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IN THE  
APPELLATE COURT OF ILLINOIS  
FIRST DISTRICT

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|                                      |   |                    |
|--------------------------------------|---|--------------------|
| THE PEOPLE OF THE STATE OF ILLINOIS, | ) | Appeal from the    |
|                                      | ) | Circuit Court of   |
| Plaintiff-Appellee,                  | ) | Cook County.       |
|                                      | ) |                    |
| v.                                   | ) | No. 25 CR 06307 01 |
|                                      | ) |                    |
| JAMES HILL                           | ) | The Honorable      |
|                                      | ) | Stanley J. Sacks   |
| Defendant-Appellant.                 | ) | Judge, presiding.  |

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JUSTICE HYMAN delivered the judgment of the court.  
Presiding Justice Gamrath and Justice Evans concurred in the judgment.

**ORDER**

¶ 1 *Held:* Affirmed. The circuit court properly found that pretrial detention was necessary.

¶ 2 James Hill appeals the denial of his motion for relief from pretrial detention under section 110-6.1 of the Code of Criminal Procedure of 1963 (725 ILCS 5/110-6.1 (West 2022)), as amended by Public Acts 101-652, § 10-255, and 102-1104, § 70 (eff. Jan. 1, 2023), commonly known as the Pretrial Fairness Act (Act). We affirm because the record demonstrates the State carried its burden to detain Hill.

¶ 3

### Background

¶ 4 The State petitioned to detain James Hill, who allegedly attempted to murder another by shooting, beating, and pistol-whipping him. This appeal arises from the hearing on Hill's motion for relief, filed after the initial detention hearing.

¶ 5 The State proffered that, in May 2025, Hill had asked an acquaintance, the alleged victim, for a ride and became frustrated as he completed errands before dropping Hill off. Hill took his phone and money but tossed the phone and kept the money.

¶ 6 The next day, Hill offered to return the money if the victim came over to Hill's house. He did so and knocked, but Hill did not answer. As the victim walked along the building, Hill appeared with a gun and shot him in the leg. Hill then beat him, pistol-whipping his face. Hill's girlfriend appeared. He told her to take the gun and leave. She feared Hill and did so, placing it in a bag inside a purse in her home closet.

¶ 7 Officers arrived wearing body-worn cameras that recorded Hill on top of the victim, still beating his face. They arrested Hill. A witness told them that Hill's girlfriend had left with the gun. She later consented to officers retrieving it. Officers found one shell casing on the scene. Hill's clothing and hands tested negative for gunshot residue.

¶ 8 Pretrial Services gave Hill a four (out of six) for new criminal activity and a three (out of six) for failure to appear. If Hill were released before trial, Pretrial Services recommended supervision ("Pretrial, Level 3").

¶ 9 At the time of the alleged offense, Hill had four felony convictions: one aggravated criminal sexual abuse in 2003, and three failures to register in 2006, 2010, and 2018, respectively.

Hill did not complete the term of probation he received for aggravated criminal sexual abuse. And in 2018, he forfeited a bond.

¶ 10 Hill, acting *pro se*, proffered how the State failed to present certain types of evidence when proving he committed the offense. Specifically, Hill had made no inculpatory statements, and no forensic evidence had connected him to the gun. Hill added that he acted in self-defense only after the victim arrived at Hill's home "uninvited," "hostile," and with a gun.

¶ 11 Hill also proffered how he was not dangerous. He stressed that his prior convictions did not happen recently; they were "non-violent," and they were not for possessing or using weapons. He added that he had no recent history of bond forfeitures or escape attempts. Hill said he was employed, engaged, and the active father of children. He had no history of "mental or psychological issues." Lastly, Hill sought conditions short of pretrial detention, proffering many potential conditions.

¶ 12 The circuit court permitted Hill to challenge each element of his detention but stated it would only consider whether Hill's "continued detention" was proper. The court explained to Hill, "I can't reconsider all of them." The court denied Hill's motion.

¶ 13 Hill timely appealed and filed a notice in place of a memorandum, asserting he would rely on the contentions he made in his motion for relief. The State filed a memorandum in response.

¶ 14 Analysis

¶ 15 Hill argues the State failed to meet its burden to justify pretrial detention, an issue we review *de novo*. *People v. Morgan*, 2025 IL 130626, ¶ 51 (holding, *de novo* review proper when parties proceed by proffer).

¶ 16 Before we reach his claim, we point out that the circuit court erred by confining its consideration to the issue of Hill's continued detention. *People v. Davis*, 2026 IL App (1st) 260509, ¶¶ 25-33 (distinguishing hearings on continued detention from hearings on motions for relief). As the State indicates, filing a motion for relief in the circuit court was a prerequisite for seeking this court's review of the initial detention decision.

¶ 17 Hill moved for relief, challenging each element underlying the initial detention decision. "The motion serves multiple purposes, allowing 'the movant to identify errors in the circuit court's detention decision,' giving 'the court the chance to correct any errors and potentially change its ruling in the movant's favor,' and crystallizing the issues for appeal." *Davis*, 2026 IL App (1st) 260509, ¶ 26 (quoting *People v. Patterson*, 2025 IL App (1st) 250510, ¶¶ 18-19). We need not remand to review Hill's contention that the State failed to carry its burden to detain him. *De novo* review places us in the same position as the circuit court. *Morgan*, 2025 IL 130626, ¶ 51.

¶ 18 The State charged Hill with attempt first degree murder, a detainable offense. See 725 ILCS 5/110-6.1(a)(1.5) (West 2026) (including as detainable offenses "any other felony which involves the threat of or infliction of great bodily harm or permanent disability or disfigurement").

¶ 19 Under Illinois law, pretrial release is the default. 725 ILCS 5/110-2(a) (West 2026). A court may order detention when the State establishes, by clear and convincing evidence, that (i) the proof is evident or the presumption great that the defendant committed a detainable offense, (ii) the defendant poses a real and present threat to the safety of the community based on the specific, articulable facts of the case, and (iii) no combination of conditions can mitigate that threat. *Id.* § 110-6.1(e).

¶ 20 At the hearing on his motion for relief, Hill introduced additional evidence. See *People v. Arrington*, 2026 IL App (4th) 260297, ¶ 15, *pet. for leave to appeal allowed*, No. 133409 (Aug. 11, 2026) (noting that either party may introduce additional evidence in connection with hearing on motion for relief).

¶ 21 On the first element, Hill contended that the State failed to carry its burden because (i) its proffer lacked statements from him or forensic evidence and (ii) he acted in self-defense. We disagree. The Code does not require that a proffer include certain types of evidence. 725 ILCS 5/110-6.1(f)(2) (West 2026). And a circumstantial proffer, including footage of Hill beating the victim's face and witnesses recounting Hill ordering his girlfriend to hide the gun, can support a determination that the proof is evident, or the presumption is great, that Hill committed the offenses. See *People v. Williams*, 2024 IL App (1st) 241013, ¶ 35.

¶ 22 Further, the one-sided nature of the fight undermines the strength of Hill's proffer that he acted in self-defense. *People v. Grayson*, 321 Ill. App. 3d 397, 402 (2001) ("The apparent one-sided nature of the struggle supported the State's theory that defendant did not act in self-defense."). Likewise, Hill's actions before the fight (confronting a person that he previously robbed) and after (instructing his girlfriend to hide the gun) undermined the strength of his proffer. See *People v. White*, 293 Ill. App. 3d 335, 338 (1997) ("A defendant may not claim self-defense when the perilous situation he encountered arose from his own aggressive conduct.")

¶ 23 Next, concerning dangerousness, Hill contends that a full review of his history shows that he poses no threat. We disagree. Hill allegedly shot and beat a person he lured to his home after robbing him. See 725 ILCS 5/110-6.1(g)(1) (West 2026) (dangerousness weighs whether alleged crime was violent and included weapon). Hill intimidated his girlfriend into hiding evidence of his

alleged crime. *Id.* § 110-6.1(g)(9) (dangerousness includes a factor with “reasonable bearing upon the defendant’s propensity or reputation for violent, abusive, or assaultive behavior”). And Hill previously committed aggravated criminal sexual abuse. *Id.* § 110-6.1(g)(2)(A) (dangerousness weighs criminal history including abusive behavior).

¶ 24 Regarding the third element, threat mitigation, Hill contends that he would comply with any conditions of release. The circuit court must make an individualized determination about release. *Id.* § 110-6.1(f)(7) (“Decisions regarding release, conditions of release, and detention prior to trial must be individualized.”). Hill has a history of failing probation, forfeiting bond, and failing to register, and that history supports the finding that Hill would not comply with any conditions of pretrial release. See *People v. McCray*, 2025 IL App (2d) 2250253-U, ¶ 23 (finding detention proper where petitioner’s criminal history included failures to comply with court orders).

¶ 25 Clear and convincing evidence supported detention decision. *In re Tiffany W.*, 2012 IL App (1st) 102492-B, ¶ 12 (defining standard).

¶ 26 Affirmed.