

OFFICE OF THE INSPECTOR GENERAL		INVESTIGATIVE REPORT
Case No.	Report Date	Investigator Name
4516-0009	September 26, 2018	XXXXX
Facility/Agency Name		
Ann Kiley Developmental Center		
Facility/Agency Address		Incident Location
1401 West Dugdale Circle Waukegan, Illinois 60085		XXXXXXXXXX

Allegation

On October 27, 2015, the Office of the Inspector General received a reported allegation of physical abuse from the Ann Kiley Developmental Center (AKDC). It is alleged that XXXXX shook a baseball bat at Individual XXXXXXXXXXXXX and hit him on the head with it, causing a laceration and swelling, to the left side of his head.

Synopsis

On October 27, 2015 between 6:00 PM - 6:30 PM, according to XXXXX, he was assigned to provide supervision for XXXXXXXXXXXX, who was to be within eyesight of staff. XXXXXXXXXXXX was walking back and forth from his bedroom to the second living room. After the third time XXXXX told him he had to get somewhere and relax. XXXXX said he sat outside XXXXXXXXXXXX's bedroom for a few minutes before he heard loud bangs. After a few minutes, he heard more loud bangs. XXXXX went to the second living room and noticed XXXXXXXXXXXX had punched a hole in the wall. When XXXXX approached XXXXXXXXXXXX, XXXXXXXXXXXX threw the wall debris at him and attempted to punch him. Later, XXXXX reported XXXXX approached XXXXXXXXXXXX to ask him about the incident. XXXXX witnessed XXXXXXXXXXXX hit XXXXX in the face and grab her hair and shirt. XXXXX reported going to the second living room where the incident occurred and XXXXX reported observing XXXXX leave the area and return with a baseball bat in her hands. XXXXX said XXXXX approached XXXXXXXXXXXX, pointed and waved the bat close to XXXXXXXXXXXX's face, but he did not see her hit XXXXXXXXXXXX with the bat. XXXXXXXXXXXX said XXXXX approached him with the bat and hit him one time on the top of the head with the bat. The bat was submitted to the Joliet Forensic Science Lab (JFSL) for DNA testing and the testing identified XXXXXXXXXXXX's blood DNA on the bat. Although XXXXX denied XXXXX used a bat, XXXXX said the bats are always locked in the closet and XXXXX said there was no bat, their credibility is called into question as XXXXXXXXXXXX, XXXXX and DNA evidence place the bat at the scene of the incident. Illinois State Police, Division of Internal Investigation, Case number 15AA14075, ISP/DII completed their investigation on November 09, 2016, and it was presented to the Lake County State's Attorney's office, court case # 16CF00002086. XXXXX was indicted on two Counts of Aggravated Battery (Class 3 Felony and Class X Felony) and one count of Official Misconduct (Class 3 Felony). OIG subpoenaed the ISP/DII case file on December 07, 2016 and received it on December 12, 2016. A motion of the State's Attorney (SA) Nolle Prosequi was made and XXXXX indictments were discharged – Cause Nolle Prosequi on March 15, 2018.

OIG Case Summary

Findings

Based on the facts in this case the following was concluded: The allegation of mental abuse and physical abuse is substantiated against XXXXX. The allegation of neglect is substantiated against XXXXX.

Recommendations

The Office of the Inspector General recommends the following: The facility address their failure to follow XXXXXXXXXXX's required level of supervision, as well as not documenting initials and times, while staff was assigned to XXXXXXXXXXX. The facility addresses the home's landline phone not being operable.