

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

2026 IL App (4th) 260747-U
NO. 4-26-0747
IN THE APPELLATE COURT
OF ILLINOIS
FOURTH DISTRICT

FILED
October 2, 2026
Carla Bender
4th District Appellate
Court, IL

THE PEOPLE OF THE STATE OF ILLINOIS,	)	Appeal from the
Plaintiff-Appellee,	)	Circuit Court of
v.	)	Knox County
NOAH C. THOMAS,	)	No. 26CF73
Defendant-Appellant.	)	
	)	Honorable
	)	Rachel Mast and
	)	Andrew J. Doyle,
	)	Judges Presiding.

JUSTICE KNECHT delivered the judgment of the court.
Justices Zenoff and DeArmond concurred in the judgment.

ORDER

¶ 1 *Held:* The circuit court did not err in denying defendant pretrial release.

¶ 2 Defendant, Noah C. Thomas, appeals the circuit court’s order denying his pretrial release under section 110-6.1(a)(5) of the Code of Criminal Procedure of 1963 (Code) (725 ILCS 5/110-6.1(a)(5) (West 2024)). Defendant contends the State failed to prove by clear and convincing evidence he posed an unmitigable threat to the safety of a person or the community. We affirm.

¶ 3 I. BACKGROUND

¶ 4 On March 2, 2026, the State charged defendant with aggravated criminal sexual abuse (720 ILCS 5/11-1.60(d) (West 2024)), two counts of child pornography (*id.* § 11-20.1(a)(6)), traveling to meet a minor (*id.* § 11-26(a)), and indecent solicitation of a child (*id.*

§ 11-6(a)). The State filed a verified petition to deny defendant pretrial release under section 110-6.1(a)(5) of the Code (725 ILCS 5/110-6.1(a)(5)), alleging defendant posed a real and present threat to the safety of any person or the community. Attached to the petition is the Galesburg Police Department report of the incident. All charges involve the same minor, C.D., who was 15 years old at the time of the charged offenses.

¶ 5 The same date, the circuit court, the Honorable Rachel Mast presiding, held a detention hearing. The court admitted the police report without objection. According to the report, a school guidance counselor told a school resource officer she had received information from two friends of C.D. that C.D. planned to attend a winter formal with an older male, whom they suspected to be in his twenties. The counselor heard from these two friends C.D. met the same male at a recent basketball game and had left the game to do an “inappropriate thing.” The school resource officer reviewed video footage from the school’s closed-circuit television system on the date of the basketball game, February 5, 2026. He observed a white Mercury SUV enter the school parking lot and C.D. enter the SUV, where she remained for approximately 35 minutes.

¶ 6 According to the report, officers of the Galesburg Police Department learned from students C.D. had been talking to adult males on Snapchat and had met with one of those men. C.D. was interviewed by officers of the Galesburg Police Department. C.D. stated she had been chatting online and texting with defendant for two to three weeks. Their primary means of communication was Snapchat. C.D. knew defendant was almost 22 years old and from Davenport, Iowa. She told him her age when they began chatting. C.D. reported sending defendant pornographic images of herself and receiving some of defendant. C.D. said defendant “told her he had been arrested for battery; had an order of protection placed on him with his

children as protected parties; lived with his parents; and owned an old vehicle.” C.D. stated she performed oral sex on defendant and he placed his fingers in her vagina. When defendant asked to have intercourse, she declined. C.D. reported the incident to friends. When the school counselor confronted her, C.D. warned defendant someone reported him, deleted their messages from her phone, and blocked him. C.D. continued to message defendant from a friend’s phone. Defendant owned a 2002 white Mercury SUV.

¶ 7 The police report further states Galesburg police officers, on February 23, 2026, interviewed defendant after his arrest. Defendant advised officers his Snapchat account had been hacked. Defendant stated he met a friend who was over 18 years old at the basketball game. Defendant could not remember the friend’s name, stating only she had brown hair and was White. Defendant could not recall any conversations with the friend but reported they chatted for about a month. Defendant drove approximately one hour to meet the friend. The two talked in the high-school parking lot. Defendant could not recall any details about the conversation. After being asked if there was any sexual contact in the vehicle, defendant denied penetrating the friend. Defendant admitted, “[S]he gave me a blow job.”

¶ 8 The circuit court noted it would take judicial notice of the pretrial services report. According to that report, defendant’s date of birth is February 27, 2004. Defendant’s criminal history included two traffic offenses, occurring in June 2025 and January 2026. A third traffic charge was pending. An emergency order of protection was issued in January 2026, protecting defendant’s children, one-year-old twins, and their mother. The trial for that case had not yet occurred.

¶ 9 The pretrial services report further shows defendant was never married and resided with his mother in Davenport. Defendant’s children did not reside with him, and he had

not been ordered to pay child support. Defendant graduated high school in 2022. He worked full-time as a pipe worker from January 1, 2023, through December 31, 2025. On February 1, 2026, he began working for All Seasons Heating & Cooling but had been temporarily laid off due to his arrest and detention. Defendant had been diagnosed with post-traumatic stress disorder and took sertraline daily. Defendant had epilepsy. He denied using alcohol, marijuana, or illegal substances. He had no failures to appear for court. Defendant scored 0 out of 14 on the Virginia Pretrial Risk Assessment Instrument—Revised, indicating a low-level risk to reoffend or not to appear for court dates.

¶ 10 Regarding conditions of release, the State argued the following in the entirety as reasons no conditions could be imposed “that would protect the public from [defendant] committing further offenses.” The State highlighted defendant traveled from Iowa to meet C.D. while knowing she was 15 years old. Defense counsel countered by emphasizing defendant scored a 0 on the pretrial risk assessment and had a home in which he could live upon release. Defense counsel further argued the State’s proffer did not show any child pornography was recovered in the investigation. Defense counsel believed pretrial monitoring, including restrictions on his having communication with anyone under the age of 18 and limits on access to social media, could mitigate any threat defendant poses.

¶ 11 The circuit court granted the State’s petition to detain. The court considered the relevant statutory factors and the proffered evidence. In its analysis, the court paraphrased language from this court’s decision in *People v. Romine*, 2024 IL App (4th) 240321, ¶ 20: “[A] defendant’s charge[d] conduct can reflect such departure from the basic expectations of civil society that it becomes difficult to predic[t] a defendant’s compliance with Court orders or even societal norms regarding the safety of others.” In addition, the court found the proof was evident

or the presumption great the defendant committed a qualifying offense as to all but the child-pornography charges.

¶ 12 In June 2026, defendant filed a motion for relief under the Code. The circuit court denied defendant's motion.

¶ 13 This appeal followed.

¶ 14 II. ANALYSIS

¶ 15 All criminal defendants, including those charged with sex offenses like those here, are presumed eligible for pretrial release. See 735 ILCS 5/110-6.1(a)(5), (e) (West 2024)). To deny a defendant pretrial release based on a defendant's dangerousness, the State must prove by clear and convincing evidence (1) "the proof is evident or the presumption great that the defendant has committed" an offense described in section 110-6.1(a) (*id.* § 110-6.1(e)(1)), (2) "the defendant poses a real and present threat to the safety of any person or persons or the community, based on the specific articulable facts of the case (*id.* § 110-6.1(e)(2)), and (3) "no condition or combination of conditions *** can mitigate *** the real and present threat to the safety of any person or persons or the community, based on the specific articulable facts of the case" (*id.* § 110-6.1(e)(3)(i)). The threshold for clear and convincing evidence is 'the quantum of proof which leaves no reasonable doubt in the mind of the trier of fact as to the truth of the proposition in question.' " *People v. Bryson*, 2018 IL App (4th) 170771, ¶ 84 (quoting *In re Estate of Ragen*, 79 Ill. App. 3d 8, 14 (1979)); see *People v. Kelly*, 2026 IL App (4th) 260002, ¶ 35 (applying the same definition of clear and convincing evidence in reviewing an order granting pretrial detention).

¶ 16 If the State fails to meet its burden of proof on any component of the dangerousness standard, the presumption of release applies, and pretrial detention is unlawful.

See *People v. Cousins*, 2025 IL 130866, ¶ 25 (quoting *People v. Sorrentino*, 2024 IL App (1st) 232363, ¶ 32, citing 725 ILCS 5/110-6.1(e) (West 2022)). Because no live testimony was presented at the detention hearing, our review of the circuit court’s detention order is *de novo*. *People v. Morgan*, 2025 IL 130626, ¶ 54.

¶ 17 Defendant asserts the State failed to meet its burden of proof on two components of the dangerousness standard: the threat posed by the defendant and the sufficiency of the conditions of release. Although the Code lists both components as separate matters, the two are interrelated. See *People v. Farah*, 2025 IL App (4th) 250322-U, ¶ 33 (citing 725 ILCS 5/110-6.1(e)(2), (3) (West 2024)). The Code dictates the sufficiency of the condition or combination of conditions must be assessed according to whether the conditions can mitigate the defendant’s “real and present threat.” 725 ILCS 5/110-6.1(e)(3) (West 2024). As we have held, “dangerousness and conditions of release are two sides of the same coin.” *Romine*, 2024 IL App (4th) 240321, ¶ 16.

¶ 18 Section 110-6.1(g) of the Code lists factors for consideration when weighing the question of whether a criminal defendant presents a real and present threat. 725 ILCS 5/110-6.1(g) (West 2024). As “the nature and severity of [a defendant’s] threat necessarily determine the nature and severity of the conditions that could—or could not—mitigate the threat” (*Romine*, 2024 IL App (4th) 240321, ¶ 16), those factors are relevant when evaluating whether the State met its burden on both components. The statutory factors of section 110-6.1(g) are as follows:

- “(1) The nature and circumstances of any offense charged,
including whether the offense is a crime of violence, involving a
weapon, or a sex offense.
- (2) The history and characteristics of the defendant

including:

(A) Any evidence of the defendant's prior criminal history indicative of violent, abusive or assaultive behavior, or lack of such behavior. ***

(B) Any evidence of the defendant's psychological, psychiatric or other similar social history which tends to indicate a violent, abusive, or assaultive nature, or lack of any such history.

(3) The identity of any person or persons to whose safety the defendant is believed to pose a threat, and the nature of the threat.

(4) Any statements made by, or attributed to the defendant, together with the circumstances surrounding them.

(5) The age and physical condition of the defendant.

(6) The age and physical condition of any victim or complaining witness.

(7) Whether the defendant is known to possess or have access to any weapon or weapons.

(8) Whether, at the time of the current offense or any other offense or arrest, the defendant was on probation, parole, aftercare release, mandatory supervised release or other release from custody pending trial ***.

(9) Any other factors *** deemed by the court to have a

reasonable bearing upon the defendant’s propensity or reputation for violent, abusive, or assaultive behavior, or lack of such behavior.” 725 ILCS 5/110-6.1(g) (West 2024).

¶ 19 Upon consideration of the proffered evidence and the statutory factors, we find the State proved by clear and convincing evidence “defendant poses a real and present threat to the safety of any person or persons or the community, based on the specific articulable facts of the case. *Id.* § 110-6.1(e)(2). The record reveals defendant is charged with committing not one but five sex offenses. See *id.* § 110-6.1(g)(1). Defendant used social media to solicit a known minor. See *id.* § 110-6.1(g)(3). He initially told police he and his 18-year-old unnamed “friend” talked in the parking lot but then admitted having sexual contact. See *id.* § 110-6.1(g)(4). The victim of the detainable offenses is a minor. See *id.* § 110-6.1(g)(6). We find, by clear and convincing evidence, defendant is a real and present threat to minors who have access to social media and who reside within an hour’s drive of him.

¶ 20 We further find the State proved by clear and convincing evidence no condition or combination of conditions can mitigate the threat defendant poses. The State’s evidence shows defendant exhibited a child predator’s classic pattern of behavior, well-known to any reasonably experienced prosecutor and trial judge—trolling the victim on Snapchat, repeatedly contacting the victim by secretive texts, trading sexually explicit photos, arranging clandestine meetings, and grooming the victim for sexual contact. We acknowledge defendant’s low risk-assessment score and lack of criminal history. However, the facts of this case “reflect such a departure from the basic expectations of civil society that it becomes difficult to predict the defendant’s compliance with court orders” or the law if defendant were placed on pretrial release. *Romine*, 2024 IL App (4th) 240321, ¶ 20.

¶ 21 Defendant's pretrial detention is lawful.

¶ 22 III. CONCLUSION

¶ 23 We affirm the circuit court's judgment.

¶ 24 Affirmed.