



STATE'S ATTORNEYS APPELLATE PROSECUTOR

FY22 ANNUAL REPORT

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State's Attorneys Appellate Prosecutor



FY22 Annual Report



STATE'S ATTORNEYS APPELLATE PROSECUTOR

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PATRICK J. DELFINO
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BEN GOETTEN
CHAIRMAN

December 23, 2022

DAVID J. ROBINSON
CHIEF DEPUTY DIRECTOR

DEPUTY DIRECTORS

EDWARD R. PSENICKA
SECOND DISTRICT

THOMAS D. ARADO
THIRD DISTRICT

DAVID J. ROBINSON
FOURTH DISTRICT

PATRICK D. DALY
FIFTH DISTRICT

BOARD OF GOVERNORS

FIRST DISTRICT:

KIMBERLY M. FOX
STATE'S ATTORNEY
COOK COUNTY

SECOND DISTRICT:

ROBERT BERLIN
STATE'S ATTORNEY
DU PAGE COUNTY

ERIC WEIS
STATE'S ATTORNEY
KENDALL COUNTY

THIRD DISTRICT:

JOSEPH R. NAVARRO
STATE'S ATTORNEY
LaSALLE COUNTY

FOURTH DISTRICT:

BEN GOETTEN
STATE'S ATTORNEY
JERSEY COUNTY

GRAY HERNDON NOLL
STATE'S ATTORNEY
MORGAN COUNTY

FIFTH DISTRICT:

DENTON AUD
STATE'S ATTORNEY
WHITE COUNTY

JAMES GOMRIC
STATE'S ATTORNEY
ST. CLAIR COUNTY

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Honorable Ben Goetten
State's Attorney of Jersey County
201 West Pearl Street
Jerseyville, IL 62052

Dear Mr. Chairman:

Kindly find enclosed for your consideration the Annual Report of the State's Attorneys Appellate Prosecutor's Office for fiscal year 2022, which is submitted to you pursuant to 725 Illinois Compiled Statutes, 210/4.06.

I am pleased to report that our Agency had a workload of 1,413 appellate filings and oral arguments conducted, and continued to deliver the highest quality legal services to the State's Attorneys of Illinois.

In addition, our Labor Unit serviced two counties, our Tax Objection Division handled 80 matters in 21 counties, and our Special Prosecution Unit assisted with 1,491 cases in 90 counties.

We also conducted intensive week-long trial advocacy courses and held specialized criminal justice seminars for prosecutors and other law enforcement personnel.

I am justly proud of the dedication and proficiency of our personnel and of the support of the Board of Governors. I look forward to the opportunity to be of future service to the State's Attorneys and the citizens of Illinois.

Very truly yours,

Patrick J. Delfino
Director

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Mission & Overview

The Legislature created the Office of the State's Attorneys Appellate Prosecutor in 1977. The Agency was given the mission to work closely with State's Attorneys in 101 counties to prepare, file, and argue cases in the appellate courts to keep convicted criminals behind bars. The Agency's responsibility has since been expanded to include serving as Special Prosecutor, providing assistance to State's Attorneys in labor cases under the Illinois Public Labor Relations Act, in drug cases, and in tax objection cases. The Agency also provides continuing legal education services which includes specialized sessions in trial advocacy and in cases involving children who are crime victims and witnesses.

The Agency's specific powers and duties are detailed in the State's Attorneys Appellate Prosecutor's Act (725 ILCS 210 et. seq).

Objective

The primary objective of the Office of the State's Attorneys Appellate Prosecutor is to deliver quality professional services to all participating counties in full compliance with its legislative mandate. This includes:

- I. To represent the People of the State of Illinois on appeal in all cases which emanate from a county containing less than 3,000,000 inhabitants, when requested to do so and at the direction of the State's Attorney;
- II. To prepare, file, and argue such appellate briefs in the Illinois Appellate Court with the advice and consent of the State's Attorney and, when requested and authorized to do so by the Attorney General, in the Supreme Court;
- III. To assist State's Attorneys in the discharge of their duties under the Illinois Controlled Substances Act, the

Methamphetamine Control and Community Protection Act, the Narcotics Profit Forfeiture Act, the Cannabis Control Act, the Drug Asset Forfeiture Procedure Act, and the Illinois Public Labor Relations Act;

- IV. To provide trial assistance to State's Attorneys and to serve as Special Prosecutor when duly appointed by a court having jurisdiction with a court order stating the statutory provisions;
- V. To assist State's Attorneys in the trial and appeal of tax objection cases;
- VI. To conduct training programs for State's Attorneys and law enforcement personnel including programs to reduce trauma for child witnesses in criminal proceedings; and
- VII. To provide a legal intern program.

County Participation

The State's Attorneys retain exclusive control of appeals originating in their respective counties as well as the authority to control all documents in each individual case. The Agency files no documents in the reviewing courts until they are approved by the State's Attorneys otherwise responsible for prosecuting the appeal.

The participation of the State's Attorney in the program is completely voluntary. Counties that agree to participate are required to collectively finance one-third of the total appropriation approved by the General Assembly and the Governor with the exception of personal services expenses of the collective bargaining unit. The remaining two-thirds of the Agency's budget is appropriated from General Revenue Funds. Each county's portion is determined annually by the Agency and is based on population.

Board of Governors

The Agency is governed by a Board of Governors consisting of ten State's Attorneys. The Cook County State's Attorney is a permanent member by statute; eight State's Attorneys are elected annually; and the tenth member is appointed each year by the other nine members.

Director's Office

The Director is responsible for the overall supervision and coordination of the Agency and for providing all administrative services. This includes administrative and managerial functions, legal policy and other extraordinary legal concerns, budgetary and legislative matters, and Agency publications.

District Offices

Four District Offices have been established. They are located in Elgin (Second District), Ottawa (Third District), Springfield (Fourth District), and Mt. Vernon (Fifth District). Each Office is managed by a Deputy Director who supervises a staff of attorneys and clerical personnel.

Duties and History

In addition to the primary duties of preparing, filing, and arguing appellate briefs, the Agency provides numerous other services to State's Attorneys and law enforcement personnel. The Agency's initial appellate responsibility focused on criminal cases.

However, effective August 9, 1981, the Agency's authorization was expanded to represent the People of the State of Illinois on appeal in juvenile cases, paternity cases, and cases arising under the Mental Health Development and Disabilities Code when requested to do so by the respective State's Attorney. Also effective

on the same date, the Agency was given authority upon request to assist State's Attorneys in the trial and appeal of tax objection cases.

In addition, on August 18, 1982, the Agency was authorized to assist State's Attorneys on cases and appeals arising under the Narcotics Profit Forfeiture Act. Also, effective August 3, 1984, the Agency's authorization was again expanded to provide for assisting State's Attorneys in the discharge of their duties under the Illinois Public Labor Relations Act. Effective July 1, 1986, the Agency was legislatively mandated to conduct training programs for prosecutors and other law enforcement personnel to reduce trauma for child witnesses in criminal proceedings.

Effective January 1, 1988, the authority of the Agency was again expanded to permit the Agency to represent the People of the State of Illinois on appeal in all types of cases that emanate from a county containing less than 3,000,000 inhabitants when requested to do so, and at the direction of the State's Attorney otherwise responsible for prosecuting the appeal. On this same date, the Agency was also authorized to assist State's Attorneys in the full discharge of their duties under the Illinois Controlled Substances Act and the Narcotics Profit Forfeiture Act. To carry out this responsibility, the Agency created the Local Drug Prosecution Support Unit on May 1, 1988.

On September 28, 1989, the Agency entered into a collective bargaining agreement with the American Federation of State, County and Municipal Employees Union. By this agreement, the Agency recognizes the Union as the sole and exclusive collective bargaining representative for Staff Attorneys and Legal Secretaries. On January 1, 1990, the authority of the Agency was expanded through the creation of general revenue appropriations for collective bargaining personal services and through the approval to permit the rollover of county funds.

Effective September 10, 1990, Public Act 86-1382 created the Drug Asset Forfeiture Procedure Act and amended the Cannabis Control Act and the Controlled Substances Act. These amendments authorized the Agency to receive a 12.5% share in the monies and sale proceeds of property forfeited and seized under the provisions of these Acts in counties under 3,000,000 inhabitants. They also authorized the Agency to use these funds in the investigation, prosecution, and appeal of cases arising under laws governing cannabis and controlled substances.

On July 16, 2002, the Agency was authorized to assist State's Attorneys in the discharge of their duties under the Cannabis Control Act and the Drug Asset Forfeiture Procedure Act. On this same date, the Agency was also authorized to provide trial assistance to State's Attorneys and to serve as Special Prosecutor when duly appointed by a court having jurisdiction with a court order stating the statutory provisions.

Effective May 28, 2010, the Agency was officially designated a judicial agency of state government.

On this same date, the term of the Agency's elected Board of Governors was extended from one to two years.

On September 11, 2012, the Agency was further authorized to provide services to State's Attorneys under the Methamphetamine Control and Community Protection Act.

On May 23, 2014, Public Act 98-938 was passed and mandated that the Agency create a Best Practices Committee to evaluate specific issues related to the investigation and prosecution of serious criminal offenses, and to make recommendations to improve and enhance public safety.

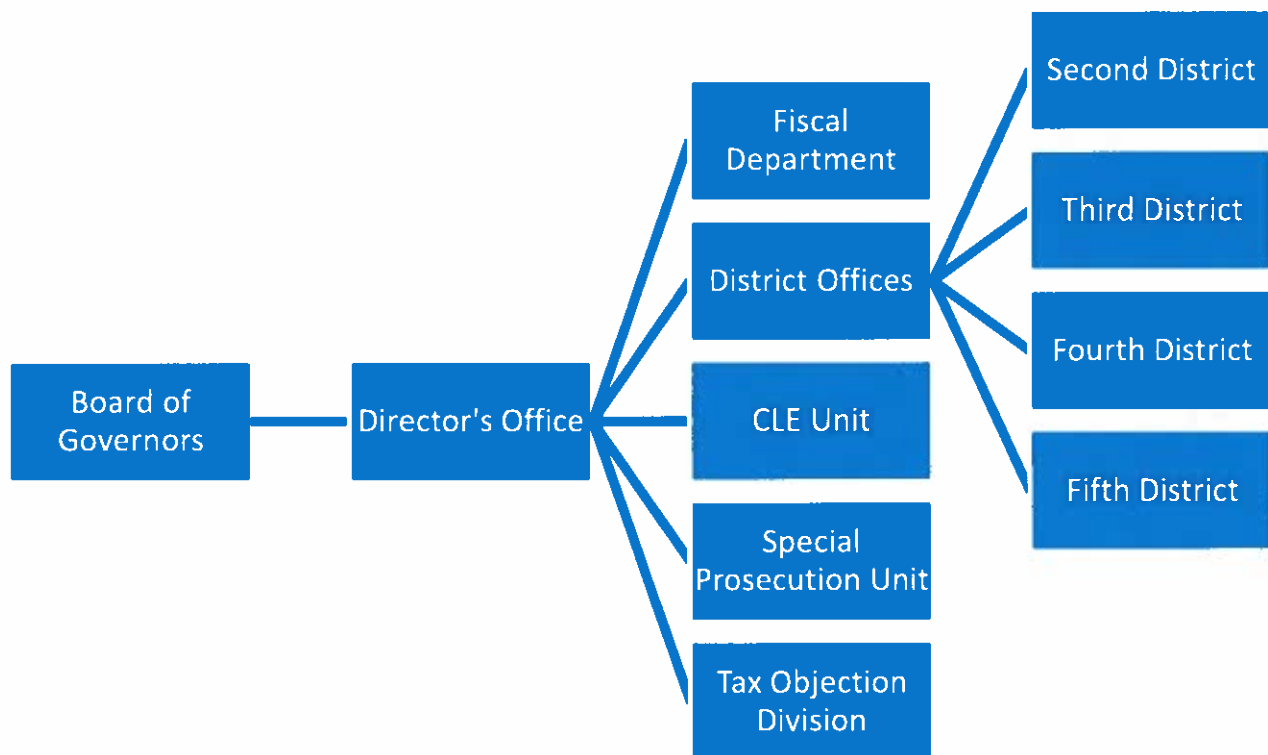
On July 27, 2015, Public Act 99-143 was passed and mandated that the Agency include persons with disabilities in its training programs focusing

on reduction of trauma in testifying in criminal proceedings.

On July 30, 2015, Public Act 99-208 was passed. This Public Act allows the State's Attorney of Cook County to appoint a designee for Board Meetings; allows the Agency to contract for or employ part-time investigators and mandates that these investigators contact and cooperate with local law enforcement agencies unless the contact and cooperation would compromise an investigation in which the local law enforcement agencies have a personal involvement; authorizes the Director to issue a badge to each investigator, contracted or employed.

Agency Structure

The below chart summarizes the overall structure of the Agency. The State's Attorneys Appellate Prosecutor is governed by a Board of Governors consisting of ten State's Attorneys. The Director's Office promulgates and implements the rules and regulations governing the administrative and legal functions of the Agency.



Board of Governors

The Office of the State's Attorneys Appellate Prosecutor has a membership of ten State's Attorneys who govern the Agency's functions. Eight State's Attorneys are elected to serve on the Board. The Cook County State's Attorney serves by statute, and one State's Attorney is appointed Member-At-Large by the other nine members. The Board members elect officers to preside during the two-year term.

The Board Officers during FY22 were:

Ben Goetten, Jersey County, Chairman (Elected July 2020; elected as Vice-Chairman June 2018)

Brandon J. Zanotti, Williamson County, Vice-Chairman (Served from July 2020 to June 2022)

Gray Herndon Noll, Morgan County, Secretary (Elected December 2019 and again July 2020)

The State's Attorneys who served as members of the FY22 Board of Governors were:

First District:

Kimberly M. Foxx, Cook County (Serves by statute, effective December 2016)

Second District:

Robert Berlin, DuPage County (Elected to Board July 2020)

Eric Weis, Kendall County (Elected to Board July 2020)

Third District:

Colby Hathaway, Henderson County (Elected to Board July 2020)

Stewart J. Umholtz, Tazewell County (Has served on Board since March 2017)

Fourth District:

Ben Goetten, Jersey County (Has served on Board since May 2013)

Gray Herndon Noll, Morgan County (Has served on Board since December 2018)

Fifth District:

Denton Aud, White County (Elected to Board July 2020)

James Gomric, St. Clair County (Appointed as Board Member-at-Large March 2022)

Michael M. Havera, Christian County (Served as Board Member-at-Large from July 2020 to December 2021)

Brandon J. Zanotti, Williamson County (Served on Board from September 2019 to June 2022)

Biographies

Denton Aud

Denton W. Aud was raised in Carmi, White County, Illinois where he graduated from Carmi-White County High School in 2001. Upon graduating from high school, he attended Murray State University where he graduated in 2005 with a Bachelor of Science degree, summa cum laude, in Political Science. Mr. Aud graduated from Southern Illinois University School of Law in 2008 with his Juris Doctor degree.

Upon graduating from law school, Mr. Aud hung his own shingle by opening a general solo practice law office in Carmi. In 2009, he became the Conflicts Public Defender in White County and was later hired as the Assistant State's Attorney of White County in 2010. Mr. Aud was initially elected as the State's Attorney of White County in 2012 before being re-elected in 2016 and 2020.

Mr. Aud was elected to the Board of Governors in July 2020.

Mr. Aud is also a member of the Carmi Kiwanis Club, volunteers as a coach of local youth sports teams, and is an elder at First Christian Church of Carmi. He and his wife, Alex, live in Carmi with their four sons (Drennan, Abraham, Judah, and Shepherd) and one daughter (Hosanna).

Robert Berlin

On December 14, 2010, Robert B. Berlin was appointed DuPage County State's Attorney to complete the unexpired term of Joseph Birkett. In 2012, 2016, and 2020, Mr. Berlin was elected to full four-year terms as DuPage County State's Attorney.

A career prosecutor, Mr. Berlin began his career in 1987 as an Assistant State's Attorney in Cook County. During his tenure in Cook County, Mr. Berlin's assignments included the criminal appeals, misdemeanor, felony review, homicide-sexual assault preliminary hearing, child exploitation, and felony trial divisions. In 2001, Mr. Berlin left the Cook County State's Attorney's Office opting to continue his career as First Assistant State's Attorney for the Kane County State's Attorney's Office. As First Assistant State's Attorney, Mr. Berlin managed and supervised the entire Office staff of more than 140 lawyers and support staff. While in Kane County, Mr. Berlin developed and implemented new policies including the Community Prosecutions and Felony Review Unit. Mr. Berlin also served as Chief of the Priority Prosecutions Unit. In 2004, Mr. Berlin began working for the DuPage County State's Attorney's Office as Deputy Chief of the Office's Juvenile Division. During the next several years, Mr. Berlin was promoted to Deputy Chief of the Felony Trial Division and in April 2010, Chief of the Criminal Bureau where he supervised all Assistant State's Attorneys charged with the criminal prosecutions function of the Office.

In his thirty-plus-year career as a prosecutor, Mr. Berlin has tried nearly ninety felony jury trials, 55 of which involved first degree murder. Mr. Berlin has also tried hundreds of felony bench trials, including more than 50 homicide cases.

Mr. Berlin has earned numerous awards and accolades throughout his career. In 2013, the Illinois State Crime Commission awarded Mr. Berlin with the State's Attorney of the Year Award. In 2012, Mr. Berlin was recognized by the National Gang Crime Research Center with the organization's Frederick Milton Thrasher Award for his accomplishments in gang prosecutions. In 2011, Mr. Berlin was awarded the Education Center's "Making a Difference Award" for his educational efforts and projects that help children become productive citizens. Mr. Berlin was also awarded the Association of

Government Attorneys in Capital Litigation Board of Directors' Trial Award in 2003 and the Kane County Outstanding Prosecutor Award in 2004.

Mr. Berlin is a member of the DuPage County Bar Association as well as the Metropolitan Emergency Response and Investigations Team. He is a frequent lecturer on a variety of criminal justice issues and has participated in numerous heroin education forums throughout DuPage County.

Mr. Berlin was elected to the Board of Governors in July 2020.

Mr. Berlin was raised in the northern suburbs of Chicago and is a graduate of Dickinson College and Washington University School of Law. Mr. Berlin resides with his wife and two daughters in Downers Grove.

Kimberly M. Foxx

Kimberly M. Foxx is the first African American woman to lead the Cook County State's Attorney's Office – the second largest prosecutor's office in the country. She was elected to the top prosecutor post, after claiming victory in a historic election, during a critical time for the criminal justice system in Chicago. Her message of reform, restoring trust, and working with the community to increase public safety, resonated with the diverse citizens across the county who want to see a more balanced criminal justice system.

Ms. Foxx took office on December 1, 2016 with a vision for transforming the Cook County State's Attorney's Office into a fairer, more forward-thinking agency focused on rebuilding the public trust, promoting transparency, and being proactive in making all communities safe. She is committed to making the office more responsive to the people of Cook County.

Her passion for public service is deeply personal. She spent her early childhood growing up in the Cabrini Green public housing complex, raised by her teenage mother and grandmother. Her life experiences gave her insight on the impact of crime, violence and poverty on our communities. That consciousness inspired Ms. Foxx to pursue a career in public service as she sought to improve life in communities like the one in which she was raised.

Prior to being elected State's Attorney, Ms. Foxx served as Chief of Staff for Cook County Board President Toni Preckwinkle. As President Preckwinkle's senior advisor and lead strategist, she oversaw a \$4 billion annual budget and worked on issues ranging from county finances to public safety and juvenile detention. She was the lead architect of the county's criminal justice reform agenda to address racial disparities in the criminal and juvenile justice systems. Her efforts contributed to a significant drop in the Cook County jail population while promoting public safety.

A veteran prosecutor, Ms. Foxx served as an Assistant State's Attorney in the Cook County State's Attorney's Office for 12 years, rising through the ranks to supervise dozens of ASAs in felony juvenile courtrooms. She has also served as a guardian ad litem in the Cook County Public Guardian's Office, where she worked as a senior attorney advocating for children navigating the child welfare system, many of whom had been abused, neglected or had special needs.

An accomplished leader, prosecutor and advocate, Ms. Foxx is active with a number of community organizations. She currently serves as a board member for the Adler University, and Free Spirit Media, where she also served as Board President. Previously, Ms. Foxx has served as board chair of Planned Parenthood of Illinois and president of the National Black Prosecutors Association- Chicago Chapter. She

is a member of Leadership Greater Chicago and the Chicago Council of Lawyers.

Born and raised on Chicago's Near North Side, Ms. Foxx is a graduate of Southern Illinois University, where she earned a B.A. in Political Science and a J.D. from the SIU School of Law.

Ms. Foxx serves on the Board of Governors by statute.

Ben Goetten

Mr. Goetten received his undergraduate degree in Criminal Justice from Loyola University Chicago. He was legally trained at The John Marshall Law School in Chicago. While in undergrad and law school, Mr. Goetten worked as an intern as well as a 711 licensed law student in various prosecutors' offices throughout the State. From the rural courthouses of Southern Illinois to the Night Narcotics Division of Cook County's Circuit Court at 26th and California, Mr. Goetten was exposed to a wide range of work prior to entering his profession.

Mr. Goetten was first appointed State's Attorney in Jersey County in 2007, successfully winning re-election since. He was elected to the Board of Governors in 2013 and has served as Vice-Chairman. He is currently serving as Chairman. Mr. Goetten's passion for his profession comes second only to his immense respect and unwavering support of his fellow prosecutors.

James Gomric

James Gomric was born and raised in Belleville, Illinois, the eldest of five children. Mr. Gomric attended Althoff Catholic High School in Belleville. In 1992, he graduated Magna Cum Laude from Saint Louis University. Thereafter, he attended Saint Louis University School of Law,

graduating in 1995. He met his wife, Julie, while in law school.

Mr. Gomric began his legal career as an assistant state's attorney for St. Clair County in the fall of 1995 and continued in former State's Attorney, Robert Haida's, office for several years. During that time, he served in a variety of roles including warrant review officer.

After his service as an Assistant State's Attorney, Mr. Gomric transitioned to the St. Clair County Public Defender's Office and, following his time there, began a career in private practice spanning nearly two decades. During that time, he worked with a number of the most talented attorneys in the region.

Over the last twenty-three years, Mr. Gomric has successfully tried many cases of all types in both the federal court and many counties in Illinois.

Mr. Gomric was appointed as the At-Large Board Member in March 2022.

He and his wife are the proud parents of three children, John Tyler, Rose Marie and Jimmy.

Colby Hathaway

Colby G. Hathaway has served as Henderson County State's Attorney since December 2016.

Mr. Hathaway was raised in Galva, Illinois and received his bachelor's degree from University of Illinois in 2009. He received his law degree in 2012 from Northern Illinois University where he graduated magna cum laude and was a member of the Board of Editors of the NIU Law Review.

Prior to his service as Henderson County State's Attorney, Mr. Hathaway worked as an attorney in private practice at Barash & Everett, LLC in Galesburg and Meyer Capel, P.C. in Champaign, Illinois.

Mr. Hathaway was elected to the Board of Governors in July 2020.

Mr. Hathaway resides in Kewanee with his wife, Caitlin, and their two children.

Michael M. Havera

Mr. Havera has served as the State's Attorney for Christian County since 2012. He also served from 2008-2012 as the Chief Public Defender for Christian County, having been appointed by the judges of the Illinois Fourth Judicial Circuit to the position.

From 2006-2008, he was an Assistant State's Attorney for Montgomery County, and from 2005-2006 he was an Assistant Attorney General in the Illinois Attorney General's Office in Springfield.

Mr. Havera was appointed as the At-Large Board Member in July 2020.

Gray Herndon Noll

Gray Herndon Noll is the State's Attorney of Morgan County. He has served in that capacity since January 1st, 2016. Prior to moving to Morgan County, he served the people of Sangamon County as an Assistant State's Attorney.

Altogether, Mr. Noll has over 19 years of prosecutorial experience. He has served in many different roles as a prosecutor. He has previously held positions including Chief of the Traffic and Misdemeanor Division, Chief of the Domestic Violence Division, and Chief of the Violent Crimes and Drug Division. He has been Lead Counsel on numerous jury trials ranging from petty traffic tickets to First Degree Murder charges.

Prior to becoming an Assistant State's Attorney in Sangamon County, Mr. Noll attended Southern Illinois University School of Law. He received his Bachelor's Degree from Illinois College. Between Illinois College and SIU, Mr. Noll was employed as a high school history teacher in the City of Chicago.

Mr. Noll has served on the Board since December 2018 and was elected as Secretary in December 2019, and again in July 2020.

Mr. Noll currently resides in Jacksonville with his wife Lauren and their two sons.

Stewart J. Umholtz

Mr. Umholtz has served as State's Attorney of Tazewell County since September 12, 1995. He continues to enjoy the day-to-day opportunities of being a minister of justice.

He was born and raised in Tazewell County, the son of a steelworker and nurse, and continues to make his home there.

He served as an Assistant State's Attorney from 1985-95, with experience in Civil, Juvenile, Traffic, Misdemeanor and Felony cases. He has argued cases in both the state and federal trial courts, appellate courts and the Illinois Supreme Court.

Mr. Umholtz has the distinction of being the only Illinois State's Attorney to successfully prosecute a sitting Justice of the Illinois Supreme Court. When informed of this distinction, the Chicago Tribune reported: Umholtz said "Lucky me".

Mr. Umholtz was named the Outstanding Alum of the Northern Illinois University College of Law in 1996. For many years he volunteered as a coach for the Pekin High School swim team. Currently, he enjoys his time away from the courthouse bicycling, hiking, kayaking, dining and traveling.

Mr. Umholtz has served on the Board of Governors since March 2017.

Eric Weis

Eric Weis was sworn into his fifth term as State's Attorney for Kendall County in December of 2020. Prior to his election as State's Attorney in 2006, Mr. Weis served as First Assistant State's Attorney of Kendall County under two former state's attorneys where he served as the chief felony prosecutor for most major violent and drug related offenses. Eric began his legal career back in 1997 when he was sworn in as an Assistant State's Attorney for Kendall County after working for two years as a law school intern with the office while attending Northern Illinois University College of Law.

Mr. Weis is a member of the Illinois, Kendall and Kane County Bar Associations, the Kendall County Chief's of Police Association, Executive Board Member of Fight Crime: Invest in Kids, and the 16th & 23rd Judicial Circuits Family Violence Prevention Steering Committee. Eric recently served as a representative on the Capital Punishment Reform Study Committee. He is also a member of the several executive boards involving Kendall County law enforcement agencies and currently serves as chairman of the Kendall County Juvenile Justice Council.

Mr. Weis earned a Bachelors of Science Degree from North Central College in 1994 and went on to law school where he earned his Juris Doctorate and graduated Cum Laude from Northern Illinois University College of Law in 1997.

Mr. Weis is a graduate of Oswego High School and currently resides in Yorkville, Illinois. Mr. Weis has two sons, Justin and Ryan.

Mr. Weis was elected to the Board of Governors in July 2020.

Brandon J. Zanotti

Brandon J. Zanotti is the Williamson County State's Attorney. He filled two years of a vacancy in 2014, and won election in 2016 and 2020.

Mr. Zanotti is a lifelong Southern Illinois resident. After graduating high school class valedictorian from Johnston City, he graduated summa cum laude from SIU Carbondale with a degree in Finance.

Mr. Zanotti earned his Juris Doctor degree from Washington University in St. Louis School of Law. During law school, he served in the U.S. Senate in Washington, D.C., as a congressional legal clerk to Senator Dick Durbin.

Mr. Zanotti is licensed to practice law in Illinois and Missouri. Before becoming State's Attorney, he was an Arbitrator with the Illinois Workers' Compensation Commission. Prior to that, he was in private practice with the Carbondale law firm of Feirich / Mager / Green / Ryan.

Mr. Zanotti is an Adjunct Professor of Law at the SIU School of Law. He is a member of many local and statewide organizations, and is on the executive boards of his local Child Advocacy Center and Juvenile Justice Council. He is a board member of the State's Attorneys Association.

Mr. Zanotti served as the At-Large Member from December 2017 through September 2018. He was elected to the Board in September 2019, and has served as Vice-Chairman since July 2020.

Mr. Zanotti resides in rural Johnston City with his wife, Katie, and daughters, Eleanor and Claire.

Program Participation

All counties having less than three million inhabitants are eligible to participate in the Agency’s Program. Participation is voluntary. 100 Counties participated in the Agency’s Program for FY22. **Cook County and DuPage County were the only counties not participating.**

Effective January 1, 2022, Public Act 102-0011 changed the judicial district boundaries for the Second through Fifth Judicial Districts for the first time since they were established in 1964. Cook County remains as the First Judicial District. **The Second through Fifth Judicial Districts prior to January 1, 2022, were:**

Second District (13)

Boone
Carroll
DeKalb
DuPage
Jo Daviess
Kane
Kendall
Lake
Lee
McHenry
Ogle
Stephenson
Winnebago

Third District (21)

Bureau	Mercer
Fulton	Peoria
Grundy	Putnam
Hancock	Rock Island
Henderson	Stark
Henry	Tazewell
Iroquois	Warren
Kankakee	Whiteside
Knox	Will
LaSalle	
Marshall	
McDonough	

Fourth District (30)

Adams	McLean
Brown	Menard
Calhoun	Morgan
Cass	Moultrie
Champaign	Piatt
Clark	Pike
Coles	Sangamon
Cumberland	Schuyler
DeWitt	Scott
Douglas	Vermilion
Edgar	Woodford
Ford	
Greene	
Jersey	
Livingston	
Logan	
Macon	
Macoupin	
Mason	

Fifth District (37)

Alexander	Marion
Bond	Massac
Christian	Monroe
Clay	Montgomery
Clinton	Perry
Crawford	Pope
Edwards	Pulaski
Effingham	Randolph
Fayette	Richland
Franklin	Saline
Gallatin	Shelby
Hamilton	St. Clair
Hardin	Union
Jackson	Wabash
Jasper	Washington
Jefferson	Wayne
Johnson	White
Lawrence	Williamson
Madison	

The new Second through Fifth Judicial Districts effective January 1, 2022, are:

Second District (5)

DeKalb
Kane
Kendall
Lake
McHenry

Third District (7)

Bureau
DuPage
Grundy
Iroquois
Kankakee
LaSalle
Will

Fourth District (41)

Adams	McDonough
Boone	McLean
Brown	Menard
Calhoun	Mercer
Carroll	Morgan
Cass	Ogle
Ford	Peoria
Fulton	Pike
Greene	Putnam
Hancock	Rock Island
Henderson	Sangamon
Henry	Schuyler
Jersey	Scott
Jo Daviess	Stark
Knox	Stephenson
Lee	Tazewell
Livingston	Warren
Logan	Whiteside
Macoupin	Winnebago
Marshall	Woodford
Mason	

Fifth District (48)

Alexander	Lawrence
Bond	Macon
Champaign	Madison
Christian	Marion
Clark	Massac
Clay	Monroe
Clinton	Montgomery
Coles	Moultrie
Crawford	Perry
Cumberland	Piatt
DeWitt	Pope
Douglas	Pulaski
Edgar	Randolph
Edwards	Richland
Effingham	Saline
Fayette	Shelby
Franklin	St. Clair
Gallatin	Union
Hamilton	Vermilion
Hardin	Wabash
Jackson	Washington
Jasper	Wayne
Jefferson	White
Johnson	Williamson

Director's Office

725 South Second Street
Springfield, IL 62704

217-782-1628
Fax: 217-782-6305

The Director's Office is responsible for all Agency administrative and managerial functions, legal policy and other extraordinary legal concerns, budgetary and legislative matters, and Agency publications. The following personnel served on the staff of the Director's Office during FY22:

Director: Patrick J. Delfino	Associate Director/CLE Administrator: Matthew P. Jones
Chief Deputy Director: David J. Robinson	Administrative Assistant: Megan Beckwith
Human Resources Coordinator: Chad Hilligoss	Victim / Witness Coordinator: Lisa Levi Sheri Vega
Chief Fiscal Officer: Gloria Mundy	Chief Technology Officer: Matthew Richter
Assistant Fiscal Officers: Sarah Klein Jessica Mitchell	Receptionist: Jan Beiermann
Special Prosecution Unit: Jonathan Barnard (Contractual) Thomas Brown (Contractual) Phillip Butler Charles Colburn William Elward (Contractual) Michael Havera Matthew Goetten Kate Kurtz Lorinda Lamken	Kristen Miller Jennifer Mudge Dave Neal Edwin Parkinson (Contractual) David Rands Brooke Shupe Brian J. Towne Crystal Uhe Charles Zalar (Contractual)

Patrick J. Delfino

Mr. Delfino is a native of Chicago and a graduate of the University of Notre Dame Law School. He is an experienced trial and appellate attorney. Before coming to the Appellate Prosecutor's Office as Assistant Director, he served as a drug attorney and court specialist with the Illinois Law Enforcement Commission and as the Director of Planning and Special Projects of the Cook County State's Attorney's Office. Mr. Delfino was appointed Director of the Appellate Prosecutor's Office in December 2008.

Mr. Delfino has taught criminal justice courses at colleges and law schools and is the Executive Director of the Illinois State's Attorneys Association. He serves on the Illinois Criminal Justice Information

Authority by statute and also serves on the Illinois Sex Offender Management Board, the Children's Justice Task Force of the Department of Children and Family Services, and on the Illinois Terrorism Task Force. He is a Past-President of the Illinois Academy of Criminology, and a member of the Chicago Bar Association, the Illinois State Bar Association, and the National District Attorneys Association. He resides in Springfield with his daughter.

Second District Office

2032 Larkin Avenue
Elgin, IL 60123

847-697-0020
Fax: 847-697-9824

The Second Judicial District is comprised of 5 counties, all of which participated in the Appellate Prosecutor's program during FY22.

The following personnel served on the Second District staff during FY22:

Deputy Director:

Edward R. Psenicka

Staff Attorneys:

John Barrett
Max Boose
Mary Beth Burns
Diane Campbell
David Friedland
Lynn Harrington
Barry Jacobs
Victoria Jozef
Miles Keleher

Katrina Kuhn
Stephanie Hoit Lee
Richard London
Leslie Martin
Steven A. Rodgers
Adam Rodriguez
Ivan O. Taylor, Jr.
Adam Trejo
Pamela Wells

Legal Secretaries:

Luisa Gonzalez
Sharon Lavick (Administrative)
Sandra Lorigan

FY22 2nd District Appellate Statistics

Main Briefs	Reply Briefs	Sup. Briefs	Petitions for Rehearing	Summary Disp.	Conf. of Error	Motions to Dismiss / Other	Oral Argument	PLA	Advice Calls / Other Requests
329	6	6	6	1	1	9	63	12	221

Third District Office

628 Columbus Street-Suite 300
Ottawa, IL 61350

815-434-7010
Fax: 815-434-7339

The Third Judicial District is comprised of 7 counties, 6 of which participated in the Appellate Prosecutor's program during FY22.

The following personnel served on the Third District staff during FY22:

Deputy Director:

Thomas D. Arado

Staff Attorneys:

Nicholas Atwood
Jamie Bellah
Laura Bialon
Gary Gnidovec
Kelly Krapf
Richard Leonard

Korin Navarro
Justin Nicolosi
Stephanie Raymond
Jessica Theodoratos

Legal Secretaries:

Denise Barr (Administrative)
Mary Elizabeth Fox
Heather Sobkowich (PT)

FY22 3rd District Appellate Statistics

Main Briefs	Reply Briefs	Sup. Briefs	Petitions for Rehearing	Summary Disp.	Conf. of Error	Motions to Dismiss / Other	Oral Argument	PLA	Advice Calls / Other Requests
256	3	0	4	0	7	0	56	10	137

Fourth District Office

725 South Second Street
Springfield, IL 62704

217-782-8076
Fax: 217-782-6305

The Fourth Judicial District is comprised of 41 counties, all of which participated in the Appellate Prosecutor's program during FY22.

The following personnel served on the Fourth District staff during FY22:

Deputy Director:

David J. Robinson

Staff Attorneys:

Allison Brooks

John Connor

Kerri Davis

Rosario Escalera

Tim Londrigan

Douglas Malcolm

James Majors

David Mannchen

Linda McClain

Luke McNeill

Courtney O'Connor

Benjamin Sardinas

Brittany Whitfield

James Ryan Williams

John Zimmerman

Legal Secretaries:

Shirley Bagby (Administrative)

Shannon Higgins

FY22 4th District Appellate Statistics

Main Briefs	Reply Briefs	Sup. Briefs	Petitions for Rehearing	Summary Disp.	Conf. of Error	Motions to Dismiss / Other	Oral Argument	PLA	Advice Calls / Other Requests
360	5	4	4	0	12	3	56	4	162

Fifth District Office

730 East Illinois Highway 15-Suite 2
Mt. Vernon, IL 62864

618-244-2107
Fax: 618-244-2713

The Fifth Judicial District is comprised of 48 counties, all of which participated in the Appellate Prosecutor's program during FY22. Participating counties were as follows:

The following personnel served on the Fifth District Staff during FY22:

Deputy Director:

Patrick D. Daly

Staff Attorneys:

Timothy Berkley
Jennifer Camden
Hiram Fenjac
Michael Lennix
Trent Marshall
Max Miller

Valerie Ozment O'Brien
Becky Ray
Sharon Shanahan
Timothy Ting
Julia Wykoff

Legal Secretaries:

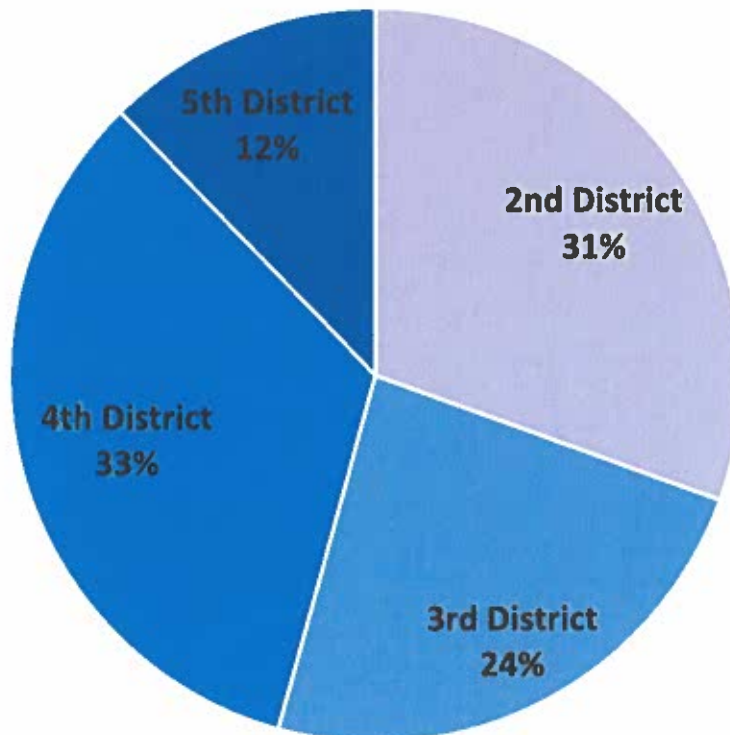
Joanie Cooper (Administrative)
Janet Schumm

FY22 5th District Appellate Statistics

Main Briefs	Reply Briefs	Sup. Briefs	Petitions for Rehearing	Summary Disp.	Conf. of Error	Motions to Dismiss / Other	Oral Argument	PLA	Advice Calls / Other Requests
132	1	2	5	6	0	5	45	0	173

Appellate Program Statistical Analysis

FY22 Main Briefs Filed



	2 nd District	3 rd District	4 th District	5 th District	Total
Main Briefs	329	256	360	132	1,077
Reply Briefs	6	3	5	1	15
Supplemental Briefs	6	0	4	2	12
Petitions for Rehearing	6	4	4	5	19
Summary Dispositions	1	0	0	6	7
Confessions of Error	1	7	12	0	20
Motions to Dismiss / Other	9	0	3	5	17
Oral Arguments	63	56	56	45	220
Petitions for Leave to Appeal	12	10	4	0	26
Advice Calls / Other Requests	221	137	162	173	693

Continuing Legal Education Unit

In FY22, the Continuing Legal Education Unit of the Agency continued the program by providing our full schedule of core CLE programs.

The CLE Unit started the fiscal year with its successful Ethics for All program, followed by courses in Advanced and Basic Trial Advocacy, and finished 2021 with a virtual series on Effective Prosecutions of Sexual Assault Cases. During the spring of 2022, the Unit again offered courses in Advanced and Basic Trial Advocacy.

The CLE Unit under Associate Director/CLE Director Matthew P. Jones continues to provide the only prosecutor oriented, state-wide continuing legal education in Illinois and we look forward, thanks to budget stability, to meet the ever-increasing demands of prosecutors and the public to serve justice in an ethical and well-trained manner.

FY22 CLE Training Seminars

DATE	PROGRAM	CLE TRAINING HOURS	PROFESSIONAL RESPONSIBILITY HOURS	ATTENDEES
May 23-27, 2022	2022 Spring Advanced Trial Advocacy	29.75	17.50	21
March 14-18, 2022	2022 Spring Basic Trial Advocacy	28.50	18.00	32
December 10, 2021	Effective Prosecutions of Sexual Assault Cases	2.00	0.00	61
November 15-19, 2021	2021 Fall Advanced Trial Advocacy	29.00	17.75	22
November 12, 2021	Effective Prosecutions of Sexual Assault Cases	2.00	0.00	70
November 5, 2021	Effective Prosecutions of Sexual Assault Cases	2.00	0.00	85
Sept. 27 - Oct. 1, 2021	2021 Fall Basic Trial Advocacy	28.25	17.75	30
July 30, 2021	Ethics for All- Part 2	3.00	3.00	49
July 23, 2021	Ethics for All- Part 1	3.00	3.00	65
TOTAL	9 PROGRAMS	127.50	77.00	435

Special Prosecution Unit

The Special Prosecution Unit of the Agency consists of experienced trial attorneys who assist in prosecuting criminal cases when requested to do so by and at the direction of the State's Attorney and when duly appointed by a court having jurisdiction. The following attorneys served on the Special Prosecution Unit Staff during FY22:

Jonathan Barnard (Contractual)
 Thomas Brown (Contractual)
 Phillip Butler
 Charles Colburn
 William Elward (Contractual)
 Matthew Goetten
 Michael Havera
 Kate Kurtz
 Lorinda Lamken
 Kristen Miller
 Jennifer Mudge
 Dave Neal
 Edwin Parkinson (Contractual)
 David Rands
 Brooke Shupe
 Brian J. Towne
 Crystal Uhe
 Charles R. Zalar (Contractual)

If a conflict of interest arises in a State's Attorney's office, and the State's Attorney wants an independent, detached review and prosecution by an outside person, or if special assistance is needed due to the complexity of a case, the Agency makes the services of the Special Prosecution Unit available.

The Unit has been particularly active in downstate Illinois where personnel and financial resources are more limited than in the more populous counties. Trial assistance has been provided in numerous murder cases and cases dealing with official misconduct of public officials as well as numerous other criminal and civil matters when the State's Attorney was unable to prosecute. Frequently, when the Unit

is asked to assist, the cases involve complex issues, and trial experience is an absolute necessity.

The Special Prosecution Unit has become a valuable resource to the State's Attorneys of Illinois. The combination of a Unit of experienced trial prosecutors with legal and technical expertise and the Agency's Appellate Staff Attorneys provide the State's Attorneys with needed expert assistance. During FY22, the Unit provided assistance to State's Attorneys on 1,491 cases in the following 90 counties:

Adams	Hancock	Mercer
Alexander	Hardin	Monroe
Boone	Henderson	Montgomery
Brown	Henry	Morgan
Bureau	Jackson	Moultrie
Calhoun	Jasper	Peoria
Carroll	Jefferson	Perry
Cass	Jersey	Piatt
Champaign	Jo Daviess	Pike
Christian	Johnson	Pulaski
Clark	Kane	Richland
Clay	Kankakee	Rock Island
Clinton	Kendall	Saline
Coles	Knox	Sangamon
Crawford	Lake	Schuyler
Cumberland	LaSalle	Scott
DeKalb	Lawrence	Stark
DeWitt	Lee	St. Clair
Douglas	Livingston	Stephenson
Edgar	Logan	Union
Edwards	Macon	Vermilion
Effingham	Macoupin	Wabash
Fayette	Madison	Warren
Ford	Marion	Washington
Franklin	Marshall	Wayne
Fulton	Mason	White
Gallatin	McDonough	Whiteside
Greene	McHenry	Will
Grundy	McLean	Williamson
Hamilton	Menard	Winnebago

Drug Asset Forfeiture

Effective September 10, 1990, Public Act 86-1382 created the Drug Asset Forfeiture Procedure Act and amended the Cannabis Control Act and the Controlled Substances Act. These amendments authorized the Agency to receive a 12.5% share in the monies and sale proceeds of property forfeited and seized under the provisions of these Acts in counties under 3,000,000 inhabitants. They also authorized the Agency to use these funds in the investigation, prosecution, and appeal of cases arising under laws governing cannabis and controlled substances. The Agency brought in the following during FY22:

County	Total	County	Total	County	Total
ADAMS	\$12,542.82	HENDERSON	\$422.49	OGLE	\$1,112.57
ALEXANDER	\$0.00	HENRY	\$31,645.50	PEORIA	\$23,753.92
BOND	\$3,936.07	IROQUOIS	\$4,382.59	PERRY	\$756.36
BOONE	\$11,784.51	JACKSON	\$13,505.44	PIATT	\$532.67
BROWN	\$0.00	JASPER	\$206.81	PIKE	\$4,526.27
BUREAU	\$176,754.17	JEFFERSON	\$138,868.47	POPE	\$0.00
CALHOUN	\$0.00	JERSEY	\$0.00	PULASKI	\$521.87
CARROLL	\$0.00	JODAVIESS	\$226.37	PUTNAM	\$0.00
CASS	\$0.00	JOHNSON	\$534.12	RANDOLPH	\$0.00
CHAMPAIGN	\$62,635.94	KANE	\$39,199.01	RICHLAND	\$0.00
CHRISTIAN	\$372.12	KANKAKEE	\$151,270.09	ROCK ISLAND	\$44,539.03
CLARK	\$0.00	KENDALL	\$4,550.41	SALINE	\$3,872.50
CLAY	\$0.00	KNOX	\$3,649.98	SANGAMON	\$68,276.10
CLINTON	\$103.38	LAKE	\$48,302.97	SCHUYLER	\$0.00
COLES	\$7,544.63	LASALLE	\$24,757.27	SCOTT	\$316.87
COOK	\$1,538.12	LAWRENCE	\$190.50	SHELBY	\$1,308.46
CRAWFORD	\$0.00	LEE	\$2,679.66	STARK	\$483.75
CUMBERLAND	\$133.12	LIVINGSTON	\$10,571.58	ST. CLAIR	\$29,037.10
DEKALB	\$3,867.34	LOGAN	\$12,789.40	STEPHENSON	\$1,723.37
DEWITT	\$304.68	MACON	\$25,409.89	TAZEWELL	\$1,983.73
DOUGLAS	\$4,225.14	MACOUPIN	\$120.00	UNION	\$73.11
DUPAGE	\$104,990.94	MADISON	\$107,790.76	VERMILLION	\$4,647.87
EDGAR	\$0.00	MARION	\$0.00	WABASH	\$0.00
EDWARDS	\$0.00	MARSHALL	\$0.00	WARREN	\$126.87
EFFINGHAM	\$0.00	MASON	\$0.00	WASHINGTON	\$859.32
FAYETTE	\$38,395.93	MASSAC	\$1,790.62	WAYNE	\$0.00
FORD	\$182.75	MCDONOUGH	\$713.37	WHITE	\$655.99
FRANKLIN	\$791.98	MCHENRY	\$176,930.37	WHITESIDE	\$5,799.35
FULTON	\$140.12	MCLEAN	\$28,489.70	WILL	\$458,965.19
GALLATIN	\$0.00	MENARD	\$0.00	WILLIAMSON	\$4,698.34
GREENE	\$0.00	MERCER	\$0.00	WINNEBAGO	\$104,591.42
GRUNDY	\$16,685.74	MONROE	\$9,282.14	WOODFORD	\$1,050.00
HAMILTON	\$0.00	MONTGOMERY	\$4,498.31		
HANCOCK	\$0.00	MORGAN	\$635.41	RETURNS	\$0.00
HARDIN	\$0.00	MOULTRIE	\$312.90	FY22 TOTAL	\$2,054,867.66

Tax Objection Division

The Tax Objection Division of the State's Attorneys Appellate Prosecutor is invaluable for State's Attorneys confronted with specialized and complex cases before the courts, the Property Tax Appeal Board, or the Department of Revenue. Particularly in the smaller counties, State's Attorneys lack the specialized experience to handle these cases even if they could find the time from their ongoing criminal and civil responsibilities.

During FY22, tax objection services were provided to 21 counties on 80 matters.

FY22 Tax Objection Division Statistics

COUNTY	MATTERS	COUNTY	MATTERS
1. Adams	4	12. Mason	1
2. Bureau	9	13. Massac	1
3. Calhoun	5	14. McDonough	1
4. Champaign	1	15. Montgomery	2
5. Edgar	1	16. Moultrie	1
6. Edwards	1	17. Ogle	1
7. Ford	1	18. Putnam	2
8. Fulton	1	19. Rock Island	11
9. Greene	1	20. Vermilion	1
10. Livingston	29	21. Whiteside	4
11. Macon	2		
		TOTAL MATTERS:	80

State's Attorneys Appellate Prosecutor



Administrative Office
725 South Second Street
Springfield, IL 62704
217-782-1628
FAX: 217-782-6305 (TTY: 217-558-1605)
www.ilsaap.org

POLICY STATEMENT

The Agency is committed to providing equal employment opportunity for all persons. In keeping with that goal, it is the express policy of the Agency to make all employment decisions regarding the recruitment, hiring, training, promotion, and layoff of and the awarding of benefits to an employee will be made without regard to factors including, but not limited to a person's actual or perceived race, sex, sexual orientation, creed, religion, color, marital status, age, ancestry, national origin, mental or physical handicap, sexual orientation, pregnancy, military status, genetic information, order of protection status, or any other status protected by law.

The Agency is committed to maintaining a work environment that is free from discrimination and harassment. In keeping with this commitment, the Agency will not tolerate harassment of Agency employees, contractors, vendors, consultants by anyone, including any supervisor, co-worker, elected official, vendor, client, intern, applicant, or apprentice of the Agency, or any third party that does business with the Agency. The Agency prohibits any such conduct in the workplace, and this policy prohibits harassment or other workplace discrimination based on an individual's protected status, even if it does not rise to the level of a legal violation. The harassment prohibited by this policy is conduct, whether verbal, physical or visual, that denigrates or shows hostility or aversion toward an individual based on that person's actual or perceived race, sex, sexual orientation, creed, religion, color, marital status, age, ancestry, national origin, mental or physical handicap, sexual orientation, pregnancy, military status, genetic information, order of protection status, or any other status protected by law.

The Agency will not tolerate harassing conduct that has the purpose or effect of interfering unreasonably with an individual's work performance, affecting an individual's tangible job benefits or creating an intimidating, hostile or offensive work environment.