly disproportionate to the nature of the offense." *People v. Klein*, 2022 IL App (4th) 200599, ¶ 38. Moreover, "[a] sentence imposed within the statutory range provided by the legislature is presumed to be proper." *Sturgeon*, 2019 IL App (4th) 170035, ¶ 104. "In considering the propriety of a sentence, the reviewing court must proceed with great caution and must not substitute its judgment for that of the trial court merely because it would have weighed the factors differently." *People v. Fern*, 189 Ill. 2d 48, 53 (1999).

¶ 14 Based on her guilty plea to three counts of dissemination of child pornography, defendant was subject to a sentencing range of 18 to 90 years' imprisonment. See 730 ILCS 5/5-

4.5-25(a) (West 2022) (establishing 6 to 30 years' imprisonment as sentence for a Class X felony); *id.* § 5-8-4(d)(2.5) (establishing mandatory consecutive terms for this offense). The trial court imposed a sentence of 75 years' imprisonment, which was within the statutory range.

¶ 15 Defendant argues the trial court failed to give proper weight to several mitigating factors, which required the court to impose a lower sentence. Specifically, defendant argues any "aggravation" in the record "paled in comparison to the mitigating impact" of her "traumatic childhood" and "her accomplishments as an adult *** in having a stable family life, steady employment," and no prior criminal history. Defendant argues the court should have also weighed (1) her guilty plea, (2) the sex offender evaluation, and (3) her history of mental illness and substance abuse as mitigating. Defendant argues the resulting sentence of 75 years' imprisonment failed to give proper weight to her rehabilitative potential in light of all these factors.

¶ 16 "[I]t is presumed a trial court considered all relevant mitigating and aggravating factors in fashioning a sentence, and that presumption will not be overcome absent explicit evidence from the record that the trial court failed to consider mitigating factors." *People v. Halerewicz*, 2013 IL App (4th) 120388, ¶ 43. The court does not need to recite and assign value to each factor it considers. *People v. Pina*, 2019 IL App (4th) 170614, ¶ 19. "A defendant's rehabilitative potential and other mitigating factors are not entitled to greater weight than the seriousness of the offense." *People v. Pippen*, 324 Ill. App. 3d 649, 652 (2001). Further, the court is not required to reduce a sentence from the maximum allowed due to the existence of mitigating factors. *Id.*

¶ 17 Here, all the mitigating factors defendant references were presented to the trial court. Nothing in the record affirmatively demonstrates the court failed to consider any of the mitigating factors defendant presented. In fact, the court expressly indicated it had considered the

presentence investigation report, the sex offender evaluation, and “all statutory factors in aggravation and mitigation.” It had previously accepted defendant’s guilty plea and reiterated the specific counts defendant pleaded guilty to at sentencing. The court found “several factors in mitigation” applied and particularly stressed defendant’s lack of a prior criminal record. By arguing the court should have weighed the factors differently, defendant is essentially asking this court to rebalance the mitigating and aggravating factors and substitute our judgment for the judgment of the trial court, which we cannot and will not do. See *People v. Alexander*, 239 Ill. 2d 205, 214-15 (2010).

¶ 18 Further, not all of defendant’s proposed factors were inherently mitigating. While “a trial court may properly grant leniency to the defendant who pleads guilty,” such decisions belong to the trial court’s discretion. (Internal quotation marks omitted.) *People v. O’Neal*, 2021 IL App (4th) 200014, ¶ 71. Additionally, we note “the trial court [was] not required to view drug addiction as a mitigating factor.” *Sturgeon*, 2019 IL App (4th) 170035, ¶ 105. “Under the Unified Code, drug addiction is not an explicit factor in mitigation or aggravation.” *Id.* “Instead, a history of substance abuse is a ‘double-edged sword’ that the trial court may view as a mitigating or aggravating factor.” *Id.* (quoting *People v. Mertz*, 218 Ill. 2d 1, 83 (2005)).

¶ 19 When sentencing defendant, it was within the trial court’s discretion to weigh the seriousness of her conduct over the mitigating factors. See *Pippen*, 324 Ill. App. 3d at 652 (“A defendant’s rehabilitative potential and other mitigating factors are not entitled to greater weight than the seriousness of the offense.”). Ultimately, the court did not abuse its discretion in sentencing defendant to 25 years for each count, for a total of 75 years’ imprisonment.

¶ 20 III. CONCLUSION

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

¶ 22

Affirmed.