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Subject: Predatory Criminal Sexual Assault Law

To: district62@sbcglobal.net

Dear Jean,

I cant tell you how difficult this is all becoming for me. I am trying so hard to keep it together, but I tell you the truth, the more I reach out the more I feel like I'm on my own. Aside from this whole experience as being a nightmare for me, its becoming more and more obvious that there is no justice for our children - and I'll tell you why...

According to the Lake County Sheriff's website, the description of Predatory Criminal Sexaul Assault of a Child states (a) The accused commits predatory criminal sexual assault of a child if: (1) the accused was 17 years of age or over and commits an act of sexual penetration with a victim who was under 13 years of age when the act was committed; or

For the purpose of sticking with the relevance of my daughter's case I will skip (2) and refer to (3) the accused was 17 years of age or over and commits an act of sexual penetration with a victim who was under 13 years of age when the act was committed and the accused delivered (by injection, inhalation, ingestion, transfer of possession, or any other means) to the victim without his or her consent, or by threat or deception and for other than medical purposes, any controlled substance.

The reason why I am bringing this up to you is because the sentence for Predatory Criminal Sexaul Assault of a Child if a person is convicted of subsection (a) (1) commits a Class X felony. (According to Mr. Pavletic this conviction allows for the minimum 6 year sentence upto a maximum of 30 years). However, a person convicted of a violation of subsection (a) (2) or (a) (3) commits a Class X felony for which the person shall be sentenced to a term of imprisonment of not less than 50 years and not more than 60 years.

Of course, my next question was why did Laura Horner, the Assistant State's Attorney offer Desario a minimun of 6 years if he used alcohol (hard liquor) as the means to DECEIVE my daughter, then 11 years of age to commit an act of sexual penetration?

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On November 3, 2005 Mr. Pavletic answered that question in our 2-1/2 hour meeting and said, the law does not recognize alcohol as a "controlled substance." He stated that the term controlled substance refers to "narcotics". Then I responded, "if that's the case, then why is the legal age to drink alcohol in the state of illinois, 21?" If the state of Illinois can recognize that alcohol does impair the judgment of a young person like; cocaine, heroine or some other narcotic, then why doesn't the law, under subsection (a) (3) also recognize that alcohol, in the case of minors under the age of 13, can be defined as a "controlled" substance. A controlled substance should be defined as any "substance" used to "control" another person with the intent to threaten or deceive a victim for the purpose of committing an act of sexual penetration with or without his or her consent. In this case, wouldn't a gun also be considered a controlled substance? Or, would Mr. Pavletic stand by his statement and say, no, "controlled substance" refers to narcotics?

Jean, I am real tired of being talked down to as though I am an idiot. All I get is the run around. Laura Horner, Laura Knotson and Jeff Pavletic have only given me double talk! Michael Waller has never even given me the courtesy of returning one of my phone calls or answering any of my questions. Its obvious that the state only cares about protecting itself! They are not looking out for the best interest of our children. If they did, then Laura Horner would not have risked her job to defend Desario in court by persecuting my daughter nor would she have asked me, the victim's mother if I thought Desario deserved a second chance and was prepared to drop both class x felony charges against him if I had agreed to that. Even though the State's Attorney's office is aware of all this, I've been told that I can't expect Laura Honer to lose her job over it. The SAO should not be tolerant of the immoral and unethical practices that its assistant State's Attorney, Laura Horner used to victimize a witness on behalf of the State.

During my meeting with Mr. Pavletic he said that Laura Horner was wrong to ask me if I thought Desario deserved a second chance. Pavletic also said that Laura Horner should have told me that she accepted a plea agreement to offer the minimum sentence and that it was wrong for me to hear of it from the defense attorney. BUT, "she's not going to lose her job," he said. Of course she wouldn't. Laura Horner only violated my civil rights and persecuted my daughter in court to defend the child molestor who assaulted my eleven year old daughter by getting her too drunk to understand what was happening to her and then he used his fourteen year old sister as a ploy to commit RAPE against my daughter. Desario had every intention to have INTERCOURSE with my eleven year old child that night!!!! Can you understand Jean - what I am talking about? Representative Churchill can you hear what I am saying? This is a serious crime that has been committed, but, Laura Horner of the State's Attorney's Office wanted to offer him the minimum sentence, AND she fought me in court to defend him so he had a better chance at getting the lesser sentence. "It was HIS first offense" she kept telling me. Do you know what that felt like? If this had happened to you, could you EVER get over it? All I can tell you is that I can't. This is not what I want to do, ITS all I can do. If I don't do something on behalf of serving justice then I will never be at rest.

I am sick, angry, upset, disappointed and outraged that vicitms (children who are victims of sexual assault or abuse by an adult) are being victimized by the State's Attorney's Office.

Did you know that of the 517 Registered Sex offenders (excluding Fox Lake and Zion, because they don't participate with the Lake County Registry) 444 are CHILD MOLESTORS? 444 - that's nearly 90%.

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Representative Churchill, I need you to understand that you are my only hope. I need you to push for the Crime Victims Rights and work with me to legislate a change in the law according to subsection (a) (3) so people like Laura Horner or Jeff Pavletic can't interpret "Controlled Substance" as being limited to narcotic. It should read, (a) (3) the accused was 17 years of age or over and commits an act of sexual penetration with a victim who was under 13 years of age when the act was committed and the accused delivered (by injection, inhalation, ingestion, transfer of possission, or any other means) to the victim without his or her consent, or by threat or deception and for other than medical purposes any controlled substance, including but not limited to narcotics. In addition, we should include a definition of controlled substance for the purpose of interpreting this law as it relates to minors.

Please let me know your comments. What would you suggest my next step should be?