

OCTOBER 2002 SESSION
PRISON REVIEW BOARD
STATE OF ILLINOIS

PEOPLE OF THE STATE OF
ILLINOIS,

vs.

DARRIN SHATNER,

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Docket No. 91CR-2026

Inmate No. B42950

I

HISTORY OF THE CASE

The jury, the judge, the law and the Illinois Supreme Court have found Darrin Shatner, guilty and responsible for Daniel Schneiders murder by sentencing him to death. The governor should not overrule that decision.

On September 1, 1986 Darrin Shatner committed a brutal armed robbery, arson and murder of the victim, Daniel Schneider. After just meeting the victim that night Shatner brutally and without mercy strangled, beat and pummelled the victim about his head. The victim pleaded for his life but Shatner was not done. He tied him up and as the victim was helpless he beat him some more. Shatner cut up the bed with his knife and threw the stuffing around the room. He lit the stuffing and the victim on fire. As the victim laid there burning the defendant stole his VCR and fled to trade it for cocaine. Darrin Shatner obviously did not care that there were other people who lived in

the building who could have died in the fire.

Shatner went on the run for four years forging documents and setting up a false identity. He was living a life of lies until the FBI finally arrested him .

The statement in the petition that the state twice offered to let petitioner plead guilty to a sentence less than death is simply incorrect.

No offer other than the death penalty was made.

The defendants conviction's were upheld by the Illinois Supreme Court. The case is enclosed and cited at People v. Darrin Shatner, 174 Ill.2d 133 (1996)

II

STATEMENT OF FACTS

On September 1, 1986 Darrin Shatner committed a brutal armed robbery and murder of Daniel Schneider. He then set the condo building and Mr. Schneider on fire to cover his crime. He then went on the run for 4 years, living in 13-14 different states hiding from the police. He obtained false and forged documents including a birth certificate, drivers license, voter registration and insurance policies. He was the subject of a UFAP warrant by the FBI when he was arrested by them in Portland, Oregon.

On September 1, 1986, Jean Rogoz and the victim, Daniel Schneider, were at the house of their friend, Joaquin. At some point during the afternoon hours, defendant arrived at that house and told Rogoz his name was "Brian." That was a lie. Joaquin knew defendant but Rogoz and the victim did not. While there, defendant and Joaquin used cocaine. The defendant bought \$250.00 worth of cocaine. They were shooting up with cocaine. When the victim asked everyone to go back to his condominium to eat and watch a movie, Rogoz and defendant agreed. The victim lived at 3843 N. Narragansett, in Chicago. The victim was 6 feet 2 inches and 139 pounds. The defendant was 6 feet 2 inches and 190 pounds. Jean Rogoz was 5 feet 1 inch, 110 pounds.

When they arrived, Rogoz took a shower and the victim began preparing chicken for dinner. Rogoz and defendant then walked to a liquor store to buy a quart of beer. On the way back to the victim's home defendant began questioning Rogoz about whether the

victim had any money or valuables in his condo. After returning to the condo, Rogoz overheard defendant and the victim discussing buying an eighth of cocaine. Defendant questioned the victim about whether he had anything they could sell such as a stereo with which to purchase the cocaine. The victim did not want to sell any of his belongings. Rogoz filled a plate with chicken and went into the living room while defendant and the victim remained in the kitchen. The defendant was planning to rob the victim because he needed cocaine. In defendant's own words he was "jonsing" for cocaine.

Rogoz suddenly heard the victim cry out. "Jeannie, help me." She turned around and saw that defendant had grabbed the victim from behind and had a six inch pocket knife to the victim's neck. Defendant ordered Rogoz into the bedroom and began dragging the victim down the hallway. The victim was asking defendant why defendant was doing this to him and asking defendant not to kill him. The victim plead for his life, but the defendant needed more cocaine.

When defendant had dragged the victim into the rear bedroom, he put the victim on the bed and began punching the victim with his fists. When the victim became dazed, defendant left the room. The victim did not move or say anything. Defendant returned to the room shortly thereafter with a wooden lamp, a phone cord and some cloth. Defendant tied up the victim's legs real tight with the cord and his hands with the cloth. Defendant then struck the victim in the head with the lamp. As the victim laid there bleeding the defendant searched through the victim's dresser drawers. When defendant observed the victim sit up and look at Rogoz, he pummelled the victim with the lamp 4-5 times until the victim was knocked off the bed. With the victim off the bed, defendant used the knife to cut up the bed

and throw the stuffing around the room. Defendant then lit the bed and stuffing on fire. He grabbed Rogoz and proceeded back towards the living room, where he took the victim's VCR and wrapped it up in orange cloth. He then led Rogoz out the back door of the building. Prior to their exit from the victim's condo, the smoke alarm began sounding. As the victims body lay burning he went back to Joaquin's house and traded the VCR for cocaine.

At approximately 8:30 p.m. on September 1, 1986. Thomas Connelly, a firefighter with Engine Number 94, was assigned to a fire at 3843 N. Narragansett. When he arrived, he observed smoke coming out of the second floor condo. Connelly went up the stairs, opened the unlocked door and crawled inside. When Connelly reached the back bedroom, he observed fire in that room, along with a body. After the smoke started clearing, he observed that the ankles of the body were tied, and that the rug underneath the body had not been burned, indicating the body was in that spot before the fire started.

Doctor Nancy Jones lived in a third story condo at 3843 N. Narragansett. At approximately 8:30 P.M. on September 1, 1986, the smoke alarms in her building went off. She went to the first floor of the building where she met firefighters. After being informed by the condo president, Harold Woods, that the victim was still inside his condo, she informed the firefighters that she was an Assistant Cook County Medical Examiner and offered her services. She was admitted to the victim's unit where she observed the victim on the floor. When she found the victim to be without a pulse, she pronounced him dead at the scene. She observed extensive burns on the victim's body, as well as pattern marks on his neck which she believed might have been the result of a ligature around his neck.

Officer Robert Fronczak was also assigned to the fire that night. After controlling

traffic around the area, he entered the victim's condo and observed the victim's feet bound with phone cord and his right wrist tied with terry cloth.

Sergeant Gillian McLaughlin was the first detective on the scene. In the rear bedroom, she observed a lamp on the floor whose base was dented and had blood on it. In the kitchen she observed that the oven was on and the door open, that there was a plate of uneaten chicken on the floor and a dishtowel with blood on it.

Detective John Schmitz of the Bomb and Arson Section of the Chicago Police Department arrived at the scene at approximately 9:30 p.m. on September 1, 1986. He determined that the fire was started at the foot of the bed on top of the surface of the mattress, in that the sheets or comforter had been set on fire with an open flame. He ruled out an accidental cause.

The next day, the victim's brother, David Schneider, was allowed to enter the condo, where he observed that the victim's VCR was missing and that its wires had been cut with a knife. The victim's watch and wallet were also missing.

That same day, defendant noticed a story in the newspaper regarding the victim's death. When asked by Rogoz why he had burned the victim, defendant replied, "To free his spirit." Defendant took Rogoz along with him to make a phone call, telling her he needed money to get away. Rogoz told defendant that she could get him money from her brother and set up a time to meet her brother.

Defendant and Rogoz met Rogoz's brother in a parking lot and Rogoz left with her brother, who took her to a friend's house to call police. When she was told to speak to Detective McLaughlin, but informed that the detective would not be in until the next

morning, Rogoz spent the night at her friend's house. The following morning, she went to Area 5 headquarters and spoke to Detective McLaughlin. While at the police station, a composite and a sketch of defendant were prepared. She was released after two days and went home.

Several days later, Rogoz received a phone call from defendant, who wanted to know if she had said anything to the police. Defendant told her "stool pigeons fly and stool pigeons die."

On September 2, 1986, Dr. Yuksel Konacki performed the autopsy of the victim's body. His external examination revealed that the victim sustained extensive burns to the face, neck, chest and legs. (See the attached photos) He also had a partially separated fingernail on his left hand, and several lacerations on his head. The internal examination of the victim's body revealed marked hemorrhage in the head area, which indicated blunt trauma. Dr. Konacki also observed marked hemorrhage on the victim's larynx as well as a broken hyoid bone and fracture of the thyroid cartilage. A fracture of the hyoid bone indicates "quite severe pressure." Further, he found no soot deposit in the victim's trachea, which indicated that the victim was dead prior to the fire. The victim did not sustain any skull fractures.

A toxicology screen performed on the victim's bodily fluids indicated a normal carbon monoxide level, a small amount of alcohol as well as a small amount of cocaine. In Dr. Konacki's opinion, the main cause of the victim's death was strangulation with blunt trauma to the head as a secondary cause.

Detective Ernest Halvorsen was assigned to a follow up investigation of the victim's

homicide. On September 16, 1986, he took the composite done by Rogoz and showed it around the area of Palmer and Lawndale in Chicago. He was directed to a house at 3507 Palmer, where he spoke to Donald Shatner. When shown the composite, Shatner gave him a recent photo of his son, which Halvorsen identified as defendant. On September 21, 1986, Halvorsen arranged for an arrest warrant to be issued for defendant for the murder of the victim. On December 7, 1989, Halvorsen was contacted by the FBI, which offered their assistance in locating defendant. On that date, he appeared before a U.S. Magistrate and obtained a warrant for defendant for unlawful flight to avoid prosecution.

FBI Special Agent James Russell of the Portland, Oregon office, was assigned to locate defendant. On October 16, 1990, at approximately 5:50 p.m., he was surveilling a house at 1927 Northwest 25th. At that time, he and other agents observed defendant exit the house and enter a car with two other men. Defendant drove to and parked at a local grocery store, at which point the FBI agents surrounded the car and arrested defendant. Although defendant initially provided FBI officials with the name of Darrin Wayne Hall, when told by the FBI that they knew he was Darrin Wayne Shatner, defendant admitted that he was. Defendant was arrested and taken to FBI headquarters in Portland, Oregon, where defendant was read his Miranda warnings. Defendant agreed to give a statement. See the enclosed statement.

Benjamin Lieu testified that in late-September/early-October of 1991, he was incarcerated in Cook County Jail and shared a cell with defendant.

During conversations, defendant explained that he was in for murder.

Defendant also told Lieu that women were unreliable and inconsistent and always

panicked at the crucial or critical moment. Defendant spoke specifically of a woman in his crime and how at the most critical moment she got panicked instead of helping. Defendant told Lieu that when the struggling started, the woman did not help and that he had to do everything himself, but could not finish the job because of her panic. Defendant explained that he could not finish the job and could not burn the house down although he tried. Defendant told Lieu that he was unable to burn the evidence because the police had found fingerprints on a plate.

Lieu testified that approximately two weeks after this conversation, he had another conversation with defendant. They were discussing religious rituals and practice. Defendant stated that people who die have a very strong spirit. Defendant told Lieu that he hit his victim with a lamp and had to do so many times because of the victim's strong spirit.

Defendant also explained that he took a VCR from his victim's apartment, Lieu denied looking through defendant's discovery material while alone in their cell.

III

REASONS FOR DENYING THE PETITION

JEAN ROGOZ WAS A CREDIBLE WITNESS AND PASSED A POLYGRAPH EXAMINATION (Petitioner's Paragraph C)

While living a life of lies as a murderer on the run Darrin Shatner had 4 years to think about how to lie to the police if he was caught, which is exactly what he did.

He blamed Jean Rogoz and said she was the main actor. The defendant testified at trial to this. This argument was completely and totally rejected by the jury, the judge and the Illinois Supreme Court when they affirmed his conviction.

Given all these facts petitioner continues to make a mockery of the victim's death by telling you that Jean Rogoz was the primary actor. Little 5 foot 1 inch, 110 pound Rogoz could not be stopped by 6 foot 2 inch, 190 pound Darrin Shatner who is a gang member. a devil worshipper, has a history of violence and needed cocaine badly.

Jean Rogoz on the other hand passed a polygraph and has no history of violence in her background. The friend of the victim who called the police because he knew she was present when the victim was killed testified that Jean Rogoz and the victim were friends, that he never saw her being violent to him and that her reputation in the community was for being a non-violent person.

Only the defendant with his superior size and strength was strong enough to strangle and beat the victim as he did.

Furthermore, the defendant admitted on the witness stand his participation in the robbery of the victim. In allocution the defendant stated that he knew that he was part of the murder, but he did not intend to kill the victim.

The argument that Jean Rogoz was the primary actor has already been resolved and petitioners argument is ludicrous.

The Illinois Supreme Court effectively dealt with paragraph (C) of the petitioner's clemency petition. This issue was thoroughly argued and brought out at trial. It was rejected by the jury the judge and the Illinois Supreme Court.

Now petitioner and counsel try and raise this argument again and accuse the prosecutors of perjury. This argument demonstrates the weakness of their petition and the lengths to which they will go.

The Illinois Supreme Court consistently called the evidence against the petitioner "overwhelming: and in the opinion stated the following:

"Moreover, we note that the sentencing judge heard the overwhelming evidence against defendant at trial. In finding the defendant guilty of first degree murder, the jury rejected the notion that defendant was not the primary actor in the victim's death. There can be little doubt that the trial judge

did as well. Indeed, prior to handing down defendant's sentence, the trial judge stated:

"I have listened to the evidence along with the jury.***[T]he initial mover, the sole mover and almost the total mover in all of the acts that culminated in the death of Danny Schneider were perpetrated by the defendant Mr. Shatner.***

So let me set the facts straight as I view the facts. I believe that you did it from the get go. You planned it.***You chocked (sic) him. You have beat him. And the worse [sic] part about the whole thing, is then you set him on fire. That, Mr. Shatner, is outrageous."

It should also be noted that Jean Rogoz passed a polygraph examination and was found truthful. Although this evidence is not admissible at trial it is relevant to the petition filed. (See enclosed polygraph report)

The petitioner had a prior history of violence. He was arrested for retail theft in December, 1985 and while trying to get away battered 2 Jewel employees. In January, 1984 he was arrested after a traffic accident and he became violent. He attacked 2 police officers causing damage to their equipment and clothing. He tried to kick and strike the police

officers. He was sniffing paint that night. The defendant had a history with illicit substances.

In 1993 the defendant had a shank in his cell.

Please see the attached disciplinary record of defendant while in the penitentiary. His record is shocking. His discipline includes numerous violations for gangs, drugs, contraband, assault, insulance, threats and intimidation. In one incident he threatened an inmate with gang retaliation or that he, Shatner would burn him up and all he would get is 30 days behind a door.

The defendant was disciplined for starting a fire inside the penitentiary on three gallery in Pontiac.

The defendant refused to give the guards a coat and the defendant attacked a captain by charging into him and trying to punch him.

The defendant also participated in an attack on another inmate. The inmate was cut 17 times with a razor and received stitches. The guard had to fire a warning shot to get Shatner to stop. The report also notes that Shatner is known as "Warlock". That is the same name Benjamin Lieu testified to and it further corroborates Lieu as a witness. The defendant continues to have tarot cards in his cell as well and was disciplined for having them.

The defendant stated to a guard that he hopes his wife gets raped and fucked up the ass until she dies, I hope your kids get raped and fucked up the ass until they bleed to death, when the guard unplugged the telephone.

Gang related pictures were also found in his cell. Shatner refers to himself as a pagan in some of the reports.

The defendant possessed a handcuff key and tried to sell it to another inmate which

was another serious infraction.

The defendant's tattoos at the time of arrest are also noteworthy. He had a grim reaper tattoo on his right forearm that covered a skull with a top hat. He had a rose with a dagger through it on his left bicep. Benjamin Lieu also testified that defendant had a crown tattoo on his back that meant he was with the Gaylord gang. He had rank in the gang. Lieu also testified that the defendant stated his religion was Angel of Lucifer and his nickname was Warlock. He testified that the defendant had books about Satanic worship in his cell. The defendant had a shank on top of the light fixture.

Additionally, the defendant fled after he murdered the victim. This shows his guilty mind. He went back and forth through 13-14 states. He was arrested along the way for having brass knuckles, narcotics and traffic offenses. This defendant is by no means the gullible, stupid, follower type that petitioners try to make him out to be. He had the intelligence, cunning and devious knowledge to forge a birth certificate and many other documents under the name of Daryl Hall. He set up a new life for himself even though it was a life of lies.

PETITIONER'S COUNSEL WAS NOT INEFFECTIVE (Petitioner's Paragraph b)

This issue was already decided by the Illinois Supreme Court when they said that he was not ineffective.

The Illinois Supreme Court effectively dealt with paragraph (b) in the petitioners

petition for executive clemency. The Illinois Supreme Court said that he was not ineffective and stated:

“If a defendant enters a not guilty plea in the face of overwhelming evidence of his guilt, we are unwilling to find that his counsel was ineffective simply because he failed to contrive a leak-proof theory of innocence on defendant’s behalf. To do so would effectively require defense attorneys to engage in fabrication or subterfuge.”

This issue was also decided when the Attorney Registration and Disciplinary Commission dismissed the complaint against trial counsel as being without merit.

Trial Counsel did not file a motion for new trial, but the State Appellate Defenders Office did and it was denied. Trial Counsel practices criminal law exclusively and he fought hard at trial. The facts and evidence were not on his side. The Illinois Supreme Court stated that the evidence of the defendant’s guilt was “overwhelming”. The defense called 5 witnesses in the mitigation phase of the case. The defendant’s drug use and abuse was extensively testified to.

The experts hired by petitioner in Post Conviction would not have helped petitioner and may have hurt his case. Trial counsel was not obligated to call expert witnesses, especially if he believed they could hurt the case or what they had to say

was tangential to the case. The experts petitioner cites could have hurt the defendant as well since they were all talking about his drug use and intoxication.

The Illinois Supreme Court stated in their opinion that:

“This Court has never held, and defendant directs us to no cases in which an Illinois Court has held, that a sentencing judge must consider defendant’s drug use as a mitigating factor in sentencing decisions, and we decline to so hold here. Simply because the defendant views his drug history as mitigating does not require the sentencer to do so”.

The Court went on to say:

“Rather, defendant essentially asserts that the sentencer should have found that defendant’s drug abuse history in part explained his criminal behavior. Underlying this premise is that since drugs are partly to blame for his actions, the defendant’s is somehow less culpable and should not suffer the ultimate penalty for his criminal behavior. Simply stated the

sentencing judge was under no legal obligation to subscribe to this suggestion. To the contrary, the sentencing judge was free to conclude, under the circumstances that defendant's drug history simply had no mitigating value but was, in fact, aggravating."

These experts would not have added to petitioner's sentencing hearing. One of the experts has an opinion that says the defendant is not dangerous unless extremely intoxicated or under the direction of a woman. We already know that the defendant is dangerous when on drugs. To suggest that a defendant of his character was under the direction of a woman who he only met that night is a fantasyland opinion that would have done him more harm than good.

THE PETITIONER RECEIVED A FAIR TRIAL

(Petitioner's Paragraph A)

Petitioner asserts that he is entitled to clemency because he did not receive the benefit of the changes to the Illinois capital sentencing system which have recently been adopted, proposed or enacted. By relying upon a laundry list of new Supreme Court Rules, statutes and proposals from the Governor's Commission on Capital Punishment which were not available at the time of his trial, petitioner claims that his trial (as well as that of every other capital defendant in Illinois) was by definition fundamentally unfair. However, the Illinois Supreme Court has expressly rejected the claim "that every capital trial has been unreliable and that all appellate review has been haphazard"

(People v. Hickey, __ Ill.2d __, 2001 Ill.LEXIS 1080 AT *57(No.87286 September 27, 2001).

Rather, the Court held that the additional safeguards included in its rules governing capital cases are not retroactively applicable because they “function solely as devices to further protect those rights given to defendants by the federal and state constitutions” and that “[a] violation of procedures designed to secure constitutional rights should not be equated with a denial of those constitutional rights.” *Id. at *63,64*

Thus, the fact that the Court, the General Assembly and the Governor’s Commission have endeavoured to improve the process does not mean that an injustice would result simply because the recent changes were not applied retroactively to petitioner’s case. Instead, a true injustice would only result if it were reflexively determined that petitioner’s trial was fundamentally unfair without any examination of the proceedings themselves. Moreover, petitioner ignores the fact that every court which has examined the proceedings in his case determined that they were fundamentally fair and that he was not unduly prejudiced in any manner.

Supreme Court Rules

Petitioner asserts that he is entitled to clemency because the new Supreme court Rules governing capital cases were not applicable to his proceedings. However, the Illinois Supreme Court has clearly held that the amendments to its rules are not retroactively applicable. Hickey, 2001 Ill. LEXIS 1080 AT *65

Eligibility Factors

Petitioner asserts that he is entitled to clemency because he was found eligible for the death penalty based upon an aggravating factor other than those factors which the Governor's Commission has recommended be retained. Specifically, the Commission concluded that the current list of 20 factors is overly expansive and therefore unconstitutional. Accordingly, it was suggested that the list be reduced to just five factors: (1) murder of a peace officer or fireman; (2) murder of any person in any correctional facility; (3) multiple murder; (4) murder accompanied by the intentional infliction of torture; and (5) murder of a witness, prosecutor, defense attorney, juror, judge or investigator.

However, the Illinois Supreme Court has expressly rejected the Commission's logic and held that Illinois' death penalty statute satisfies the constitutional mandate because it "genuinely narrows the class of individuals eligible for the death penalty and reasonably justifies imposition of a more severe sentence on those defendants compared to others found guilty of first degree murder." People v. Ballard, ___ Ill. 2d ___, 2002 Ill. LEXIS 376 at *73 (No. 88885 August 29, 2002) (citing Zant v. Stephens, 462 U.S. 862, 877, 103 S. Ct. 2733, 2742 (1983)). As the Ballard court explained, "there are innumerable examples of first degree murders that do not fit within any of the statute's eligibility factors" and A[e]ach provision is narrowly tailored to fit a specific set of facts and circumstances." Id., 2002 Ill. LEXIS 376 at *74.

Moreover, each of the aggravating factors represents a determination by the General Assembly that certain types of murders are so deplorable that the death sentence may be imposed.

Each one is intended to ensure that the most helpless members of our society (such as

children, the elderly or disabled) are protected against violence or to provide a strong disincentive for the offender to kill the victim. For example, cold, calculated and premeditated murders are properly death-eligible because they are limited to situations where the defendant has carefully planned the murder over an extended period of time, and the availability of the death penalty may be the only thing which prevents these defendants from deciding to actually kill their victims. As the Illinois Supreme Court stated "a defendant who contemplates a murder for a substantial period of time, yet still commits it, is set apart from other murder defendants in a meaningful way." People v. Williams, 193 Ill. 2d 1, 36, 737 N.E.2d 230 (2000). Similarly, murders in the course of another felony such as rape or home invasion are properly death eligible to help deter the defendant from killing the victim. Given these important policy considerations, petitioner's request must be rejected.

Cou

Decision to Seek Death

Petitioner claims his sentenced should be reduced because the State's Attorney's decision to seek death was made without uniform protocols to guide his discretion and was not approved by a state-wide review committee. However, it has long been recognized by the Illinois Supreme Court that the State's Attorney is endowed with the exclusive discretion to decide which of several charges shall be brought, or whether to prosecute at all. A prosecutor's discretion extends to decisions about whether or not the death penalty should be sought." People v. Jamison, 197 Ill. 2d 135, 161-62, 756 N.E.2d 788 (2001). Therefore, any attempt to mandate such a review would constitute an impermissible restriction on the independence of the various State's Attorneys under the Illinois Constitution.

Statutory Mitigating Factors

Petitioner complains that the judge was not instructed to consider as statutory mitigating factors the fact that he had a history of extreme emotional or physical abuse and/or that he suffers from reduced mental capacity. However, although the judge was not expressly instructed to consider these factors, it was instructed that mitigating factors include "any reason why the defendant should not be sentenced to death" and that he should consider all mitigating evidence even if it does not pertain to one of the enumerated factors.

Illinois Pattern Jury Instruction 7C.06.

Supreme Court Review

Petitioner also claims that he is entitled to clemency because the Illinois Supreme Court failed to consider whether his death sentence was disproportionate, excessive or otherwise inappropriate. However, because the Illinois Supreme Court has demonstrated that it will address comparative sentencing arguments whenever they are raised by defendants in capital cases (see People v. Emerson, 189 Ill. 2d 436, 727 N.E.2d 302 (2000); People v. Palmer, 162 Ill. 2d 465, 491, 643 N.E.2d 797 (1994)) and will vacate a death sentence if it determines that it is excessive in light of the facts of the case and the defendant's background (see People v. Smith, 177 Ill. 2d 53, 685 N.E.2d 880 (1997); People v. Blackwell, 171 Ill. 2d 338, 665 N.E.2d 782 (1996)), it is clear that the only reason the Illinois Supreme Court did not review petitioner's sentence in such a manner is because he did not ask the Court to do so.

CONCLUSION

There is absolutely no doubt that the petitioner committed this murder and was properly sentenced. The petitioner is a violent, dangerous person who could never be a productive member of society.

When he lit the fire in the victim's residence his intent was to burn the victim and the evidence up. He obviously did not care that there were other people that lived in the building who also could have died in the fire.

For all these reasons, the People of the State of Illinois respectfully request that this Board and Governor Ryan deny executive clemency to Darrin Shatner.

Respectfully submitted,

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