

Honorable Carolyn Taft Grosboll
Clerk of the Supreme Court
of Illinois
Supreme Court Building
Springfield, IL 62701

Springfield
August 11, 2011

Supreme Court No. M.R.
Commission No. 2011PR00085

In Re: Jeff Terronez

Dear Ms. Grosboll:

Enclosed please find the original and eight copies of the Administrator's PETITION FOR INTERIM SUSPENSION PURSUANT TO SUPREME COURT RULE 774, together with a Notice of Filing and two Proofs of Service.

If you have any questions, please contact me at (217) 522-6838. Thank you for your cooperation.

Very truly yours,

Peter L. Rotskoff
Chief of Litigation

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enclosure
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IN THE SUPREME COURT OF ILLINOIS

In the Matter of:

JEFF TERRONEZ,

Attorney-Respondent,

No. 6244003.

Supreme Court No. M.R.

Commission No. 2011PR00085

NOTICE OF FILING

TO: Warren Lupel
Lupel Weininger LLP
30 N. LaSalle Street, Suite 3520
Chicago, IL 60602-3334

PLEASE TAKE NOTICE that on August 11, 2011, I will file with the Clerk of the Illinois Supreme Court, the Administrator's PETITION FOR INTERIM SUSPENSION PURSUANT TO SUPREME COURT RULE 774, a copy of which is attached, by causing the original and eight copies to be hand-delivered to the Clerk of the Supreme Court of Illinois in Springfield.

Respectfully submitted,

Jerome Larkin, Administrator
Attorney Registration and
Disciplinary Commission

By: _____
Counsel for the Administrator

Peter L. Rotskoff
Illinois Attorney Registration and
Disciplinary Commission
One North Old Capitol Plaza, Suite #333
Springfield, Illinois 62701
Telephone: (217) 522-6838
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PROOF OF SERVICE

I, Susan K. Goetz, on oath state that I served a copy of this Notice of Filing and Administrator's PETITION FOR INTERIM SUSPENSION PURSUANT TO SUPREME COURT RULE 774 on the individual listed on the foregoing Notice of Filing, by regular mail, proper postage prepaid, by causing the same to be deposited in the United States mailbox located on Fifth Street between Jefferson and Washington Streets, Springfield, Illinois, on August 11, 2011, at or before 5:00 p.m.

Susan K. Goetz

Subscribed and sworn to before
me this 11th day of August, 2011.

Notary Public

IN THE SUPREME COURT OF ILLINOIS

In the Matter of:

JEFF TERRONEZ,
Attorney-Respondent,
No. 6244003.

Supreme Court No. M.R.
Commission No. 2011PR00085

PROOF OF SERVICE

I, _____, on oath state that I personally served a copy of the Administrator's PETITION FOR INTERIM SUSPENSION PURSUANT TO SUPREME COURT RULE 774 on Respondent Jeff Terronez at _____, at or before _____ a.m./p.m. on August ____, 2011.

Investigator

Subscribed and sworn to before
me this _____ day of _____, 2011.

Notary Public

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IN THE SUPREME COURT OF ILLINOIS

In the Matter of:

JEFF TERRONEZ,
Attorney-Respondent,
No. 6244003.

Supreme Court No. M.R.
Commission No. 2011PR00085

PETITION FOR INTERIM SUSPENSION
PURSUANT TO SUPREME COURT RULE 774

Jerome Larkin, Administrator of the Attorney Registration and Disciplinary Commission, by his attorney, Peter L. Rotskoff, pursuant to Supreme Court Rule 774, respectfully requests that the Court issue a rule for Respondent, Jeff Terronez, to show cause why he should not be suspended until further order of the Court for having engaged in conduct which involves fraud or moral turpitude or which reflects adversely upon his fitness to practice law. In support, the Administrator states:

I. SUMMARY

1. Respondent was admitted to practice law on November 6, 1997. Between 2004 and April 26, 2011, Respondent was the State's Attorney of Rock Island County, Illinois. On April 26, 2011, Respondent resigned as the State's Attorney and pled guilty to one count of unlawful delivery of alcoholic liquor to a person under the age of 21, a Class A misdemeanor. As part of the plea, Respondent admitted to providing alcohol to two minor girls, then ages 17 and 19. He was sentenced to two years of probation with conditions. Respondent first became acquainted with the younger of the two girls because she had been the victim of a sexual assault by a teacher when she had been 15 years old and Respondent had personally prosecuted the criminal case involving the teacher.

2. On July 12, 2011, the Administrator filed a two-count complaint against Respondent. Count I charged Respondent with providing alcohol to the two minors described above on at least five occasions. The complaint also charged Respondent with transporting the two minors to Champaign, Illinois, without notifying the minors parents. The minors stayed in Respondent's hotel room for two nights and he provided them with alcohol during the trip. Count II of the complaint charged Respondent with making numerous false statements to the Illinois State Police during a recorded interview conducted as part of a criminal investigation into Respondent's conduct.

3. Respondent's misconduct meets the requirements for an interim suspension under Supreme Rule 774(a)(1), because he pled guilty to a crime involving moral turpitude or which reflects adversely upon his fitness to practice law. His conduct also meets the requirements for an interim suspension under Supreme Court Rule 774(a)(2), because a complaint has been voted against him by the Inquiry Board, the conduct involves fraud or moral turpitude and there is persuasive evidence to support the charges.

4. An interim suspension is warranted because Respondent exploited his position as the chief law enforcement officer of the county by engaging in criminal conduct with two minors, one of whom was a sexual assault victim in a case Respondent had prosecuted. Moreover, while serving as a law enforcement official, Respondent made numerous false statements to law enforcement officers in an effort to obstruct a criminal investigation.

II. DESCRIPTION OF RESPONDENT'S MISCONDUCT

5. Beginning in 2009, Respondent, who was the State's Attorney of Rock Island County, Illinois, was the lead prosecutor in a criminal sexual assault case against a former East Moline social studies teacher who was charged with engaging in sex acts with one of his

students, JW, who was 15 years old at the time of the acts. During the pendency of the case, Respondent met with JW at least on a monthly basis between August 2009 and May 2010. One of the purposes of the meetings was to foster a relationship of trust between Respondent and JW. At one of the meetings at JW's home, Respondent met with JW's friend, BY, who was then 19 years old. In May 2010, the former teacher pled guilty to three counts of criminal sexual assault and was sentenced to 12 years in prison.

6. Between May 10, 2010, and October 2010, Respondent exchanged numerous phone calls and text messages with JW and BY. Some of the calls and text messages related to requests by JW and BY that Respondent supply them with alcohol. In some of Respondent's text messages sent by Respondent, he made false representations to JW and BY, including falsely claiming that he was divorced and that he had a girlfriend he was dating regularly. Respondent was married at the time of the conduct.

7. Between July 1, 2010 and August 15, 2010, Respondent provided alcohol to JW and BY on five occasions. On each occasion, Respondent and JW or BY exchanged text messages or phone calls and then met in a parking lot or a park in the East Moline area, where Respondent provided the girls with alcohol. Respondent knew that JW was 16 years old at the time and BY was 19 years old and that neither was old enough to lawfully consume alcohol.

8. During the week of July 12, 2010, Respondent was scheduled to attend a Continuing Legal Education seminar for prosecutors at the University of Illinois in Champaign. On Wednesday, July 14, 2010, Respondent drove JW and BY to Champaign. JW and BY stayed in Respondent's hotel room with Respondent on Wednesday night, July 14, and Thursday night, July 15, 2010. Respondent did not advise either of the girls' parents about the trip. He provided

both minors with alcohol on the trip, during which he also accompanied them to a bar in Champaign.

9. On August 24, 2010, Respondent was interviewed by Illinois State Police Sergeant Jerome Costliow and Special Agent Sharleen Seas, at the Rock Island County State's Attorney's office. Prior to the interview, Costliow provided Respondent with *Miranda* warnings. During the interview, Respondent made numerous false statements to the officers. Respondent repeatedly denied that he ever provided alcohol to JW or BY and he denied taking JW to Champaign.

10. On April 26, 2011, Respondent resigned as State's Attorney of Rock Island County and the Illinois Attorney General's office filed a one-count criminal complaint against Respondent, charging him with one count of unlawful delivery of alcoholic liquor to a person under the age of 21, a Class A misdemeanor, in violation of 235 ILCS 5/6-16(a)(iii). Respondent pled guilty to the charge the same day and was sentenced to two years of probation with conditions.

III. EVIDENCE SUPPORTING THE CHARGES

11. A true and correct copy of the judgment of conviction is attached at Exhibit 1. A summary report of the Illinois State Police investigation into Respondent's conduct is attached as Exhibit 2 (with minors' names redacted). Respondent has admitted in sworn testimony and in a pleading filed before the Hearing Board (attached as Exhibit 3), that he supplied JW and BY with alcohol on five occasions. In the sworn statement, Respondent has also acknowledged that he took JW and BY to Champaign for three days without the consent of either of the girls parents. He also admitted that he made false statements to the state police during its investigation (while he was still State's Attorney) and he also specifically admitted that he knew

the statements were false at the time that he made them. (Redacted portions of the transcript of Respondent's sworn statement are attached as Exhibit 4.) A complaint has been voted by the Inquiry Board and was filed with the Hearing Board on July 12, 2011. A true and correct copy of the complaint is attached as Exhibit 5.

IV. ARGUMENT

12. Under Supreme Court Rule 774(a)(1), this Court may suspend an attorney on an interim basis where the attorney has committed a crime that involves moral turpitude or reflects adversely on the attorney's fitness to practice law. This Court may also suspend an attorney under Supreme Court Rule 774(a)(2), where a complaint has been voted by the Inquiry Board; the Respondent has committed a violation of the Rules of Professional Conduct that involves fraud or moral turpitude and there appears to be persuasive evidence to support the charge.

13. In this case, Respondent's misconduct satisfies the requirements under both Supreme Court Rule 774(a)(1) and 774(a)(2). With regard to subsection (a)(1), Respondent's criminal conviction for providing alcohol to minors reflects adversely on his fitness to practice law, especially in view of the fact that he was the chief law enforcement officer of the county and one of the recipients of the alcohol was the victim in a sexual assault case Respondent personally prosecuted. This Court has imposed substantial sanctions on state's attorneys who violate the law, even where there is no criminal conviction. *See e.g. In re Sims*, 144 Ill. 2d 323, 579 N.E.2d 865 (1991) (state's attorney suspended for two years for personal use of illegal drugs even though he was never charged with any criminal violations). As in *Sims*, Respondent violated the law for his own personal motives, however, his conduct could certainly be viewed as more egregious because he involved two minor girls in his illegal activity.

14. Respondent's conduct also meets the requirements of subsection (a)(2). The Inquiry Board has voted a complaint against Respondent, and his false statements to the Illinois State Police constitute conduct involving fraud or moral turpitude. This Court has defined fraud as any conduct "calculated to deceive" including "suppression of the truth". *In re Gerard*, 132 Ill. 2d 507, 528, 548 N.E.2d 1051, 1059 (1989). As noted in Section III above, there is persuasive evidence to support the disciplinary charges.

V. CONCLUSION

15. Respondent's conduct meets the requirements for an interim suspension under Supreme Court Rules 774(a)(1) and 774(a)(2). The egregious nature of the conduct that occurred while Respondent was Rock Island County's chief law enforcement officer warrants an interim suspension pending resolution of the disciplinary charges.

WHEREFORE, the Administrator respectfully requests that the Court issue a rule to Respondent, Jeff Terronez, to show cause why he should not be suspended until further order of the Court pursuant to Supreme Court Rule 774.

Respectfully submitted,

Jerome Larkin, Administrator
Illinois Attorney Registration and
Disciplinary Commission

By: _____
Counsel for the Administrator

Peter L. Rotskoff
Illinois Attorney Registration and
Disciplinary Commission
One North Old Capitol Plaza, Suite 333
Springfield, IL 62701
Telephone: (217) 522-6838
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VERIFICATION

I, Peter L. Rotskoff, an attorney, being first duly sworn, state that the information contained in the Administrator's Petition For Interim Suspension Pursuant to Supreme Court Rule 774 is true and correct to the best of my knowledge and belief.

Peter L. Rotskoff

Subscribed and sworn to before
me this _____ day of August, 2011.

Notary Public