

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, CRIMINAL DIVISION**

IN RE APPOINTMENT OF SPECIAL PROSECUTOR

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) **No. 19 MR 00014**
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) **Michael P. Toomin**
) **Judge Presiding**
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ORDER

This matter comes on for implementation of the order entered June 21, 2019, granting the Petition to Appoint a Special Prosecutor in the Matter of the People of the State of Illinois v. Jussie Smollett upon a finding of sufficient cause warranting disqualification of the State's Attorney of Cook County and appointment of a Special Prosecutor in her stead.

IT IS THEREFORE ORDERED that pursuant to Section 3-9008 (a-20), 55 ILCS 5/3-9008 (a-20) (West 2018), DAN K. WEBB, a member of the Bar of this State, be and is hereby appointed Special Prosecutor in the above-entitled matter to conduct an independent investigation of the actions of any person or office involved in all aspects of the case entitled the People of the State of Illinois v. Jussie Smollett, No. 19 CR 0310401, and if reasonable grounds exist to further prosecute Smollett, in the interest of justice the special prosecutor may take such action as may be appropriate to effectuate that result. Additionally, in the event the investigation establishes reasonable grounds to believe that any other criminal offenses were committed in the course of the Smollett matter, the special prosecutor may commence the prosecution of any crime as may be suspected.

Pursuant to section 3-9008 (a-20) of the Counties Code (55 ILCS 5/3-9008 (a-20) (West 2018), the Special Prosecutor shall be vested with the same powers and authority of the elected State's Attorney of Cook County, limited only by the subject matter of this investigation, including the power to discover and gather relevant evidence, to compel the appearance of witnesses before a Special Grand Jury of the Circuit Court of Cook County, to confer immunity as may be deemed necessary, to consider the bar of limitations where applicable, and to institute criminal proceedings by indictment, information, or complaint, where supported by probable cause, upon his taking the proper oath required by law.

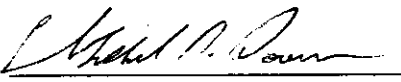
IT IS FURTHER ORDERED that the Special Prosecutor shall be paid reasonable compensation commensurate with such time and effort actually expended in pursuit of this investigation. However, in no event shall such compensation exceed the statutory annual salary of the elected State's Attorney for any twelve (12) month period.

IT IS FURTHER ORDERED that the Special Prosecutor shall be empowered to hire and direct a staff of deputy attorneys, investigators, and such other administrative personnel as necessary to discharge the duties of the Office of the Special Prosecutor. Compensation for the Special Prosecutor's staff, including deputy attorneys, shall be based upon reasonable rates for attorneys of similar qualifications in government service and commensurate with their skill, efforts and experience. It is understood that in the performance of his duties the Special Prosecutor shall utilize office space provided by his law firm, Winston & Strawn, LLP, with reimbursement for incidental costs for telephone or internet connections, or other office equipment and miscellaneous expenses incurred.

IT IS FURTHER ORDERED that the Special Prosecutor shall have unfettered access to reports, records, and other materials related to this matter currently in the possession of the Cook County State's Attorney's Office and its investigative partners, including the Chicago Police Department and the Cook County Inspector General, and may consider those materials in discharging his duties and conducting any investigations.

IT IS FURTHER ORDERED that the Special Prosecutor shall submit fee and associated cost petitions for the consideration of this Court at regular intervals, not to exceed three (3) months, for submission to and payment by the Cook County Board of Commissioners.

IT IS FURTHER ORDERED that at the conclusion of his investigation, the Special Prosecutor shall submit a final report to this Court and for the benefit of the Cook County Board of Commissioners detailing the progress and ultimate results of the investigation as well as criminal prosecutions commenced.

ENTERED: 
Michael P. Toomin,
Judge of the
Circuit Court of Cook County

DATE: 