

Sgt. Lash,

I was directed to you by the Coles County States Attorney regarding establishing a criminal investigation on the Coles County Sheriff.

Specifically, the following statutes apply and have been violated. Each of these violations would constitute Official Misconduct and are supported by the attached documentation and case law clear up to the Illinois Supreme court.

The urgency of this matter cannot be expressed as this person is currently running for State Representative. As supporting documentation pertaining to this person and his past, attached is an appellate court case that outlines this persons history to include betting his deputies that he can grab the breasts of another deputy and get away with it. He followed through with that bet and did in fact grab the breasts of a deputy in the presence of other deputies. Additional supporting documentation can be provided if you like.

1. **Darrel Cox violated 50 ILCS 105/3** by submitting invoices from his private business for services to his own elected office and then *acted* on those invoices by forwarding them for payment to the County Board and accepted payment. (applicable documents attached)

50 ILCS 105/3 Sec. 3. Prohibited interest in contracts.

- (a) **No person holding any office**, either **by election** or appointment under the laws or Constitution of this State, **may be in any manner financially interested directly in his own name** or indirectly in the name of any other person, association, trust, or corporation, **in any contract or the performance of any work in the making or letting of which such officer may be called upon to act** or vote. No such officer may represent, either as agent or otherwise, any person, association, trust, or corporation, with respect to any application or bid for any contract or work in regard to which such officer may be called upon to vote. Nor may any such officer take or receive, or offer to take or receive, either directly or indirectly, any money or other thing of value as a gift or bribe or means of influencing his vote or action in his official character. Any contract made and procured in violation hereof is void. This Section shall not apply to any person serving on an advisory panel or commission, to any director serving on a hospital district board as provided under subsection (a-5) of Section 13 of the Hospital District Law, or to any person serving as both a contractual employee and as a member of a public hospital board as provided under Article 11 of the Illinois Municipal Code in a municipality with a population between 13,000 and 16,000 that is located in a county with a population between 50,000 and 70,000.
2. **Darrel Cox violated court orders issued under 720 ILCS 5/24-6-** Confiscation and disposition of weapons. The attached records reflect that not only have weapons been sold/traded in violation of 720 ILCS 5/24-6 but two weapons in which court orders were issued fail to appear on the list of weapons within the sheriff's office, which means they are not accounted for. In addition, there are several weapons that are reported as "traded", that no court order has been provided. Several of the weapons on this list were ordered to be destroyed in accordance with 720 ILCS 5/24-6 and by the Sheriff's office

own admission, they have not been destroyed but were instead sold/traded in direct violation of not only the court order but in violation of the statute.

3. **Darrel Cox Violated 5 ILCS 420/4A-101** by failing to disclose under item #6 of his economic disclosure statement that he received funds in excess of \$1200.00. (See attached EIS documents)

(5 ILCS 420/4A-101) (from Ch. 127, par. 604A-101)

Sec. 4A-101. (g) Persons who are elected to office in a unit of local government, and candidates for nomination or election to that office, including regional superintendents of school districts.

In addition , 5 ILCS 420/4A-107 clearly spells out that the filing of a false or incomplete statement shall be guilty of a Class A Misdemeanor.

Sec. 4A-107. Any person required to file a statement of economic interests under this Article who willfully files a false or incomplete statement shall be guilty of a Class A misdemeanor. His own signature outlines the penalty for violating this portion of the statute.

4. **Darrel Cox violated 720 ILCS 5/33-3** which is Official Misconduct based on his actions outlined and supported by documentation provided in this communication. Specifically Darrel Cox violated all 4 applicable portions of the statute. Note, a conviction of any provision of this section forfeits his office and is a Class 3 felony.

(720 ILCS 5/33-3) (from Ch. 38, par. 33-3)

Sec. 33-3. Official Misconduct. A public officer or employee or special government agent **commits misconduct when, in his official capacity or capacity as a special government agent, he commits any of the following acts:**

(a) Intentionally or recklessly **fails to perform any mandatory duty** as required by law; or

(b) **Knowingly performs an act which he knows he is forbidden by law to perform;** or

(c) **With intent to obtain a personal advantage for himself or another, he performs an act in excess of his lawful authority;** or

(d) **Solicits or knowingly accepts for the performance of any act a fee or reward which he knows is not authorized by law.**

A public officer or employee or special government agent convicted of violating any provision of this Section forfeits his office or employment or position as a special government agent. In addition, he commits a Class 3 felony.

For purposes of this Section, "special government agent" has the meaning ascribed to it in subsection (l) of Section 4A-101 of the Illinois Governmental Ethics Act.

(Source: P.A. 94-338, eff. 1-1-06.)

Justification that each prong of the Official Misconduct statute has been met.

- (a) - By selling/trading weapons in direct violation of the court orders Darrel Cox failed to perform his mandatory duty.
- (b) - By selling/trading weapons in direct violation of the court orders AND the statute in addition to submitting invoices to his office for payment to his own personal business he has knowingly performed an act which he knows he is forbidden by law to perform.
- (c) – By submitting invoice to his own office for work he performed in his private business he used his office for personal advantage for himself and committed an act in excess of his lawful authority.
- (d) – By accepting payment for the invoices he submitted such acceptance constitutes a fee or reward for the performance of work he did and is not authorized by law to perform.

I am available to discuss this matter and sign whatever documents you need to establishing a criminal investigation on this matter.

Sincerely,

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