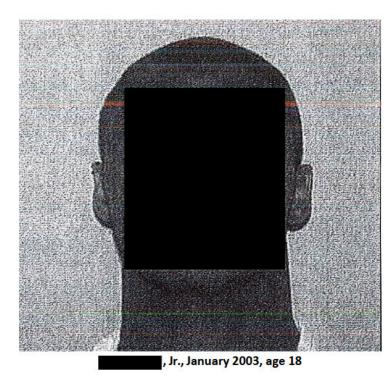


To:

From: Haley Volpintesta and Lillian Huang Cummins

Re: Mitigation report for **Example 1** Jr. and his prospects for future success.



A childhood filled with death and violence made prone to maladaptive reactions in the case of perceived threats. After his mother's death from AIDs, was abandoned by his other relatives, and forced to live with his father, who beat and tortured for nearly two years. Approximately 11 months after was removed from his father's control, was arrested and charged for the death of 26-year-old was 16 years old. Today, is a 38-year-old man. During the last 22 years, has matured. He has taken advantage of the opportunities available to him in

the Illinois Department of Corrections that have prepared to successfully return to society.¹

In December 2022, the hired the Sentencing Advocacy Group of Evanston to conduct a biological, psychological, and social history for Mr. The hired the Sentencing Advocacy Group of Evanston to conduct a biological, psychological, and social history for Mr. The hired the sentencing and his conducting our investigation. We completed in-person, telephonic, and virtual interviews with Mr. The history and his family. We reviewed discovery and collected over 40 documents, including education records, medical and mental health records, criminal court records, and media and scholarly articles to prepare this report.

¹ Since 2005, the Sentencing Advocacy Group of Evanston has conducted investigations into the life histories of more than 100 death-penalty, juvenile-life-without-parole, and other cases in federal and state jurisdictions. SAGE is a multidisciplinary practice led by Betsy Wilson, an attorney and mitigation specialist with nearly two decades of experience in sentencing and mitigation investigations. Haley Volpintesta is a PhD candidate in sociology at the University of Illinois at Chicago, with master's degrees in human rights and sociology. She has worked at a mitigation specialist at SAGE for eight and a half years. Lillian Huang Cummins is a licensed clinical psychologist in the state of California. She teaches at Lake Forest College and has been a mitigation specialist at SAGE for four and a half years.

educated woman and aspiring nurse who worked hard to support herself. **The set of the se**

beat and raped **setting** repeatedly during her pregnancy with **setting** Jr. and after his birth, until the birth of younger twin brothers: and and Shortly after and gave birth, died for reasons related to his prematurity. After funeral, escaped with and his three other siblings and moved to . was on the run from that point forward until found her a final time in By that time, was sick; her health rapidly declined after she was diagnosed with AIDs. After nearly a decade of running with his mother, **moved** back to **moved** to live with his maternal grandmother, Overwhelmed with care, sent sent and his brothers, and and to live with their paternal grandmother, **1998**, When **1998**, died on October 4, 1998, and his siblings were surrendered to , who would neglect and brutalize his children physically and psychologically. The trauma witnessed and experienced created extraordinary vulnerabilities for his developing brain.

By the time was 16 years old, which had lived in a dozen places in three different states. When his mother died, was abandoned by the safer adults in his extended family. In his father's care, was repeatedly beaten with two-by-fours and other weapons.

It was at that point, on October 10, 2001, that was in a physical fight with the victim in this case, where the second se

The mitigation presented in this report does not excuse the harm that **and** caused **and the** in fact, **and** takes full responsibility for his actions. **The** holds tremendous remorse for the harm he enacted and has thought about **and** every day of these last 22 years. The information presented in this report offers a picture of **and** life and places the crime in the context of **and** early brain development, childhood trauma, and a childhood environment utterly lacking the safety and stability to prevent the disabilities that impacted **and**'s behavior on October 10, 2001.

A typical mitigation report includes letters of support from parents, childhood photos, and stories about how caregivers tried their best to mediate factors that were largely out of their control. In case, these things do not exist. The egregious violence that and his siblings endured

made it difficult for them to recall childhood memories from before the violence began. also died from AIDS in 2007. None of the family members we spoke to possessed artifacts or traces of the childhood. The only things we found to document the childhood are the records that describe the horrendous abuse and neglect the experienced before his arrest on this case. The few images we recovered are from the child protection investigation and the incarceration records.

Despite his chaotic and violent childhood, has matured. During these last 22 years, has shown that he will use the resources he can access to heal and learn. Today, has no longer the same frightened 16-year-old boy who was sentenced to 45 years in prison. If is a 38-year-old man who has served more than two decades in the Illinois Department of Corrections. If has spent this time engaging in programs and building supportive relationships. If has held jobs, attained his GED, and is working hard to better himself and the community around him. This report illustrates the relevance of the offense and prospects for future success.

mother, **Example 1**, was physically assaulted and raped by **Example 1** father, **Example 1** Childhood exposure to domestic violence can result in mood disorders like depression and anxiety, PTSD, learning and behavioral disabilities, and long-term physical and mental health consequences.²

and grew up on second 's west side. Was born on February 21, 1961, in second second was born on November 30, 1964, in Both of their families migrated to second in the late-1960s to have better opportunities than what were available to Black families in the south.

graduated from High School in 1975 and went to college for nursing. graduated from the same high school four years later. and and met in 1983, shortly after gave birth to her first child, and a second state and a second state in 1983.

was a well-known member of the second who had a reputation for being violent – he was not the kind of man second was looking for after ending her relationship with second father stability was attractive to second who was in and out of jail for battery, auto theft, robbery, and the possession of controlled substances.³ According to cousin, second never chose to be with second and used violence to control life.⁴

had an apartment on **Example 1** Road, and **Example 1** came and went whenever he wanted to.

² Blake Griffin Edwards, "Alarming Effects of Children's Exposure to Domestic Violence." *Psychology Today*, (Feb. 26, 2019), https://www.psychologytoday.com/us/blog/progress-notes/201902/alarming-effects-childrens-exposure-domestic-violence.

³ Police Department Rap Sheet for Sr.

⁴ Interview with (Aug. 9, 2023).

Jr. was born to and and and on December 25, 1984. His sister, was born less than one year later, on October 31, 1985. Was unable to maintain the rent with three young children and no financial support, so she moved in with and the second of the second of

There, **where** brother, saw **where** beat **where** for the first time. **Where** punched **where** in the face repeatedly, causing her nose to bleed. Other adults were around, but no one intervened. **Where** heard **where** beat Linda often; he heard them argue and yell, heard slaps and punches, and **where** cries for help.⁵ and his younger siblings were also present when the abuse took place.

the women in his life, no matter their relation. When we moved in with we would beat all high school student. She knew was beating was beating we and the children, but when she tried to confront we his aggression towards we yelling and threatening her. Everyone was afraid of we .⁶

On December 29, 1986, and gave birth to the youngest of her children, twin boys, and and at Mt. Sinai Hospital. Both babies were in the neonatal intensive care unit. When was healthy enough, and was able to bring him home, but and health declined, and he died a short time later. Was devastated. At a function funeral, was carried with grief and tried to remove the lifeless body from the infant casket. Was carried out of the funeral home.⁷

After death, and decided to flee from the . She moved to decide with with and the second second second second with the second se

's abuse of and the instability that pervaded action childhood shaped the development of action young brain, putting him at risk for negative mental health and academic outcomes.

In **Constant of the set of the se**

When was about seven years old, he and his brother were playing outside of their apartment building when they saw defined drive into the parking lot. They ran inside to warn afraid that would beat her. They would be the total afraid that if she did not return to the saw of the total afraid that if she did not return to the saw of the total afraid that if she did not return to the saw of the sa

- ⁵ Interview with (March 13, 2023).
- ⁶ Interview with (March 17, 2023).
- ⁷ Interview with **and the second of the se**

he would take the children.9

After found in sister helped flee with the children to and other maternal relatives were living in At first. lived in a shelter for women and children who were victims of domestic violence. received assistance in applying for benefits and locating housing.¹⁰

, was enrolled at was enrolled at when we school for second grade through fifth grade.¹¹ In recalls receiving special education services and being evaluated by a child psychologist for learning and behavioral disabilities. Public School records confirm that received special education services.

moved to South to be near her sister and enrolled in South Middle School for sixth grade. his teacher, Mr. who was a role model for and kept focused on his schoolwork. social support in sector was unfortunately short lived: found again.

When was riding his Big Wheel outside, a man started calling his name from the window of a car. At first was happy because he hadn't seen with in four or five years. Then it sunk in that would harm would harm home yelling, "Daddy is here!" When got to the house, he told and to go outside. went to find her aunt for help. told that was hurting her mom.

ran back to the house and saw **second** on top of her mother, holding her down, and in front of his friends.¹² raping

Following the rape, forced his way back into	and the children's lives. He would drive
to on Fridays to pick up	and . ¹³ did not want
to go with and often refused. When refused	, would yell at and push her
around. would yell at to stop and try to prot	ect his mother. Sometimes, went
with so that he would not beat	

(1992-1996).

⁹ Interview with (March 13, 2023).

¹⁰ Interview with (Aug. 8, 2023).

Public School Enrollment History for

¹² Interview with (March 16, 2023); Interview with (March 13, 2023).

¹³ Interview with

⁽March 13, 2023).



The Impact of Domestic Violence on Children, TESSA, 2023

Children who grow up around and witness domestic violence experience fear and chronic stress that can have profound and long-term impacts on their development. Research shows that children, like for the develop psychological, emotional, and behavioral problems. Children often feel responsible for the abuse, try to protect their abused parent, carry guilt for their inability to prevent the abuse, experience constant anxiety, are afraid that they will be abandoned, seek attention in negative ways, fear that they will be physically harmed, and exist in a constant state of worry.¹⁴ The graph above captures how children, like for a realso more vulnerable to running away, experiencing violence, using drugs and alcohol, and are more likely to be victimized themselves.

Furthermore, the Center for Disease Control¹⁵ reports that children who witness domestic violence are at a greater risk of alcohol and substance abuse, poor performance in school, mental health conditions like anxiety and depression, and health conditions like diabetes, all

¹⁴ U.S. Department of Health & Human Services Office on Women's Health, Effects of Domestic Violence on Children, *OASH* (Feb. 15, 2021), https://www.womenshealth.gov/relationships-and-safety/domestic-violence/effects-domestic-violence-children.

¹⁵ Center for Disease Control, Intimate Partner Violence, *CDC* (Oct. 9, 2021), https://www.cdc.gov/violenceprevention/intimatepartnerviolence/index.html.

which experienced.¹⁶

When was 12 years old, his mother was diagnosed with HIV leading to her death from AIDs. The likelihood that would experience long-term physical and mental health issues like depression, anxiety, substance abuse, PTSD, school disruption, and behavioral problems increased exponentially when would died.ⁱ

While living in **Example 7**, **Example 7** health started to decline. One afternoon, she was riding a bike with her children and fell. **Example 7** injured her leg and was taken to the hospital. **Example 7** learned that she was infected with HIV. **Example 7** told her children and family members that she had cancer.

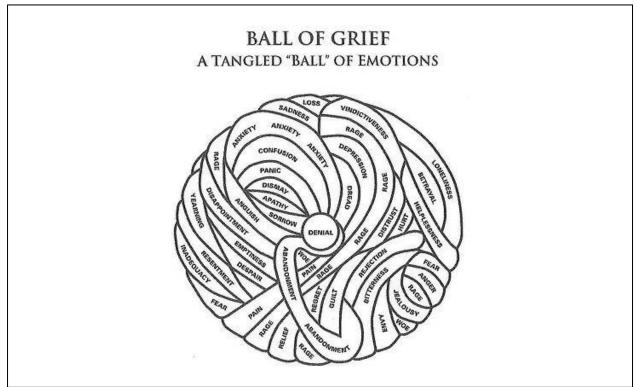
During the next two years, 12-year-old and his siblings and and and watched their mother become more and more weakened from the disease. Other health problems emerged. would spend days in the hospital at first, then longer and longer periods of time.¹⁷

and his siblings cared for their mother and themselves mostly alone. And a sister, and and her aunt, and helped when they could. When they couldn't, and his siblings were left to care for themselves. They would buy groceries and cook basic meals. They had a feeding tube, and 11-year-old and the learned how to feed her mother and administer her medications through the feeding tube.¹⁸ When neighbors inquired about the whereabouts, told the children to lie to avoid a child welfare investigation. Two neighbors eventually learned that the was sick, and would keep an eye on the second and the side of th

On the evening of October 4, 1998, woke woke woke and told her that her mother had died. and ordered woke woke woke and her brothers. wowe took them all to woke house. We dead body was still in her bed.

 ¹⁶ School records for the lease Department of Corrections records for the lease of the lease o

and his siblings did not understand the permanence of **and** 's death and waited for their mother to wake up. For months, they believed that **and** was somewhere else getting better.²⁰



Whole Child Counseling, "Ball of Grief"

When **weight** lost his mother, he experienced a wide range of emotions. He had trouble sleeping, felt lost, and was overcome with sadness and anger. Experts refer to the emotions that children can experience from death as a "ball of grief" to demonstrate the complexity of the emotional reaction to death and how grief requires a non-linear approach to healing that takes time and work.²¹ When his mother died, **weight** did not receive any help or support to understand and process his feelings; instead **weight** told **weight** his siblings to forget about her.²²

The early loss of a parent also increases the probability of inadequate childcare and child maltreatment and tends to worsen a family's economic stability. These concerns, which experienced, can result in poor psychosocial well-being for the child, including changes in their behavior and mood, sleep disturbances, mental health issues, reduced academic engagement, and risky decision-making.²³ Moreover, researchers at the Pittsburg Department of Psychiatry

²⁰ Interview with (March 16, 2023).

²¹ H. Norman Wright, Experiencing Grief, *B&H Books*, July 1, 2004).

²² Interview with (March 16, 2023).

²³ M.J. Rotheram-Borus, R. Weiss, S. Alber, and P. Lester, Adolescent Adjustment Before and After HIV-Related

reported that the loss of a parent had an early and persistent negative impact on the academic and social functioning of the child.²⁴ They found profound changes in daily functioning: children who had lost a parent showed higher rates of functional impairment than nonbereaved children across all points of the study.²⁵

The domestic violence **and** and her children endured, and **and** death alone could explain the changes in **and** behavior and stress response, but after **and** died, the circumstances of life exponentially increased his vulnerability to trauma-related mental illness.

After her death, and experienced near-constant emotional and physical abuse and neglect that further altered his brain architecture, making it even more difficult for to regulate his emotional and stress responses.

Child maltreatment and abuse are associated with negative physical effects on the structures and activity of children's brains.²⁶ These changes can lead to increased risk of psychological, social, emotional, and behavioral disabilities. Emotional abuse and corporal punishment can cause anxiety, depression, and other mental health issues as well as negative health, behavioral, and developmental outcomes.²⁷ The violence that **experienced** as a child affected his cognitive and mental health development.

Within days after we death, we began abusing and neglecting we and his siblings. He would not let them talk about their mother, limited their contact with their maternal family members, locked we and his brothers out of the house, and refused them food and shelter. began selling drugs to buy clothes, shoes, and food. Because was not we was not we hold and shelter was mostly homeless and eventually dropped out of school. We and would sneak food from the house for when they could.²⁸

Within weeks of **Constant** death, **Constant** began beating the children. He would hit them for no reason at all. He often accused **Constant** and his brothers of stealing from him. **Constant** would hit and punch his young sons. In December 1998, when **Constant** was 14 years old, **Constant** accused **Constant**

²⁸ Interview with (March 13, 2023), Interview with (March 16, 2023).

Parental Death. *Journal of Consulting and Clinical Psychology* (2005); G.C. Tremblay, and A.C. Israel, Children's Adjustment to Parental Death. *Clinical Psychology: Science and Practice* (1998).

 ²⁴ S. Pham, et al., The Burden of Bereavement: Early-Onset Depression and Impairment in Youth Bereaved by Sudden Parental Death in a 7-Year Prospective Study. *Am J Psychiatry*, 175(9): 887-896, (2018); K. Cullen, Persistent Impairment: Life After Losing A Parent. *Am J Psychiatry*, 175(9): 820-821 (2018).
 ²⁵ Id.

²⁶ Child Welfare Information Gateway, Child Maltreatment and Brain Development: A Primer for Child Welfare Professionals, *Issue Briefs* (March 2023).

 ²⁷ Jorge Cuartas et al., Corporal Punishment and Elevated Neural Response to Threat in Children, *Child Dev.* (April 9, 2021); Veena Kumari, Emotional Abuse and Neglect: Time to Focus on Prevention and Mental Health Consequences, *BJ Psych* (Sept. 7, 2020).

and their cousin **and the of stealing**. **And and his brothers and "the or and and** "**The or a state** tied the boys to a weight bench and chairs and beat them with two-byfours, a weight belt, and the wooden handle of a hammer. Other times, **State** and his brothers would strip **and state** naked, spray their bodies with water, tie them up, and beat them until their skin was broken and bleeding.²⁹

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"In summary vic related to R/Os that above off, accused vic (nephew) of stealing his jewelry when vic denied taking it. Above off. Struck vic several times on right outer thigh of leg. The following morning vic's mother noticed two welts and bruises on vic's right lef. Mother took vic to Hospital for treatment per Dr. Williams."

, Sr., police report for battery against **sectors**, November 20, 2000

The physical abuse persis	sted for the two ye	ears that	was living with	. On Nove	ember
19, 2000, when was	15 years old,	accused hi	m,, and	d of ste	aling his
jewelry and beat the boy	s, leaving welts ar	nd bruises.	mother,	's sister	12
saw the bruises and welt	s on boo	ly and took	to 💶 hos	spital for help. A	At the
hospital, reporte	d that he was bea	ten with an e	xtension cord.		

²⁹ Interview with (March 13, 2023).

The day after the beating, went to school as if nothing had happened. In the classroom, could not sit at his desk because of the welts and bruising on his backside and legs. friend and classmate, we with a sked him what was wrong. To told we we that he had gotten into an argument with his father over stolen jewelry, and that his father struck him on the hip with a piece of wood. If informed the school administrators, who called 9-1-1. The EMTs transported we to be county Hospital. Sustained injuries to his right hip and leg, bruising to his face, a sprained wrist and a broken thumb.³⁰

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"In summary, victim stated that after a verbal altercation with his father regarding missing jewelry, the father struck the victim, with a piece of wood, in the right hip causing a deep bruise. Victim admitted at ROH Children's Hospital per Dr. Cieslak until his grandmother picks him up on 22 Nov 00. Victim also has an injured righthand."

Sr., police report for child abuse against Jr., November 20, 2000 wanted his father arrested for the assault, but sister's did not want to press did not want to press , Sr., police report for child abuse against Jr., November 20, 2000; DCFS records for charges against her brother.³¹ paternal grandmother, **and aunt** convinced **and** not to as well.

The trauma of childhood maltreatment and abuse has been shown to result in negative cognitive effects for children in two main areas: 1) stress response and 2) executive functioning and self-regulation.³² When faced with a threat, the body's first automatic, involuntary physiological response is to fight. This response exists so that an individual can face and escape danger. When a child's brain develops under conditions of frequent and extreme stress, as

did, that brain can grow more sensitized to stressful situations, triggering the child to shift quickly into a defensive mode and causing them to either shut down or overreact. In these situations, the child may engage in impulsive or maladaptive behaviors because their threat detection system has learned to stay on hyperalert, and they may see a threat in what might others might perceive as a low-threat situation.³³ What is more, children who have experienced abuse can also develop cognitive deficits in their executive functioning and self-regulation such that they are less adept at the self-control and mental flexibility that might aid them in responding more successfully in such situations.³⁴ Negative emotionality, a propensity toward depression and anxiety and a tendency to react to stressful situations with unpleasant emotions, is known to have a particularly detrimental impact on the cognitive functions most affected by PTSD, such as memory, attention, planning, and problem solving.³⁵

with his elderly grandmother, who neglected with medical, educational, and mental health needs.

After assaulted as on November 20, 2000, the became a ward of DCFS and was placed in a group home. We was not bothered by the other boys in the group home, but the staff were aggressive. The first day was there, a male staff member grabbed the collar of shirt and yelled in his face. We was reminded of his father and decided to flee. We contacted his GAL to report that he would not stay in the group home and walked to his grandmother

³¹, Sr., police report for battery against (Nov. 20, 2000).

³² Child Welfare Information Gateway, Child maltreatment and brain development: A primer for child welfare professionals. U.S. Department of Health and Human Services, Administration for Children and Families, Children's Bureau. https://www.childwelfare.gov/pubs/issue-briefs/braindevelopment/(2023).

³³ B.D. Perry et al., The impact of neglect, trauma, and maltreatment on neurodevelopment: Implications for juvenile justice practice, programs, and policy. In A. R. Beech, A. J. Carter, R. E. Mann, & P. Rothstein (Eds.), The Wiley Blackwell Handbook of Forensic Neuroscience (pp. 815–835). Wiley Blackwell (2018).

³⁴ B.C. Kavanaugh et al, Neurocognitive deficits in children and adolescents following maltreatment: Neurodevelopmental consequences and neuropsychological implications of traumatic stress. *Appl Neuro: Child 6* (2017).

³⁵ Jasmeet P. Hayes et al., Emotion and Cognition Interactions in PTSD: A Review of Neurocognitive and Neuroimaging Studies, *FRONT INTEGR NEURO.*, 6 (2012).

home in North **Control**. DCFS then placed **Control** in the custody of his grandmother.³⁶

DCFS case worker, **Construction**, had more than 20 points of contact with **Construction** in ten months. During that time, **Construction** reported that she was concerned about the environment at High School, where **Construction** was attending ninth grade, and the gang activity in North **Construction** had been jumped by a group of boys, who were gang members, after school and was suspended for fighting. When **Construction** feared for his safety, he would call his grandmother **Construction**.³⁷ Despite the safety concerns brought to his case worker and family members' attention, **Construction** was ordered to attend school without a safety plan and refrain from being tardy.³⁸

and the DCFS case worker ignored other indicators that was in trouble. During his freshman year at **and the DCFS** received 225 minutes of special education services per week, an extraordinarily amount of support, and earned only six and a half credits, while an average student would earn eight credits in a year. **The sequence of the sequence of the**

FRESHWA	N YEAR			FI	RST SEMESTER					SECOND SEMESTER				
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High School administrators reported to DCFS that **we** had a challenging relationship with one of his teachers, but that they were mainly concerned with his attendance and declining

³⁸ DCFS records for
 ³⁹ records for

grades. They recommended counseling services for **the b**ecause of his history of child abuse. was unable to remedy his attendance issues, failing grades, and behavior issues. Instead of investigating the cause of his difficulties or offering additional support, **Grade** High School dropped **the f**rom enrollment. **Constitution** took no steps to enroll **Leim** in another high school.⁴⁰

During his home visits with his caseworker, **Here a**, **Jack** agreed to participate in counseling services at the **Boys** Foundation and expressed interest in Job Corps. Although **Boys** took the steps to enroll **Jack** in these services, **Boys** id not provide transportation and the safety concerns that further obstructed John's participation went unaddressed. Instead of problem solving, **Boys** threatened to close **Jack** case.⁴¹

Example was then referred to **Example** Challenge Academy, a five-month residential program funded by the Department of Military Affairs. **Example** was excited about the opportunity and attended the orientation, but the program required family sponsorship, and no one in **Example** family would sponsor him.⁴²



John Young, 16 years old

On the street, **and** did not have the ability or resources to support or protect himself from the violence and sexual abuse he experienced.

After DCFS removed **Com** from his father's violent home, **Solution** was left to spend most of his time on the street, where he began smoking marijuana daily and drinking alcohol. The feeling of being high or drunk was an escape for **Com**.

also started selling drugs and was arrested for possession of cocaine when he was 15 years old. John was detained for loitering a few weeks later but had no other arrests until his arrest on this case.⁴³

When was 15, he met **a** was 1, who lived downstairs from **a** arandmother **a** would sneak **a** into her house to spend the night when she could. At the time of **a** arrest, **b** was pregnant. **a** was born on November 27, 2001, about six weeks after **a** arrest.

insecure housing also increased his vulnerability to sexual abuse. Youth who are homeless or housing insecure are more likely to experience sexual violence than youth who are housed, and 48% of homeless youth are forced to trade sex for food or a place to stay.⁴⁴ When did not have a safe place to sleep, he practiced survival sex, which refers to the exchanging of sex for basic needs. When was 15 years old, a woman old enough to be his mother took him in and raped repeatedly when he stayed with her. did not want to have sex, but did, so that he did not have to sleep in the street. This was not the first time that did had been sexually victimized.

When was 12 years old, he was visiting his paternal relatives in **a second**, and a 30-year-old woman forced **a second** to have sex with her and became pregnant. **Constant** oldest child, **a second** was born on February 9, 1997. Unlike **a second** who **a second** has not met in person, **a second** held and fed **a second** when he was a baby. **We** was 13 years old.

Shortly before the crime, was jumped and assaulted again. A group of boys beat with a metal pole and split his lip open.⁴⁵

At the time of the crime, was 16 years old and displayed all the distinctive attributes of youth that have been recognized as mitigating by the second and U.S. Supreme Courts.

The United States Supreme Court has held that the eighth amendment prohibits capital sentences for juveniles who commit murder,⁴⁷ mandatory life sentences for juveniles who commit nonhomicide offenses,⁴⁸ and mandatory life sentences for juveniles who commit murder.⁴⁹ *Roper v. Simmons, Graham v. Florida*, and *Miller v. Alabama* established that "children are

⁴⁴ National Sexual Violence Resource Center, Homeless Youth and Sexual Violence. *NSVRC* (retrieved on Sept. 4, 2023) https://www.nsvrc.org/sites/default/files/publications/2019-02/HomelessYouth_Final%20508.pdf.

⁴⁵ Interview with (March 16, 2023).

⁴⁶ Id.

⁴⁷ Roper v. Simmons, 543 U.S. 551 (2005).

⁴⁸ Graham v. Florida, 560 U.S. 48 (2010).

⁴⁹ Miller v. Alabama, 567 U.S. 460 (2012).

constitutionally different from adults for purposes of sentencing."50

These landmark decisions were informed by a growing body of scientific and behavioral health research on adolescent brain development and by a recognition of the "transient immaturity" of youth.⁵¹

In *Miller*, the Supreme Court explained that science has demonstrated that three significant characteristics of juvenile offenders diminish the culpability of adolescents who commit crimes. First, children lack maturity and a fully developed sense of responsibility, which can lead to behavior that is careless, impulsive, and reckless. Second, children are more vulnerable to negative influences and outside pressures, they have limited control over their own environment, and they lack the ability to extricate themselves from crime-producing settings. Third, children are more capable of change than adults, and their actions are less likely to be evidence of irretrievable depravity.⁵²

At the time of the crime, which exhibited all these distinctive attributes of youth. The typical impulsivity and lack of self-control found in children were likely exacerbated for which due to his cognitive and adaptive impairments that developed from a childhood of neglect and abuse. Prior to this crime, was arrested once for possession and once for loitering after he was removed from his father's abusive home.⁵³ These offenses demonstrate was lack of judgment and impulsiveness, not a propensity for violence.

has been incarcerated for 22 years and has grown up. Over the course of his incarceration, which has demonstrated resilience and persistence and has developed the maturity necessary to achieve his educational goals.

When was first incarcerated in the County Juvenile Detention Center at age 16, he was still under the care of DCFS. His caseworker noted at that time that was enrolled in school and cooperating with staff.⁵⁴

When turned 17, he was transferred to the County Jail. While the father, the , occasionally brought younger siblings to visit, the had no financial support. The monthly visits from his DCFS caseworker were interrupted by lockdowns at the facility, and the did not consistently receive the \$23 monthly stipend that DCFS provided. Given the facility lack of resources and support during this time, his caseworker recommended that the receive a substance abuse

⁵⁰ Miller v Alabama, 567 U.S. at 2 (2012).

⁵¹ Center for Law, Brain & Behavior, *White Paper on the Science of Late Adolescence: A Guide for Judges, Attorneys and Policy Makers* (Jan. 27, 2022) http://clbb.mgh.harvard.edu/white-paper-on-the-science-of-late-adolescence/; John M. Court, Immature Brain in Adolescence, *J. Paediatr* 49 (2013), pgs. 883-886; Mariam Arain, et al. Maturation of the Adolescent Brain *Neuropsychiatr Dis Treat* 9 (2013) pgs. 449-461.

⁵² Miller v. Alabama, 567 U.S. at 8 (2012).

⁵³ Police Department records for .

⁵⁴ DCFS records for

assessment and treatment as well as regular therapy. I hever received any of these services.⁵⁵ Despite this, is signed up for and was eventually able to take a few GED classes at County Jail before he was sentenced and transferred to the IDOC. Was 19 years old when he began serving his 45-year sentence at Correctional Center. There, wanted to work and continue his GED studies, but his long sentence put him at the bottom of the waitlist for programs. At County 's DCFS caseworker visits were cut from once a month to once a quarter, and the facility's distance from meant that the count of the visits from family.⁵⁶

increased isolation at the was compounded by repeated lockdowns at the facility. In first year and a half at the form 2004 to 2005, his caseworker made note of at least six times that the was in lockdown for weeks at a time. During these lockdowns, the was confined to his cell 23 hours a day and was allowed out of his cell once a week to shower. sister, the became concerned about his physical health when she learned that the was passing blood in his urine.⁵⁷ The DCFS caseworker observed how these harsh conditions discouraged the changing his previously positive attitude.⁵⁸

told his DCFS caseworker that he was determined to maintain a positive outlook and stay out of trouble. **The began** imposing his own structure for himself, exercising and doing his own laundry, including his sheets, by hand in his cell.

received a total of nine disciplinary infractions in more than two decades: eight for minor infractions and one for a fight. Of those infractions seven of them occurred within the first ten years that **was** housed in **was**. From 2012 through 2017, **was** did not receive any disciplinary tickets. Since **was** transferred to Hill Correctional Center in 2018, he received two citations for unauthorized property and fighting after **was** attempted to break-up a fight, was punched, and defended himself. **Was** house not received any disciplinary tickets in nearly four years.

never tested positive for drugs, nor was he cited for any gang related activity.

Over time and as his brain matured, adjusted to the challenges of prison life. Starting in 2012, when he was 27 years old, was able to engage in meaningful activity by working in the kitchen at the second second

⁵⁵ DCFS records for

⁵⁶ DCFS records for

⁵⁷ Interview with (March 16, 2023).

⁵⁸ DCFS records for

⁵⁹ IDOC records for

there. recently completed a roofing class and hoped to take a forklift class as well as the behavioral life skills class, Thinking for a Change.



High School Equivalency Certificate for

has matured into a hard-working, contributing member of his community who is ready to rebuild his life. Support from well-established organizations will provide John with the resources he needs to succeed in the community.

2021

While incarcerated at **a second for** looked up to **a second for**, who facilitated Thinking for a Change groups. **We** was serving a life-without-parole sentence for a crime that occurred when he was 17. After **beside** resentencing and release, he became the Mentor Coordinator for Precious Blood Ministry of Reconciliation (PBMR) and has mentored many men like **beside** on the outside. Precious Blood provides re-entry support and services for men and women returning to the community from prison. They offer case management services, individual and group mental health services, mentoring, and career training.

has committed that on his release, will be able to transition to Hospitality House, a housing program for men who were sentenced to more than 20 years in IDOC. In this program, men receive free housing for a period until they can find employment and begin contributing to their rent. Precious Blood has a proven track record of success with participants and supporting them towards becoming healthy, contributing citizens.⁶¹ In 2022, Precious Blood was the recipient of the Berrigan-McAlister Award for their success with fostering reconciliation, just, and peace for all.



Residents and Staff from Hospitality House, 2023

cognitive impairments may also qualify him to receive services from the Illinois Department of Human Services, Division of Rehabilitative Services. DRS helps clients apply for transitional and assisted living programs funded by the **Exercise** Housing Authority. They can also assist **even** with applying for disability benefits to aid in financial support while providing employment, education, and independent living resources to help with John's reintegration into society. An employment coordinator, case management, and crisis staff can offer **even** the resources and support he needs to successfully re-enter society.⁶²

Despite serving over 21 years, that has maintained an extended network of friends and family members who have pledged to provide him with financial and emotional support as he transitions back to the community.

childhood friend, lesha Jones, has worked for the Department of Human Services for over 20 years. Iesha knows that much has changed in the 22 years since was first incarcerated, and she is prepared

⁶¹ Interview with (June 2, 2023).

⁶² Department of Human Services, "Rehabilitative Services," DHS, (retrieved on April 1, 2022). https://www.dhs.state.il.us/page.aspx?item=29736.

to help avigate these changes to support his education and employment.⁶³ to has also known who works as a commercial truck driver, since childhood. who works her own truck and has offered to help and obtain his commercial driver's license.⁶⁴

paternal aunt, **and the set of th**

sister, **and the set of** works as a Licensed Professional Nurse at a nursing home in **and the**. His brother **and the set of** is a mechanic in **and the set of** and **and the set of** have eagerly awaited **and the** resentencing, and plan to support **and** in any way he needs. They plan to introduce **and** to his nieces and nephews and look forward to including **and** in their lives.

children have also played an important role in his rehabilitation these last two decades. Although is currently incarcerated, where hopes that where will learn from the mistakes that he made and change the course of his young life. Where who lives in the second developing a relationship with when she was 17 years old. Over the last four years, where and where have spoken regularly over the phone. When he is released.

Conclusion

In the landmark cases *Graham v. Florida*⁶⁷ and *Miller v. Alabama*⁶⁸, the U.S. Supreme Court eliminated mandatory life-without-parole sentences for youth under 18 and juvenile life-without-parole sentences for nonhomicide offenses. These decisions were informed by scientific and behavioral health research on adolescent brain development and by a recognition of the "transient immaturity" of youth. From those scientific studies it cited, the Court reached the conclusion that youth are less morally culpable, more susceptible to peer pressure, and more amenable to positive change relative to adults.

As a 16-year-old boy, and never considered the possibility that he would be involved in a situation that would result in the death of **situation that would result in the death of situation that would be involved by his actions of**

⁶³ letter of support (July 14, 2023).

⁶⁴ letter of support (July 17, 2023).

⁶⁵ Interview with (March 27, 2023).

⁶⁶ Interview with (August 9, 2023).

⁶⁷ Graham v. Florida, 560 U.S. 48 (2010).

⁶⁸ Miller v. Alabama, 567 U.S. at (2012).

that night and the anguish he caused **sector** family. **Sector** is sorry that his action took **sector** life. **Sector** hopes to repair the damage he caused by helping other people when he is released.

Now that has grown up and served nearly 22 years of his 45-year sentence, his adolescent brain and stress reactivity have matured. Through his strong relationships with others, he will have access to housing, services, and support that will sustain him. Despite tremendous odds against him, where a survivor who has overcome cognitive and mental health disabilities, using the time he has served to help himself grow. The skills he has gained and the network of family and friendships he has kept close suggest strong prospects for his future success.



To Whom It May Concern:

This letter is to inform you that Precious Blood Ministry of Reconciliation (PBMR) will be providing its Reentry Service, Job placement, Housing, Workforce Development, and Case Management, to assist Mr. **Constant and Case Management**, to upon his release from IDOC.

Mr. will have a reentry team of people providing accompaniment for immediate needs to obtain his vital documents and social service needs (State ID/License and Link/Medicaid) along with long term needs like housing, employment, and education resources to transition supportively into society.

PBMR staff, including myself (Fred Weatherspoon), have been in communication with Mr. and together we have identified his needs and developed a successful plan that Precious Blood Ministry of Reconciliation will be supporting upon his release.

If more information about Mr. **Example** is needed, please feel free to contact me:

Fred Weatherspoon Program Manager Precious Blood Ministry of Reconciliation 5114 South Elizabeth Street Chicago, IL. 60609 Mobile:773-587-541 fred@pbmr.org

Sincerely, Fred Weatherspoon.

Fr. David Kelly- Executive Director Precious Blood Ministry of Reconciliation 5114 South Elizabeth Street Chicago, IL. 60609 March 17, 2023

Dear Judge:

My name is **service**. I am 53 years old. **Service** is my favorite nephew, and I am his favorite aunt. **Service** is like a son. We were very close when he was a child. **Service** was a good boy. I would take him to the park to play.

did not have the easiest childhood. His mother, **and** died when he was 14 years old. **We** moved in with me, my mother **and** his father **and** his father **and** Sr. My brother, **and** Sr. would whoop his children. I tried to stop my brother from whooping my nephew and eventually he moved in with his grandmother **and** At that time, **and** was being beaten up by other boys and men from the neighborhood. I wanted to help **and** but before I could, **and** took matters into his own hands.

At the time of the shooting, was a child. He had lost his mother and his life turned upside down. has been away from his family for over 20 years now. It hurt me and my family to see get taken from us. was the sweetest boy and was unable to live up to his potential because of his hard life. This does not excuse what he did but please know that and his family are sorry for what happened. I know we can't change it, but we can support to do good in the world.

When my nephew comes home, I am going to help him get a job with me at DHL Supply Chain. I am a team leader there. Come can live with me in Kankakee until he is able to get on his feet. I will be responsible for come

I miss my nephew so much and would love for him to come home so that he can reunite with his loved ones. **Second** father, **Second** Sr. passed away while **Second** has been incarcerated, so did his grandmothers. Even though he lost both parents, **Second** has support from me, his other aunts and uncles, his siblings, and many cousins. I hope that learning about my nephew's life will help him come home. His family loves him dearly and we want him to come home.

Sincerely Yours,

July 14, 2023

Dear Judge,

My name is **service**, and I have known **service** since he was 14 or 15 years old. **Service** grandmother owned the building where my family lived at 3530 West 13th Street. My mother dated uncle, and we were like family.

I have worked for the Department of Human Services for over 20 years. I got my first job with them when I turned 18, and I will turn 46 this year. I have my own apartment. When **services** is released, I can help him first of all by being his friend. I can help him find a job and make sure he's in school. Things will be different so he will need someone to show him how to find a job, like making phone calls together and doing job searches online. I can help him with this and with other things that have changed, like using public transportation.

has always been a nice, respectful young man. He has a great sense of humor and was funny, helpful, intelligent, and bright. He loved being around his family. In his teenage years, his parents abused him. He ended up in the hospital because his father broke his hand. He wound up getting taken away from his parents because his mother was sick. She wasn't able to attend to him, so he ended up at his grandmother **Exercise** Losing his mama was devastating – she was sick with AIDS and got it from his daddy. Still to this day, he talks about it and gets emotional about it.

It crushed my heart when he went to prison. It hurt my feelings because wasn't a bad person. I was hurt, upset, and emotional about it. Through the years, I've kept up with through letters, telephone calls, and sending pictures, but it hurts because we only get such a short time with each other.

Sincerely,

July 17, 2023

Dear Judge,

My name is **a seven**, and I have known **because** since I was seven years old, and my adoptive mother has known him since he was born. My family lived next door to **because** and his family. Where we grew up, we all played on the block together. We were all like family.

I saw the things went through growing up. It was rough, and I never understood why they happened. I was a foster kid, and normally those kids get mistreated. My mom was everything to me, and I didn't have to go through that. Was with his own family, but they mistreated him. He had a brutal life. He got brutalized and molested by his family. I would sneak over to house to ask if he needed anything. Sometimes I had to bring him food so he could eat. It brings tears to my eyes even to this day to think about was and his siblings and how they were treated.

has always been so sweet. When someone would bother me at school, he would tell me to just walk off from it. He was a protector and told me not to get in trouble because we all knew what the outcome would be.

I have been with my husband since high school, and we have five children together. I work as a commercial truck driver and own my own truck. We are renting a house by Midway now and currently trying to buy a home. I saw the trauma and abuse that we have five and his siblings went through from the father and aunts, and I have tried to help and mentor other people in his family. When we comes out, I will tell will to be around people who drain your energy. You need to be in your own space and have your own time to think. I tell this to my kids too. There are so many opportunities other than being in the streets and the drama that comes with that.

I told **that** if he can get licensed, I will help him get a truck. I'll help with whatever he needs. He writes to me, and we talk every few weeks, and I will continue to help him whenever he is released.

Sincerely,

August 9, 2023

Dear Honorable Judge Patrone,

My name is **and I** and I am the cousin of **and I** and the cousin of **and I** and the sister of **and I** mother **and I**. I grew up on the West side of **and I**. My mother is the sister of **and I** mother **and I**. I grew attended and graduated from **and I** High School, after which **and I** was studying to become a nurse. I went to school to be an early childhood educator and moved to **and I** and **I** an

I am writing this letter on behalf of my cousin's son **and the set of the set**

did not want to be with **and a**, but he did not give her a choice. At least twice, fled the state to save her life and protect **and** and his siblings. If it wasn't for her untimely death, **and** would never have been in the situation that led to his arrest.

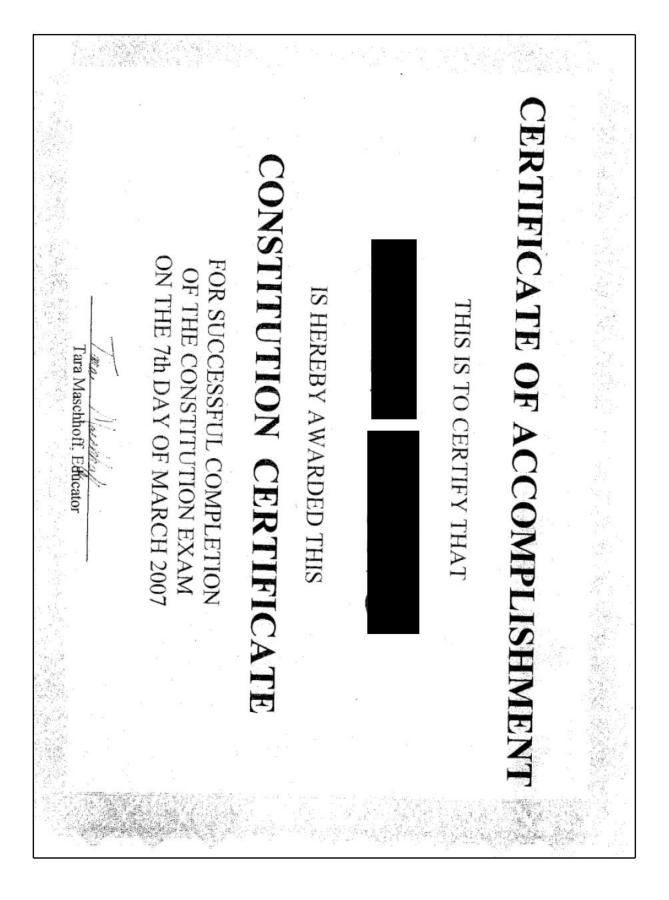
After my cousin was infected with AIDS, from **Coust**, she passed away, and **Coust** was forced to live with his father, where he was beaten and neglected. **Coust** was left to fend for himself the only way he could. He was a 16-year-old boy who should have been loved and cared for so he could grieve for his mother, but instead he had to figure out how to protect his own life and raise himself. If **Coust** had not been in the streets, he would not have had to carry a weapon to protect himself from the adults that harmed him.

There are no excuses for what did and our family is sincerely sorry that his actions led to the loss of a life. With that said, did was a child. He has now been incarcerated for 24 years and has paid the price for making a bad decision. He should not be punished for the rest of his life and deserves the chance to make amends with the support of his family.

When **we** is released from prison, he would like to go to a program that will help him acclimate to his new life. I plan to be there for **we** to emotionally support him and to help him rebuild relationships with his maternal relatives. We look forward to his visits to **we** and celebrating his future success. I am asking that you please consider reducing **we** sentence, so we can give him the love he was denied as a child.

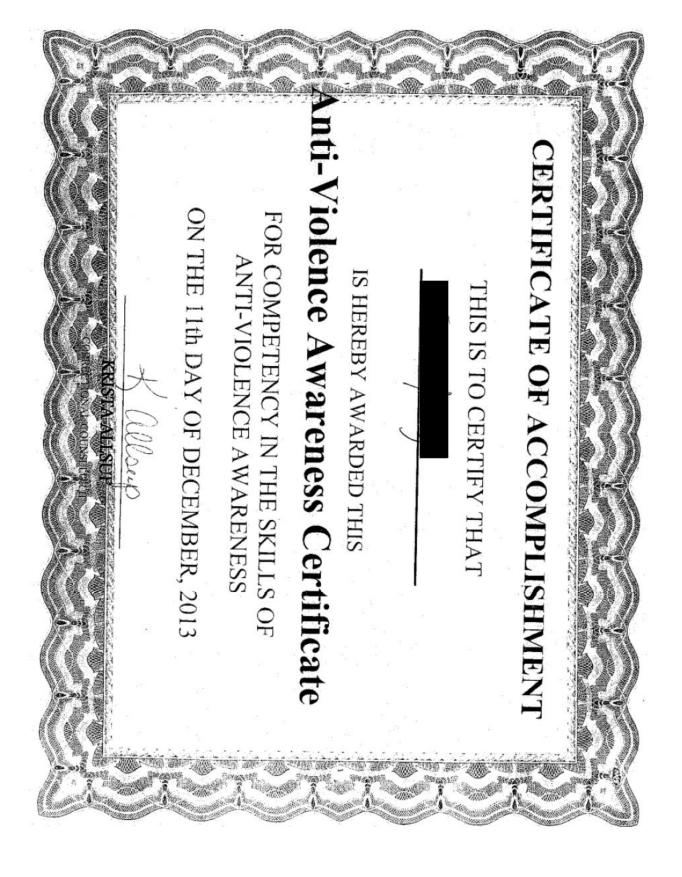
Sincerely,





CERTIFICATE OF ACCOMPLISHMENT OUTSTANDING EFFORT AWARD **NEVER SETTLE FOR LESS THAN YOUR BEST!!!** AS OF THE 15th DAY OF MARCH 2007 WHILE ATTENDING SCHOOL IS HEREBY AWARDED THIS THIS IS TO CERTIFY THAT Tara Maschhoff, Educator Marchal

Certificate Freedom-God's Way: From Prison to the Promised Land Thank you for your participation in studying Biblical truth, experiencing true rependence and participating in communion, all for God's glory. Be strong and of good courage; do not be alruid, nor be dismayed, for the Lord your God is with you wherever you go. Joshua 1:9 Menard Correctional Center, Menard, Illinois, November 1 - November 3, 2013 through Revived Hearts and Reformed Minds nny Mill Koinonia House[®] National Ministries for participation in O presented te 1 Recognition Tom & Wendy Horton





New Life Corrections Ministry, a division of Wayside Cross Ministries, 215 East New York Street, Aurora IL 60505 Director - New Life Corrections Ministry TRANSFORMING INCARCERATED DADS CORRECTIONS MINISTRY ILLINOIS DEPARTMENT OF CORRECTIONS 06-12-2016 Date 2-DAY SEMINAR upon his satisfactory completion of the This Certificate is presented to in the Instructor JR.

CERTIFICATE OF ACCOMPLISHMENT ART WORKSHOP CERTIFICATE FOR COMPETENCY IN THE SKILLS OF ON THE IS HEREBY AWARDED THIS THIS IS TO CERTIFY THAT ART AND PAINTING 25 DAY OF August TIM SAPP//LTS 2017

Jennifer K. Jennifer K. State HSE A 1213829 Requirements met out 08/20/2021				L	in te
Genergy & Stater Jennifer K Foster State HSE Administrator net on 08/20/2021	In recogni	has successful and other State re	ď	High	
	In recognition of such achievement and as evidence of such entitlement, I hereunto set my hand within the County of COOK this 24th day of August 2021.	has successfully completed the Illinois High School Equivalency requirements and other State requirements, promulgated by the Illinois Community College Box as authorized by the statutes of the State of Illinois.	THIS IS TO	LLINOIS COMMUNITY COLLEGE High School Equivalency Certific	
	on of such achievement and as evidence of such I hereunto set my hand within the County of COOK this 24th day of August 2021.	ois High School Equiv ted by the Illinois Cor atutes of the State of J	THIS IS TO CERTIFY THAT	ITY COLL	
Brian Durham Executive Director	such entitlement, 2021.	valency requirements nmunity College Board, Illinois.	Ū	EGE BOA	
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1213829 Requirements met on 08/20/2021	Guerige & Sarten Jennifer K. Foster State HSE Administrator Transport State Security Director	In recognition of such achievement and as evidence of such entitlement, I hereunto set my hand within the County of COOK this 24th day of August 2021.	has successfully completed the Illinois High School Equivalency requirements and other State requirements, pronulgated by the Illinois Community College Board, as authorized by the statutes of the State of Illinois.	JR.	THIS IS TO CERTIFY THAT	ILLINOIS COMMUNITY COLLEGE BOARD High School Equivalency Certificate	
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