

**IN THE SECOND JUDICIAL CIRCUIT COURT  
JEFFERSON COUNTY, ILLINOIS**

PEOPLE EX REL.  
PASTOR MARILYN NEAL,  
ROBERTA SHALLENBERGER,  
PAUL LYNCH,  
CALVIN McCLINTOCK,  
SUE TOMLIN,  
ROBERTA EVANS, and  
SUSAN DAVIS,

Plaintiffs,

v.

JEFFERSON COUNTY BOARD OF  
COMMISSIONERS,  
COUNTY OF JEFFERSON,  
*an Illinois body corporate and politic,*  
CLIFF LINDEMANN,  
STEVE DRAEGE,  
JOHN HOWARD,  
JOEY McDERMOTT,  
TIM MARLOW,  
RANDY EDWARDS,  
JEFF WILLIAMS,  
TYLER WILLIAMS,  
ADAM ORTGIESEN,  
FISHER OVERSTREET,  
MICHAEL YOUNG,  
WAYNE HICKS, and  
JAMES MALONE,  
*in their official capacities as Commissioners of  
the Jefferson County Board,*

Defendants.

Case no.: 2025MR37

**PLAINTIFFS' INDEX TO EXHIBITS TO VERIFIED PETITION FOR DECLARATORY  
RELIEF AND AN ORDER OF MANDAMUS OR INJUNCTION**

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# **EXHIBIT 1**

# **DONATION PLEDGE FORM**

I, speaking on behalf of \_\_\_\_\_, hereby pledge the  
(Name of organization)

amount of \$\_\_\_\_\_ to go towards the Jefferson County Sheriff's Office Ten Commandments

project for 2024. This project will place a granite representation of the Ten Commandments in the

Jefferson County Courthouse.

Authorized Representatives Name: \_\_\_\_\_

Authorized Representatives Signature: \_\_\_\_\_

# **EXHIBIT 2**

10:40 100% 4G 92%

← ten comm

1/1 result found

Wednesday, May 1 • 12:17 PM

Hey Eric! Any chance I can swing by and pick up that check today for the **Ten Commandments** project? Hope you are well

Yes please do. I've just failed to get it in the mail yet

And remind me I make it out to who??

Awesome! JCSO Chaplaincy Division. I will drop by this afternoon. Probably sometime after 2:30pm.

10:40 100% 4G 92%

← ten comm

1/1 result found

Awesome! JCSO Chaplaincy Division. I will drop by this afternoon. Probably sometime after 2:30pm. THANKS!

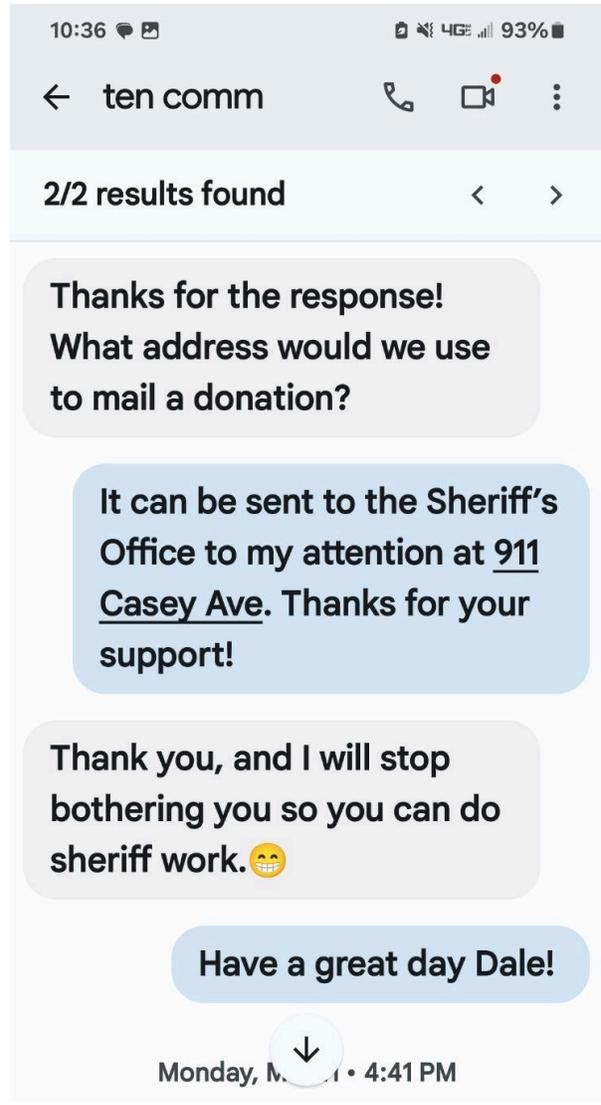
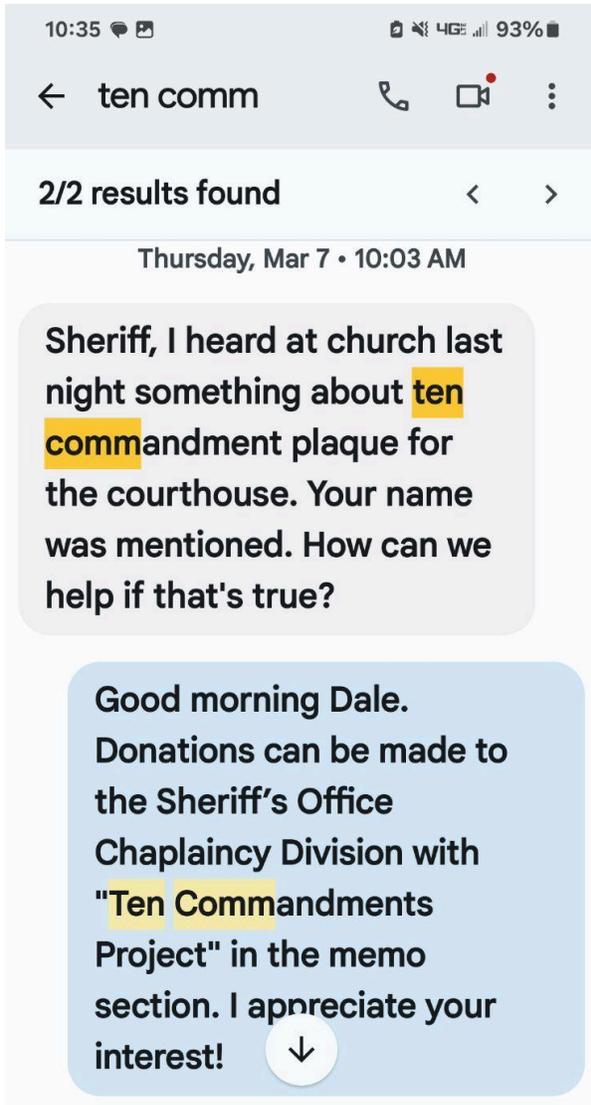


Wednesday, May 1 • 1:38 PM

I got here early. Thanks again!

Ok I'm at lunch. You got the goods?

Yes, thank you!



# **EXHIBIT 3**

**From:** Jeff Bullard sheriffjeffbullard@gmail.com  
**Subject:** Re: Ten Commandments Project donation  
**Date:** March 11, 2024 at 4:41 PM  
**To:** rrowland rrowland@jeffersoncounty.illinois.gov

---



Thanks!

Sheriff Jeff Bullard  
Jefferson County Sheriff's Office  
911 Casey Avenue  
Mt. Vernon, IL 62864  
(618)244-8004 ext. 201



On Mon, Mar 11, 2024 at 2:16 PM rrowland <[rrowland@jeffersoncounty.illinois.gov](mailto:rrowland@jeffersoncounty.illinois.gov)> wrote:

We received another donation for the Ten Commandments project from Dale & Judith Bartley, 13885 N Dartmout Ln, Mt. Vernon. Their donation amount is \$100.

Thanks!

**Randa Rowland**  
Administrative Assistant  
Jefferson County Sheriff's Office  
911 Casey Ave.  
Mt. Vernon, IL 62864  
Ph: (618) 244-8004 ext. 223  
Fax: (618) 244-9209

NOTE: I have a new email address; please update my contact.

**From:** Jeff Bullard sheriffjeffbullard@gmail.com  
**Subject:** Re: Ten Commandments donation  
**Date:** April 1, 2024 at 12:40 PM  
**To:** rrowland rrowland@jeffersoncounty.illinois.gov

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Thanks Randa!

Jeff

On Mon, Apr 1, 2024, 10:30 AM rrowland <[rrowland@jeffersoncounty.illinois.gov](mailto:rrowland@jeffersoncounty.illinois.gov)> wrote:

Good morning-

Dan Lovin just brought in a donation for the Ten Commandments project from Danner Farms- John & Pam Danner. The donation amount was \$500. Their mailing address is 10502 N Presley Lane, Mt. Vernon, IL 62864.

I will deposit it today. Thanks!

**Randa Rowland**

Administrative Assistant  
Jefferson County Sheriff's Office  
911 Casey Ave.  
Mt. Vernon, IL 62864  
Ph: (618) 244-8004 ext. 223  
Fax: (618) 244-9209

NOTE: I have a new email address; please update my contact.

**From:** Jeff Bullard sheriffjeffbullard@gmail.com  
**Subject:** Re: Ten Commandment's donations  
**Date:** April 15, 2024 at 2:58 PM  
**To:** rrowland rrowland@jeffersoncounty.illinois.gov



Thanks!

Sheriff Jeff Bullard  
Jefferson County Sheriff's Office  
911 Casey Avenue  
Mt. Vernon, IL 62864  
(618)244-8004 ext. 201



On Mon, Apr 15, 2024 at 2:45 PM rrowland <[rrowland@jeffersoncounty.illinois.gov](mailto:rrowland@jeffersoncounty.illinois.gov)> wrote:

Good afternoon,

Dan Lovin just brought me the following donations for the Ten Commandments project:

Family Life, 12580 N Sparrow Ln, Mt. Vernon \$1448.55

West Side Baptist Church, 2900 Veterans Memorial Dr, Mt. Vernon \$200.00

I will deposit these tomorrow. Thanks!

**Randa Rowland**

Administrative Assistant  
Jefferson County Sheriff's Office  
911 Casey Ave.  
Mt. Vernon, IL 62864  
Ph: (618) 244-8004 ext. 223  
Fax: (618) 244-9209

NOTE: I have a new email address; please update my contact.

**From:** Jeff Bullard sheriffjeffbullard@gmail.com  
**Subject:** Re: Ten Commandments Donation  
**Date:** April 24, 2024 at 11:04 AM  
**To:** rrowland rrowland@jeffersoncounty.illinois.gov



Thanks Randa!

Sheriff Jeff Bullard  
Jefferson County Sheriff's Office  
911 Casey Avenue  
Mt. Vernon, IL 62864  
(618)244-8004 ext. 201



On Wed, Apr 24, 2024 at 10:52 AM rrowland <[rrowland@jeffersoncounty.illinois.gov](mailto:rrowland@jeffersoncounty.illinois.gov)> wrote:

Good morning,

Dan brought me two Ten Commandments donation checks this morning. The first check is from Logan Street Baptist church in the amount of \$500. He said that he made you aware of this one. He received a second check in today's mail from Old Union Missionary Baptist Church in the amount of \$200. The address for Old Union Missionary Baptist Church is PO Box 1033, Mt. Vernon, IL. I'll deposit both checks today.

Thanks!

**Randa Rowland**  
Administrative Assistant  
Jefferson County Sheriff's Office  
911 Casey Ave.  
Mt. Vernon, IL 62864  
Ph: (618) 244-8004 ext. 223  
Fax: (618) 244-9209

NOTE: I have a new email address; please update my contact.

**From:** Jeff Bullard sheriffjeffbullard@gmail.com  
**Subject:** Re: Ten Commandments Donation  
**Date:** April 25, 2024 at 3:55 PM  
**To:** rrowland rrowland@jeffersoncounty.illinois.gov



Thanks Randa!

Jeff

Sheriff Jeff Bullard  
Jefferson County Sheriff's Office  
911 Casey Avenue  
Mt. Vernon, IL 62864  
(618)244-8004 ext. 201



On Thu, Apr 25, 2024 at 3:31 PM rrowland <[rrowland@jeffersoncounty.illinois.gov](mailto:rrowland@jeffersoncounty.illinois.gov)> wrote:

Good afternoon,

Craig Smith with Mt. Vernon First Free Will Baptist Church stopped by a few minutes ago and left a donation for the Ten Commandments project. Their donation amount is \$505.00. Mailing address for the church is 2610 Logan Street, Mt. Vernon, IL. I will deposit their check tomorrow.

Thanks!

**Randa Rowland**  
Administrative Assistant  
Jefferson County Sheriff's Office  
911 Casey Ave.  
Mt. Vernon, IL 62864  
Ph: (618) 244-8004 ext. 223  
Fax: (618) 244-9209

NOTE: I have a new email address; please update my contact.

**From:** rrowland@jeffersoncounty.illinois.gov  
**Subject:** Re: Ten Commandments Donation  
**Date:** May 30, 2024 at 3:05 PM  
**To:** Jeff Bullard sheriffjeffbullard@gmail.com



LOL yes, I thought so too.

**Randa Rowland**  
Administrative Assistant  
Jefferson County Sheriff's Office  
911 Casey Ave.  
Mt. Vernon, IL 62864  
Ph: (618) 244-8004 ext. 223  
Fax: (618) 244-9209

NOTE: I have a new email address; please update my contact.

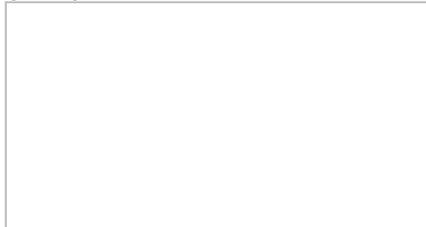
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----- On Thu, 30 May 2024 14:52:18 -0500 **Jeff Bullard**  
<[sheriffjeffbullard@gmail.com](mailto:sheriffjeffbullard@gmail.com)> wrote ---

\$3? That seems like an odd amount. Thanks though!

Jeff

Sheriff Jeff Bullard  
Jefferson County Sheriff's Office  
911 Casey Avenue  
Mt. Vernon, IL 62864  
(618)244-8004 ext. 201



On Thu, May 30, 2024 at 1:01 PM rrowland <[rrowland@jeffersoncounty.illinois.gov](mailto:rrowland@jeffersoncounty.illinois.gov)>  
wrote:

Good afternoon!

We received a check in the mail from West Salem Trinity Church, 4212 Broadway, Mt. Vernon in the amount of \$3.00. It was labeled as a Ten Commandments donation.

Thanks!

**Randa Rowland**  
Administrative Assistant  
Jefferson County Sheriff's Office  
911 Casey Ave.

Mt. Vernon, IL 62864  
Ph: (618) 244-8004 ext. 223  
Fax: (618) 244-9209

NOTE: I have a new email address; please update my contact.

**From:** Jeff Bullard sheriffjeffbullard@gmail.com  
**Subject:** Re: Ten Commandments donation  
**Date:** June 18, 2024 at 11:25 AM  
**To:** rrowland rrowland@jeffersoncounty.illinois.gov

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Thanks!

Sheriff Jeff Bullard  
Jefferson County Sheriff's Office  
911 Casey Avenue  
Mt. Vernon, IL 62864  
(618)244-8004 ext. 201



On Tue, Jun 18, 2024 at 10:23 AM rrowland <[rrowland@jeffersoncounty.illinois.gov](mailto:rrowland@jeffersoncounty.illinois.gov)> wrote:

Good morning,

We received a Ten Commandments donation in the mail today from Jefferson County Ministerial Association, PO Box 575, Mt. Vernon, IL, in the amount of \$500.00. I will deposit it today.

Thanks!

**Randa Rowland**

Administrative Assistant  
Jefferson County Sheriff's Office  
911 Casey Ave.  
Mt. Vernon, IL 62864  
Ph: (618) 244-8004 ext. 223  
Fax: (618) 244-9209

NOTE: I have a new email address; please update my contact.

# **EXHIBIT 4**

# TEN COMMANDMENTS PLEDGE LIST

<b>Pledges:</b>	<b>Amount</b>	<b>Received</b>	<b>Total</b>
Family Life	\$1,448.55	Yes	\$1,448.55
Mt. Vernon Baptist Temple	\$500	Yes	\$1,948.55
Waltonville Community Church	\$500	Yes	\$2,448.55
JCSO Chaplains	\$1,000	Yes	\$3,448.55
Johna Kell	\$25	Yes	\$3,473.55
Dale & Judith Bartley	\$100	Yes	\$3,573.55
Jeff & Jeannie Bullard	\$250	Yes	\$3,823.55
Women's Natl Assoc for Christ	\$100	Yes	\$3,923.55
Free Will Baptist Mt. Vernon			
Jim & Angela Czerwinski	\$1,000	Yes	\$4,923.55
East Hickory Hill Church	\$500	Yes	\$5,423.55
John & Pam Danner	\$500	Yes	\$5,923.55
Union Chapel Church	\$200	Yes	\$6,123.55
Opdyke Missionary Baptist Church	\$1,000	Yes	\$7,123.55
West Side Baptist Church	\$200	Yes	\$7,323.55
Joan Bandy (anonymous)	\$100	Yes	\$7,423.55
Woodlawn Christian Church	\$500	Yes	\$7,923.55
Logan Street Baptist Church	\$500	Yes	\$8,423.55
Robert & Dana Burton	\$100	Yes	\$8,523.55
Salem South Baptist Association	\$100	Yes	\$8,623.55
Mt. Vernon Free Will Baptist Church	\$505	Yes	\$9,128.55
Hunt Bonan	\$500	Yes	\$9,628.55
Eric & Linda Black	\$500	Yes	\$10,128.55
Anonymous	\$100	Yes	\$10,228.55
West Salem Trinity Church	\$3	Yes	\$10,231.55

# TEN COMMANDMENTS PLEDGE LIST

Jefferson County Ministerial Alliance	\$500	Yes	\$10,728.55
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Cost of monument - \$9,527

Cost of sign - \$819.24 (\$1,339.24 if installed)

Total cost - \$10,346.24

# **EXHIBIT 5**

# LOGANStreet

BAPTIST CHURCH



*Sharing Growing Serving*

April 22, 2024

Dear Sheriff Bullard,

Enclosed is a check for \$500.00 for the 10 Commandments Project for the Courthouse. Our church feels this is a project that deserves our support and encouragement. We are thankful to have a sheriff who not only has Biblical beliefs but is also willing to stand for those beliefs in such a great way. Our prayer is that this will not only serve as a symbol of what God's standard for living is, but that this will also serve as a missions opportunity to point people to the saving knowledge of Jesus Christ. Thanks again for taking a stand for such a worthy effort. If myself or our church can ever be of help, don't hesitate to give me a call at (903) 372-4200 or email me at [syles@loganstreetbaptist.org](mailto:syles@loganstreetbaptist.org).

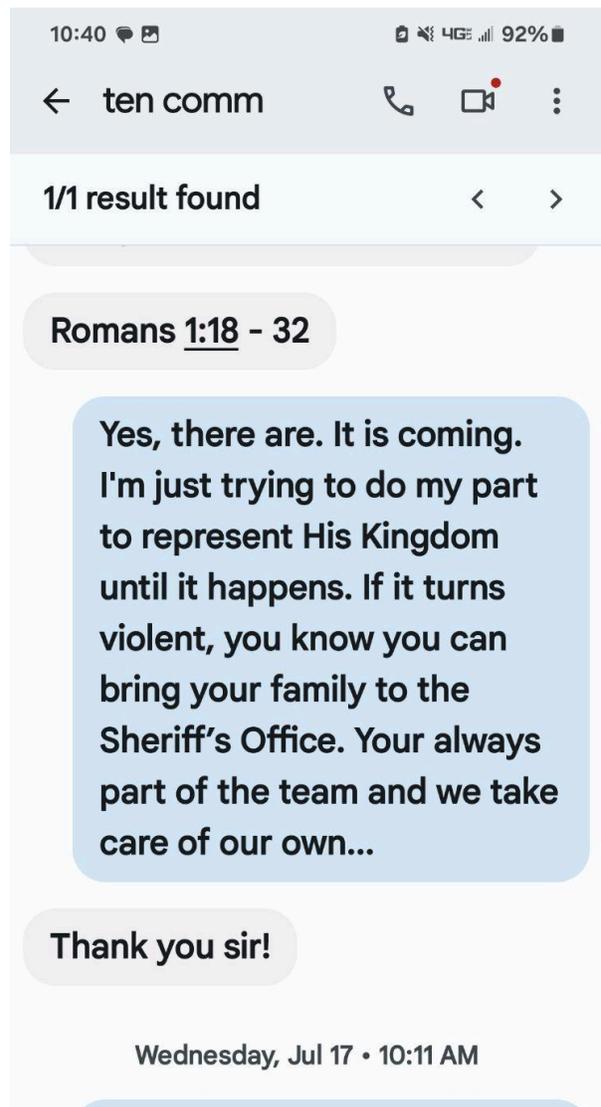
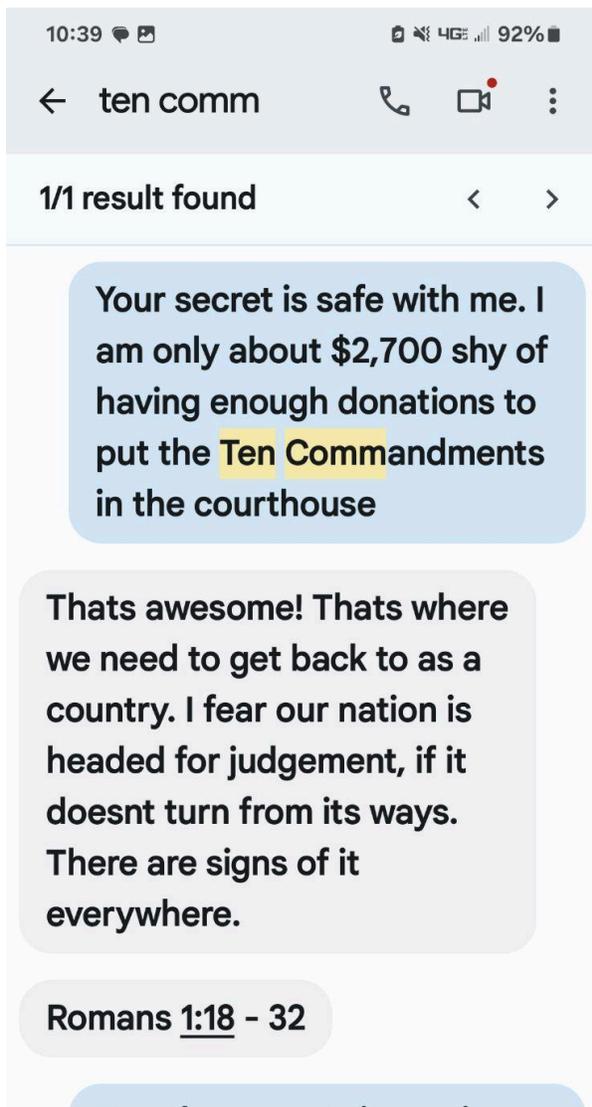
Sincerely,

Steve Lyles  
Lead Pastor



800 N 42nd Street  
Mt. Vernon, IL 62864  
618-244-4100  
[www.loganstreetbaptist.org](http://www.loganstreetbaptist.org)

# **EXHIBIT 6**



# **EXHIBIT 7**

**From:** Jeff Bullard sheriffjeffbullard@gmail.com  
**Subject:** Re: Jefferson County Courthouse  
**Date:** June 27, 2024 at 10:58 AM  
**To:** Kristi Ingram kingram@pyramidtops.com



Great! Thanks!

On Thu, Jun 27, 2024, 10:41 AM Kristi Ingram <[kingram@pyramidtops.com](mailto:kingram@pyramidtops.com)> wrote:

Hi Jeff,

I will do some checking with my supplier and see if they have an ETA on when it will be here and get back to you.

Installing on a Friday would not be a problem at all! I will make sure to add that to the file.

Thank you!

**Kristi Ingram**

Pyramid Marble & Granite

[3020 S Banker St](#)

[Effingham, IL 62401](#)

217-536-6187

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**From:** Jeff Bullard <[sheriffjeffbullard@gmail.com](mailto:sheriffjeffbullard@gmail.com)>  
**Sent:** Thursday, June 27, 2024 10:12 AM  
**To:** Kristi Ingram <[kingram@pyramidtops.com](mailto:kingram@pyramidtops.com)>  
**Subject:** Re: Jefferson County Courthouse

Good morning Kristi,

Is there an anticipated completion date on our order? If possible, I would like it delivered on a Friday. Please let me know as soon as possible. Thanks!

Jeff

On Thu, May 30, 2024, 3:23 PM Kristi Ingram <[kingram@pyramidtops.com](mailto:kingram@pyramidtops.com)> wrote:

Hi Jeff,

We have ordered the granite. The sandblasting of the lettering will be done here once it arrives. But no, I used your email of looks good, please proceed as your approval!

Thank you!

**Kristi Ingram**

Pyramid Marble & Granite

[3020 S Banker St](#)

[Effingham, IL 62401](#)

217-536-6187

**From:** Jeff Bullard <[sheriffjeffbullard@gmail.com](mailto:sheriffjeffbullard@gmail.com)>  
**Sent:** Thursday, May 30, 2024 3:17 PM  
**To:** Kristi Ingram <[kingram@pyramidtops.com](mailto:kingram@pyramidtops.com)>  
**Subject:** Re: Jefferson County Courthouse

Has your company started the process Kristi or do I need to sign the last form you sent?

Sheriff Jeff Bullard

Jefferson County Sheriff's Office

[911 Casey Avenue](#)

[Mt. Vernon, IL 62864](#)

(618)244-8004 ext. 201



On Tue, May 21, 2024 at 8:09 PM Jeff Bullard <[sheriffjeffbullard@gmail.com](mailto:sheriffjeffbullard@gmail.com)> wrote:

Looks great Kristi. Please proceed.

Jeff

On Tue, May 21, 2024, 2:55 PM Kristi Ingram <[kingram@pyramidtops.com](mailto:kingram@pyramidtops.com)> wrote:

Hi Jeff,

We are finalizing everything with our supplier on the monument. I wanted to make sure the attached design and wording is approved. Also for the base, it will be all polished and beveled out but not rock pitched on bottom, like it was originally drawn. If this looks good to you, I will finalize everything with our supplier!

Please let me know if you have any questions.

Thank you!

**Kristi Ingram**

Pyramid Marble & Granite

[3020 S Banker St](#)

[Effingham, IL 62401](#)

217-536-6187

**From:** Jeff Bullard <[sheriffjeffbullard@gmail.com](mailto:sheriffjeffbullard@gmail.com)>  
**Sent:** Tuesday, May 14, 2024 8:10 AM  
**To:** Kristi Ingram <[kingram@pyramidtops.com](mailto:kingram@pyramidtops.com)>; Randa Rowland <[rrowland@jeffersoncounty.illinois.gov](mailto:rrowland@jeffersoncounty.illinois.gov)>  
**Subject:** Fwd: Jefferson County Courthouse

Attached is our W9 Kristi. Anything else please let me know.

Jeff

----- Forwarded message -----  
**From:** Jeff Bullard <[sheriffjeffbullard@gmail.com](mailto:sheriffjeffbullard@gmail.com)>  
**Date:** Tue, May 7, 2024, 4:34 PM  
**Subject:** Re: Jefferson County Courthouse  
**To:** Kristi Ingram <[kingram@pyramidtops.com](mailto:kingram@pyramidtops.com)>

Attached is our W9, Kristi. Great to meet you as well!

Is the \$9,527 the final price, or are there other costs, like a delivery fee, added?

Sheriff Jeff Bullard  
Jefferson County Sheriff's Office  
[911 Casey Avenue](#)  
[Mt. Vernon, IL 62864](#)  
(618)244-8004 ext. 201



On Tue, May 7, 2024 at 2:49 PM Kristi Ingram <[kingram@pyramidtops.com](mailto:kingram@pyramidtops.com)> wrote:

Hi Jeff,

It was great to meet with you today! Attached is the contract for the 10 Commandments Monument and also the layout. Let me know if you have any changes on the design/layout.

I would guess you are tax exempt, if that is correct could you please send me your form?

If you have any other questions, please let me know!

Thank you!



# Kristi Ingram

Pyramid Marble & Granite

[3020 S Banker St](#)

[Effingham, IL 62401](#)

217-536-6187

**From:** Jeff Bullard [sheriffjeffbullard@gmail.com](mailto:sheriffjeffbullard@gmail.com)  
**Subject:** Re: Ten Commandments  
**Date:** August 13, 2024 at 10:09 AM  
**To:** Kristi Ingram [kingram@pyramidtops.com](mailto:kingram@pyramidtops.com)



Sounds good!

Sheriff Jeff Bullard  
Jefferson County Sheriff's Office  
911 Casey Avenue  
Mt. Vernon, IL 62864  
(618)244-8004 ext. 201



On Tue, Aug 13, 2024 at 10:09 AM Kristi Ingram <[kingram@pyramidtops.com](mailto:kingram@pyramidtops.com)> wrote:

Thank you!! Mike will touch base with you next week to give you a time on when they will be there.

Thank you!

**Kristi Ingram**

Pyramid Marble & Granite  
3020 S Banker St  
Effingham, IL 62401  
217-536-6187

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**From:** Jeff Bullard <[sheriffjeffbullard@gmail.com](mailto:sheriffjeffbullard@gmail.com)>  
**Sent:** Tuesday, August 13, 2024 10:05 AM  
**To:** Kristi Ingram <[kingram@pyramidtops.com](mailto:kingram@pyramidtops.com)>  
**Subject:** Re: Ten Commandments

Awesome! I have notified my staff to provide whatever accommodations you need with delivering the monument to the courthouse on the 23rd. Looking forward to it!

Sheriff Jeff Bullard  
Jefferson County Sheriff's Office  
911 Casey Avenue  
Mt. Vernon, IL 62864  
(618)244-8004 ext. 201



On Mon, Aug 12, 2024 at 8:33 AM Kristi Ingram <[kingram@pyramidtops.com](mailto:kingram@pyramidtops.com)> wrote:

Perfect! We will plan on the 23<sup>rd</sup>!

Thank you!

**Kristi Ingram**

Pyramid Marble & Granite

3020 S Banker St

Effingham, IL 62401

217-536-6187

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**From:** Jeff Bullard <[sheriffjeffbullard@gmail.com](mailto:sheriffjeffbullard@gmail.com)>  
**Sent:** Monday, August 12, 2024 8:30 AM  
**To:** Kristi Ingram <[kingram@pyramidtops.com](mailto:kingram@pyramidtops.com)>  
**Subject:** Re: Ten Commandments

Great! Friday, August 23<sup>rd</sup> would be better. That will give me enough time to give notice to everyone who donated. Thanks!

Sheriff Jeff Bullard

Jefferson County Sheriff's Office

911 Casey Avenue

Mt. Vernon, IL 62864

(618)244-8004 ext. 201



On Mon, Aug 12, 2024 at 8:23 AM Kristi Ingram <[kingram@pyramidtops.com](mailto:kingram@pyramidtops.com)> wrote:

Hi Jeff,

The stone is here and we are working on getting it sandblasted and ready to set. Possibly by this Friday but it may be the following Friday! Does one work better than the other for you? We will be in touch as soon as it is carved!

Thank you!

# Kristi Ingram

Pyramid Marble & Granite

3020 S Banker St

Effingham, IL 62401

217-536-6187

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**From:** Jeff Bullard <[sheriffjeffbullard@gmail.com](mailto:sheriffjeffbullard@gmail.com)>  
**Sent:** Sunday, August 11, 2024 10:51 AM  
**To:** Kristi Ingram <[kingram@pyramidtops.com](mailto:kingram@pyramidtops.com)>  
**Subject:** Ten Commandments

Good morning Kristi!

Checking in to see if there is a delivery date for my order yet? Hope you are having a good weekend.

Jeff

# **EXHIBIT 8**

**From:** Bobby Wallace bwallace@jeffersoncounty.illinois.gov

**Subject:** July Staff Meeting Notes

**Date:** July 9, 2024 at 11:14 AM

**To:** Aaron Johnson ajohnson@jeffersoncounty.illinois.gov, Brent Witges bwitges@jeffersoncounty.illinois.gov, Kristina Draege kdraege@jeffersoncounty.illinois.gov, Marty Keoughan mkeoughan@jeffersoncounty.illinois.gov, Marty Keoughan mkeoughan@jeffersoncounty.illinois.gov, Shawn Hoang shoang@jeffersoncounty.illinois.gov

**Cc:** Jeff Bullard sheriff@jeffersoncounty.illinois.gov, Blaine Uhls chiefdeputy@jeffersoncounty.illinois.gov

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## July Staff Meeting Notes

Budget- Safety tax down 3%. Looking to come into the end of year balanced maybe slight profit. If you have requests for next year's budget, please turn in my end of month. Need details of purchase, justification, and total cost associated.

Readiness Planning- Working on a readiness plan for large scale events. Will have meeting with Township/Village leaders on July 30 at courthouse to discuss. As part of this, dispatch will be trained to use HAM radio equipment, which is being purchased. This is in case our radio systems go down.

Active Shooter Event- Scheduled for January 6, 2025 at Waltonville High School. Weeks in charges of planning. Be ready to participate.

Bi-Annual Training- Wilton setting up ALERT Class followed by Rescue Task Force Training. This will be your bi-annual training. Dates will be provided when available.

Ten Commandments Statue- A large statue of the Ten Commandments has been donated and will be placed in the center of the courthouse first floor. If you get people complaining, this is not costing the county anything and if they have further issues refer them to the Sheriff.

Civil Process- Before serving a civil paper make sure you understand what it says. If you have questions ask before you serve it. Anything without a Judges signature can only be served but no further action can be taken. Action can only be ordered by a Judge.

Recording in the Justice Center- It is a security issued if the public if recording in the Justice Center just like at the courthouse. There will be signs placed soon indicating no recording. If someone call you about someone recording, you tell them this is a secure area and they cannot record. If they continue to record, they can be arrested for Obstructing an Officer. There phone or other recording device shall be seized until a search warrant/consent can be obtained and the recording recovered from the phone for evidence. This is not a scenario where you give them a community link to upload it. (This comes from issues Franklin County has been experiencing where probationers are coming into probation and recording to pressure the probation officer into not doing their job. Chief Judge Morgan is on board and actually was the one who approached the Sheriff in order to figure out ways to prevent this here.)

Continued Calls for Service at Same Location- Each call shall be treated as a new call. Just because the person call all the time, does not mean you should lump the calls into the same category and walk in with a preconceived idea on what is happening. Investigate each call each time. You can use your knowledge or the previous call in your decision but the decision should be made based upon the details of that call.

Narcotics Intel- Chad Pepple's residence up and running. Good place to try and find some drug activity.

Hoang Vacation- When Shawn is on vacation we will look at assigning a SRO to be the contact point for home visits. More details to be worked out.

Pistol Quals- Hoang we need to schedule a day for investigation go to range and do state qualification for this year.

Radio Traffic- We need to shorten up our radio traffic

Finally and the worst information, Blaine will be moving his family to Alabama in the next couple months. John Prudent will replace him as Chief Deputy. Bonnie May will become the Jail

Administrator. Jen Hails will become the 1<sup>st</sup> LT. We are not sure when this will happen for sure but will be soon. We will work on a proper send off for Blaine.

--

Bobby Wallace  
Detective Captain  
Jefferson County Sheriff's Office  
911 E. Casey Ave  
Mount Vernon, IL 62864  
O: 618-244-8004 C: 618-214-7614

**From:** krodriguez krodriguez@jeffersoncounty.illinois.gov

**Subject:** Command Staff Meeting Notes 07/09/24

**Date:** July 12, 2024 at 11:19 AM

**To:** cmcdaniel cmcdaniel@jeffersoncounty.illinois.gov, hschultze hschultze@jeffersoncounty.illinois.gov, smullenix smullenix@jeffersoncounty.illinois.gov, abarbian abarbian@jeffersoncounty.illinois.gov, Deputy Adam Smith Smith asmith@jeffersoncounty.illinois.gov

**Cc:** Sheriff sheriff@jeffersoncounty.illinois.gov

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I had to step out of the meeting a couple of times due to a fatal crash we were investigating. Because of this I may have missed some topics or did not receive all the details of what I have listed below..

**Budget -** The Public Safety Tax is now running approximately 3% below expectations. The jail revenue is strong and should allow us to finish with a balance budget or maybe with a small surplus. July starts budget planning for the next fiscal year. Any requests needs a justification and a cost.

**Disaster Readiness Plan -** The Sheriff will be meeting with township officials on July 30th. TC's will receive Ham Radio training in August.

**Courthouse -** Large Granite 10 Commandments will be placed in the courthouse. If asked it was paid for through donations. The Supreme Court overturned the separation of church and state. Any complaints refer them to the Sheriff.

**Civil Process -** Training is going to be added to the FTO program for civil process, specifically for serving court orders vs. regular summons.

**Audio and Video Recodring -** There will be signs posted at all employee entrances to the Justice Center prohibiting the public from audio and video recording inside the building. If you are made aware of a visitor violating this directive they are to cease recording immediately. If they refuse they are to be arrested for obstruction.

**Neighbor Disputes -** We all know how frustrating it is to go back to the same neighbor dispute calls. Remember to treat each call like it's the first time you are meeting with the individuals. Do not let your frustration show and remain professional. Look for any violations of the law and take appropriate action.

**319 N Poplar St, Bluford -** Chad Pepple appears to be back in business. This would be a good house to look for vehicles to stop as they leave the residence.

**Squad vs Deer 10-50's -** It is not necessary to contact other agencies to complete a 10-50 when we simply strike a deer. You can complete your own

If multiple units are working in close proximity, the court security channel on our radios is an option to use

Dan Lovin has offered his office area in patrol. He stated if a deputy has some things going on like a rough call, or maybe a personal matter and needs a quiet place for a few minutes to reflect or have a meal they are welcome to use it. The following is not from Dan, but from me. This doesn't mean this room turns into a spot to just hang out. This is a kind gesture from him and we need to respect it.

Blaine has announced he will be resigning. There is no hard date yet. He plans to be out

by the beginning of school. The new Jail Administrator, John Prudent, will assume the role as Chief Deputy when that time comes. Bonnie May will assume the role of Jail Administrator.

# **EXHIBIT 9**

**From:** krodriguez krodriguez@jeffersoncounty.illinois.gov  
**Subject:** Re: Command Staff Meeting Notes  
**Date:** August 15, 2024 at 10:56 AM  
**To:** Jeff Bullard sheriffjeffbullard@gmail.com  
**Cc:** chiefdeputy chiefdeputy@jeffersoncounty.illinois.gov

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Thank you for the clarification. I'll be working that day as well.

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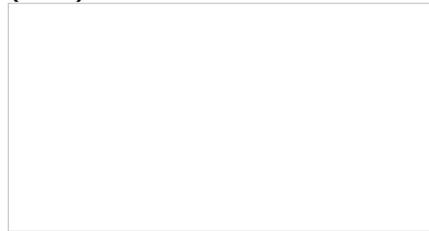
----- On Thu, 15 Aug 2024 10:54:08 -0500 Jeff Bullard<sheriffjeffbullard@gmail.com> wrote -----

Kevin,

The Ten Commandments will actually be delivered the afternoon of Aug 23rd. Court Deputies need to be aware of this. I am hoping to be there as well. Thanks.

Jeff

Sheriff Jeff Bullard  
Jefferson County Sheriff's Office  
911 Casey Avenue  
Mt. Vernon, IL 62864  
(618)244-8004 ext. 201



On Thu, Aug 15, 2024 at 8:27 AM krodriguez  
<[krodriguez@jeffersoncounty.illinois.gov](mailto:krodriguez@jeffersoncounty.illinois.gov)> wrote:

The command staff meeting was held on 08/13/24. The following topics were discussed:

Budget - The 7 month number had not been submitted to the Sheriff by the time of the meeting. We are estimated to be approximately \$150K over budget. Most of the overage is due to the 911 Coordinator salary being mistakenly charged as jail maintenance. Also DCFS and District 80 reimbursements are running behind.

Employee Recruitment Incentive - If an employee recruits a new hire and they make it through their probationary period they will receive a \$150 gift card.

Readiness Group Meeting - The Sheriff conducted a meeting and invited the townships and villages to participate. Some townships and villages did not attend. In the future the meeting may include churches and schools in those areas.

Active Shooter Drill - Still scheduled for January 6, 2025. Captain Weeks is continuing the coordination of the exercise.

Crash Reports - Write the narrative like you would an offense report. It needs to include who had the right of way and who your investigation determined to be at fault.

August 25, 2024 - This is our weekend to work. We need to have the courthouse unlocked by 1430 hours. The 10 Commandment monument will be delivered around this time. Do not let people gather around when delivered.

Domestics - Regardless if it's physical or verbal a report must be completed! No exceptions. The report will be sent to the detectives for review and then to SAO. The Domestic Violence Act requires a report to be completed and reviewed by the SAO.

Contact Information - Always remember to get phone numbers and a current address for subjects you come in contact with. Equally important, remember to update Spillman with that information.

Air Card - As we get new MDT's we are transitioning to the internal air card. Bobby can configure the air card into a hotspot. Coordinate with him if you would like this done.

Field Drug Tests - We will be transitioning to new field drug tests.

Auto Tagging - Still working on getting that back online. Several agencies are having the same issues.

DUI Holds - When you arrest for DUI and tow the vehicle. Place in the note section of the vehicle tab how many hours the hold is for.

School Scanning - A contactor has started exterior scanning of all the schools. They using the scans to create 3D maps of the schools. The scans are taking place in the evening hours.

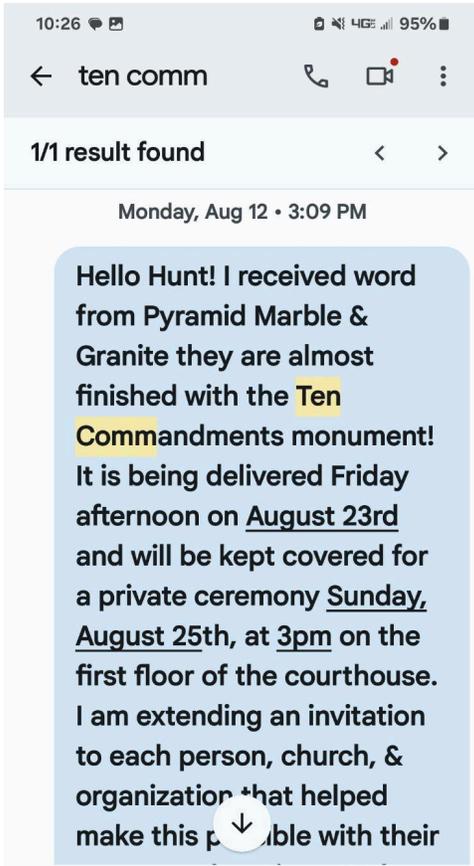
Juvenile Warrants - If you arrest an adult on a juvenile warrant they can be housed in the jail. You do not need to take them to a juvenile facility as long as they are at least 18 years old.

Dan Lovin - Dan has decided to retire at the end of the month after 32 years. When you see him wish him well and thank him for all his contributions he has made to law enforcement, not only here, but all over the country.

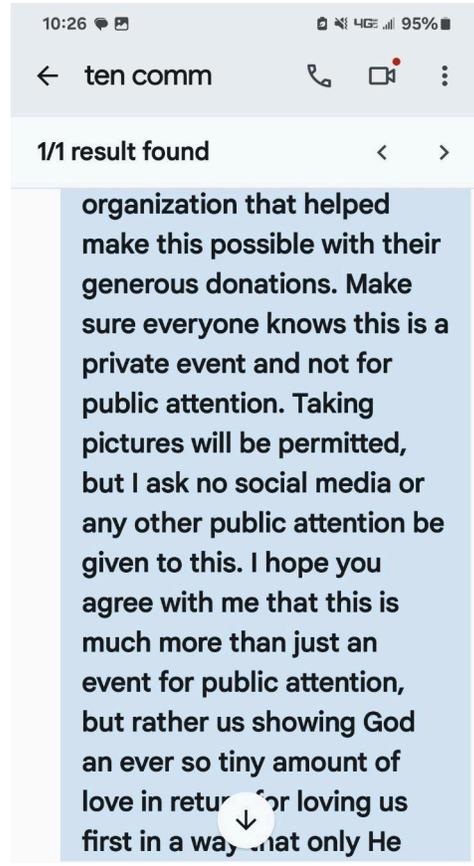
See me with any questions

# **EXHIBIT 10**

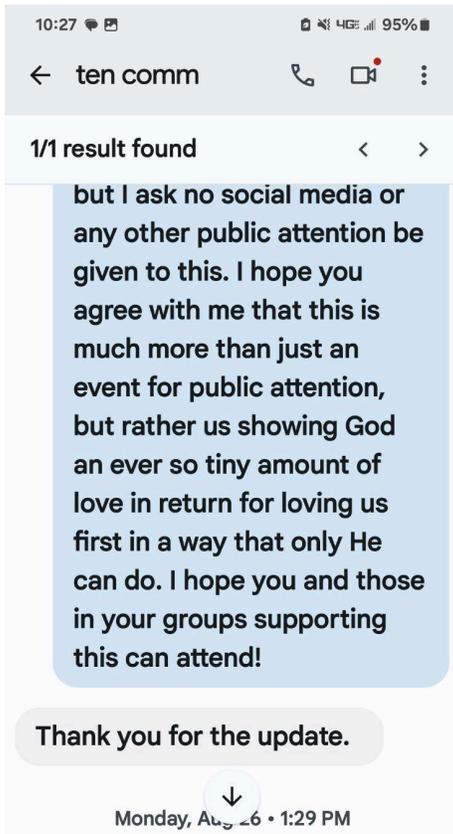
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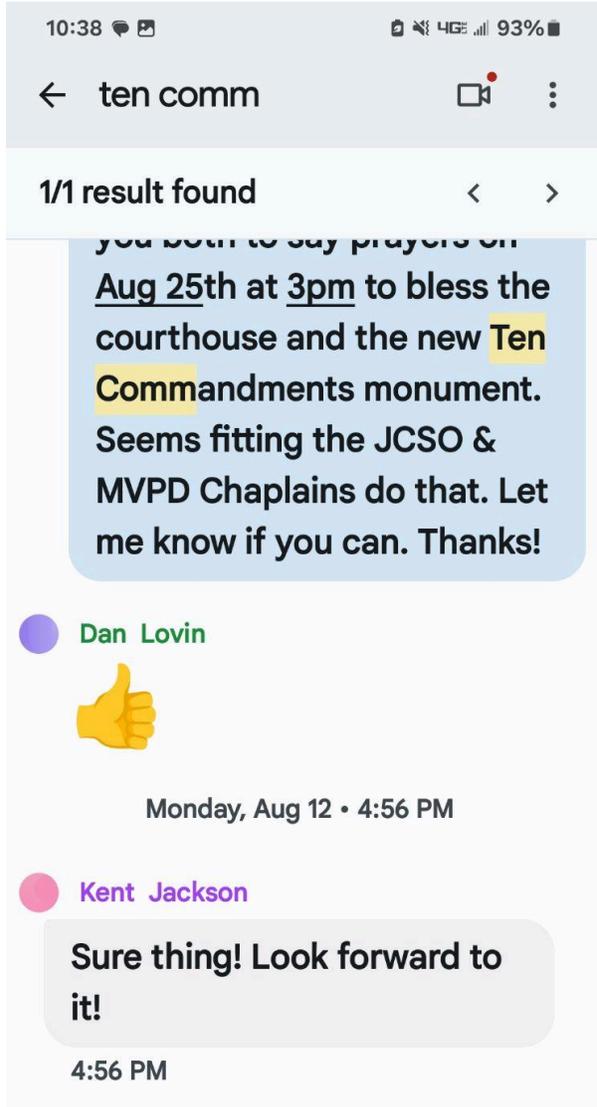
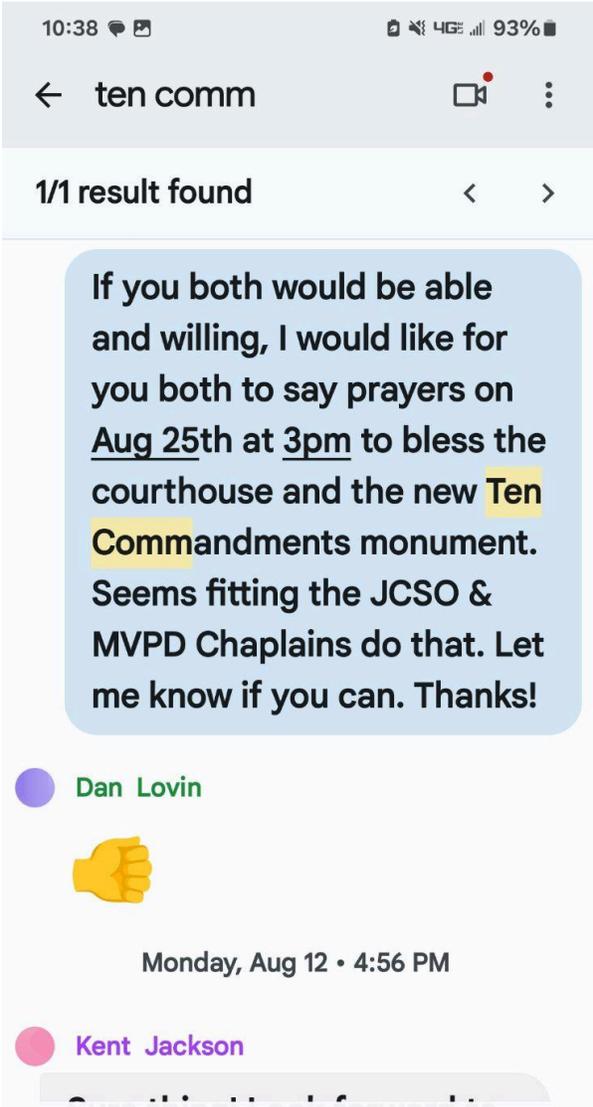
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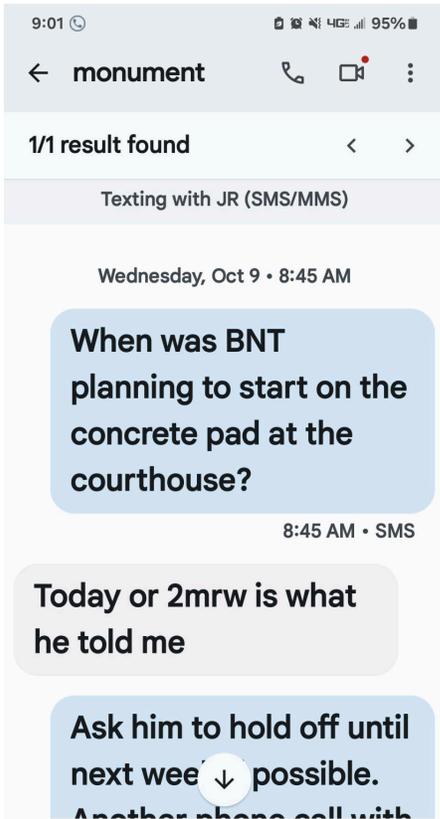


# **EXHIBIT 11**

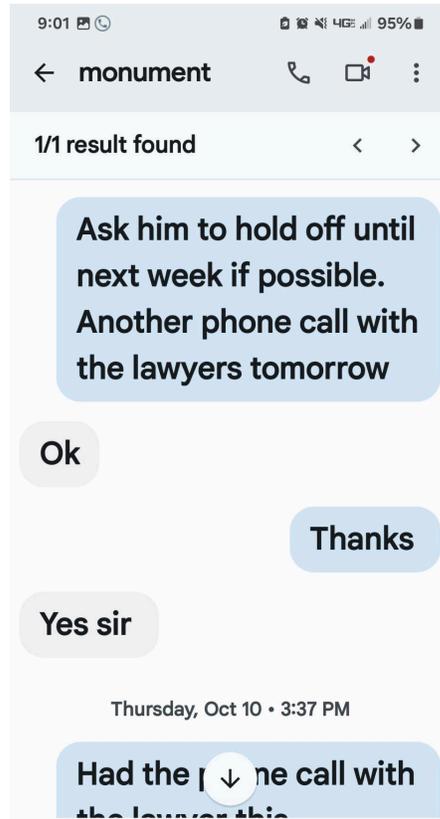


# **EXHIBIT 12**

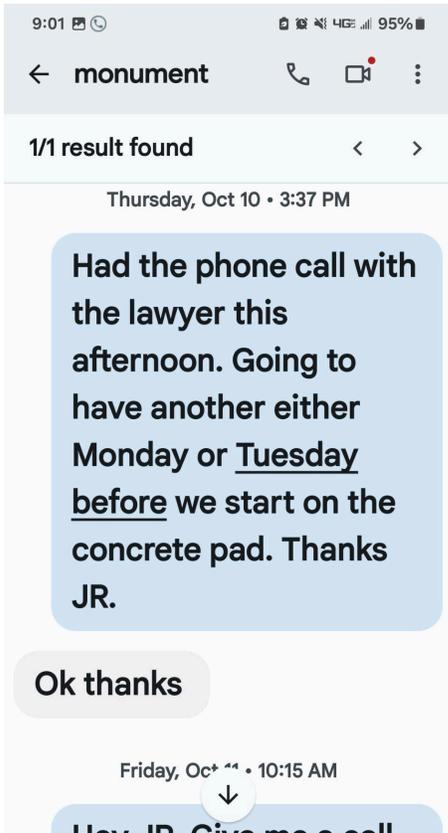
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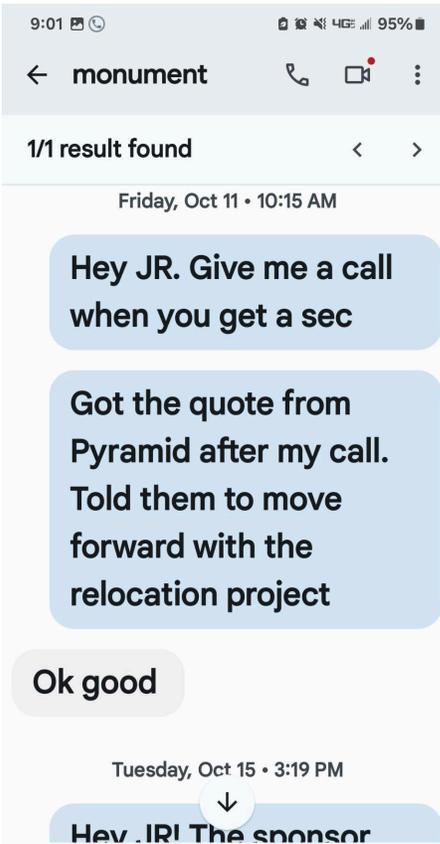
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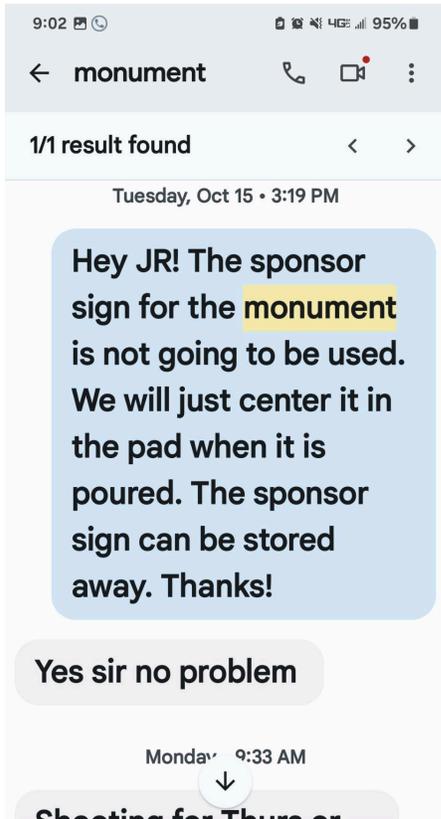
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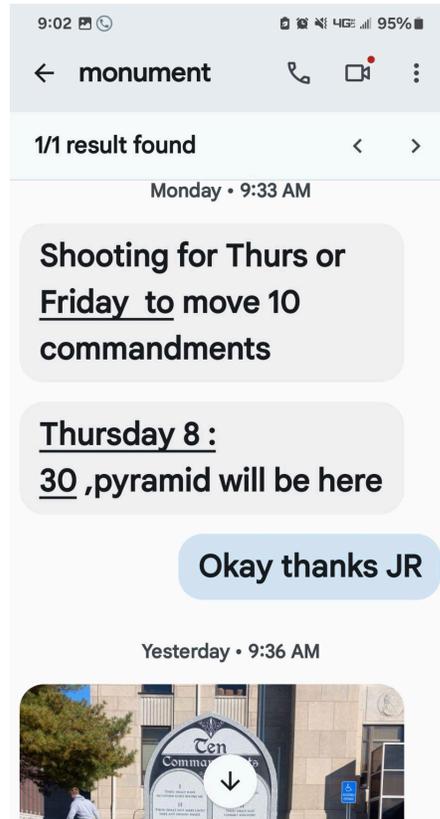
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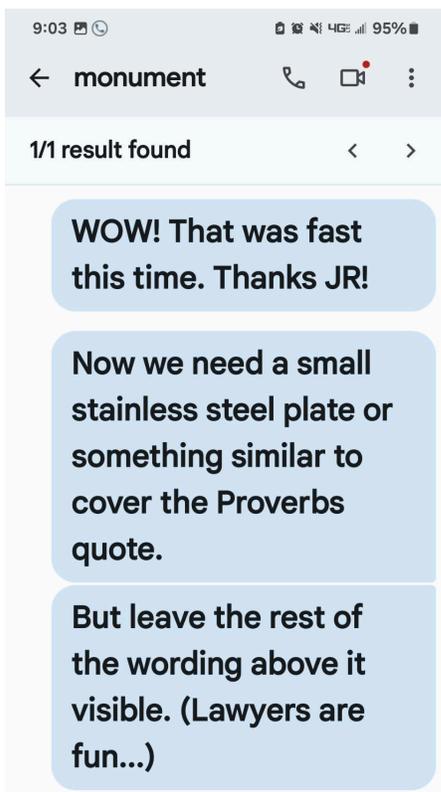
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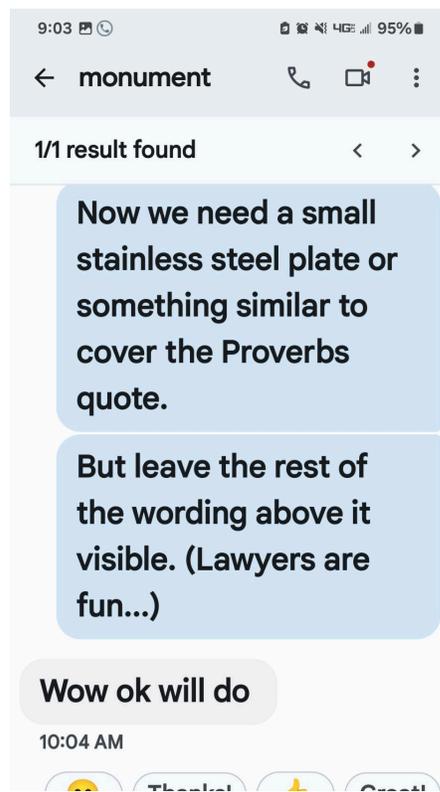
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7



8



# **EXHIBIT 13**

**From:** Jeff Bullard [sheriffjeffbullard@gmail.com](mailto:sheriffjeffbullard@gmail.com)  
**Subject:** Re: Ten Commandments  
**Date:** September 30, 2024 at 9:37 PM  
**To:** Kristi Ingram [kingram@pyramidtops.com](mailto:kingram@pyramidtops.com)



Moving the stone. Thanks

On Mon, Sep 30, 2024, 4:47 PM Kristi Ingram <[kingram@pyramidtops.com](mailto:kingram@pyramidtops.com)> wrote:

Thank you – are you wanting us to quote the foundation or just moving the stone?

Thank you,

**Kristi Ingram**

Pyramid Marble & Granite

[3020 S Banker St](#)

[Effingham, IL 62401](#)

217-536-6187

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**From:** Jeff Bullard <[sheriffjeffbullard@gmail.com](mailto:sheriffjeffbullard@gmail.com)>  
**Sent:** Monday, September 30, 2024 3:46 PM  
**To:** Kristi Ingram <[kingram@pyramidtops.com](mailto:kingram@pyramidtops.com)>  
**Subject:** Re: Ten Commandments

Here you go Kristi!

We are having a concrete pad poured in the location I marked. It is on the south side of the building. Anything else please let me know. Thanks!

On Mon, Sep 30, 2024, 10:24 AM Kristi Ingram <[kingram@pyramidtops.com](mailto:kingram@pyramidtops.com)> wrote:

Hi Jeff,

Attached is an arial picture of the courthouse, could you please mark where you are wanting to place the monument? We are working on a price now.

Thank you!

**Kristi Ingram**

Pyramid Marble & Granite

[3020 S Banker St](#)

[Effingham, IL 62401](#)

217-536-6187

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**From:** Jeff Bullard <[sheriffjeffbullard@gmail.com](mailto:sheriffjeffbullard@gmail.com)>  
**Sent:** Thursday, September 26, 2024 11:10 AM  
**To:** Kristi Ingram <[kingram@pyramidtops.com](mailto:kingram@pyramidtops.com)>  
**Subject:** Ten Commandments

Good morning Kristi:

Good morning Kristi,

I received some bad news from the First Liberty Institute today and it looks like we will have to move the monument outside to the courthouse grounds. What would you guys charge to move it outside and sit it on a concrete slab?

Sheriff Bullard

# **EXHIBIT 14**

CHIRP

## BNT CONCRETE

RICH BAKER

1311 N 13<sup>TH</sup> STREET

MT VERNON, IL 62864

618-241-7641

JEFFERSON COUNTY

900 CASEY AVE

MT VERNON, IL 62864

INVOICE: POUR A 6X2X6 CONCRETE PAD TO HOLD 3000 POUNDS

\$1050.00

PAYMENT DUE WHEN JOB IS DONE PLEASE CALL RICH BAKER TO PICK UP PAYMENT

PLEASE MAKE CHECK PAYABLE TO: RICH BAKER

THANK YOU

A handwritten signature in black ink that reads "Rich Baker". The signature is written in a cursive, flowing style with a long horizontal stroke at the end.

RICH BAKER

# **EXHIBIT 15**



# PYRAMID

## MARBLE & GRANITE

### CONTRACT OF SALE

3020 S. BANKER ST  
 EFFINGHAM, IL 62401  
 Phone: (217) 536 6187  
 Fax: (217) 536 5353  
 mharvey@pyramidtops.com

Date October 2, 2024

**JEFFERSON CO. COURTHOUSE - TEN  
 COMMANDMENTS MEMORIAL**

**Bill To: Deliver To:**

JUSTICE CENTER CHAPLAINCY DIV.  
 911 CASEY AVE  
 MT. VERNON, IL 62864  
  
 SHERRIFJEFFBULLARD@GMAIL.COM

**Jefferson County Courthouse** - Courthouse  
 100 S 10th St  
 Mt Vernon, IL 62864  
 (618) 244-8020  
[jeffersoncounty.illinois.gov](http://jeffersoncounty.illinois.gov)

Quantity	Description	Unit price	Amount	Amount	Amount
1.00	LABOR- REMOVE UPRIGHT MEMORIAL FROM INSIDE COURTHOUSE TO OUTSIDE	\$	3,200.00	\$	3,200.00
				\$	-
1.00	CRANE RENTAL	\$	1,000.00	\$	1,000.00
<b>Subtotal</b>				<b>\$</b>	<b>4,200.00</b>

Make all checks payable to Pyramid Marble and Granite

If you have any questions concerning this contract, contact Mike Harvey at mharvey@pyramidtops.com or 217 536 6187

**Thank you for your business!**

<b>Tax</b>	0.00%
<b>Deposit</b>	
<b>Balance due</b>	<b>\$ 4,200.00</b>

**Project Notes: bring monument cart with steel casters/ small crane/ 8 employees/ long sawzall blades/ bottle jacks/ monument clamps/ ramp boards/ ss pins**

Salesperson: \_\_\_\_\_ Purchaser: \_\_\_\_\_ Date: \_\_\_\_\_

# **EXHIBIT 16**

**From:** Jeff Bullard sheriffjeffbullard@gmail.com 

**Subject:** Moving the monument

**Date:** September 29, 2024 at 8:19 AM

**To:** maintenance maintenance@jeffersoncounty.illinois.gov

**Cc:** John Prudent chiefdeputy@jeffersoncounty.illinois.gov, Randa Rowland rowland@jeffersoncounty.illinois.gov

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JR,

Legal counsel advised the south side of the courthouse is an appropriate place for the Ten Commandments monument to be moved. Attached are pictures of where I want the concrete slab to be poured for the monument, with enough room on one side for the donor sign to be mounted next to it.

It should be in the middle between the south entrance steps and the "flame" monument. It should be in the middle between the street side sidewalk and the sidewalk that connect the south steps with the west steps. It will have to be leveled for slab placement.

Please get a contractor to get us a quote for a slab that will hold 3,000 lbs in that and email it to me this week, if possible.

Randa,

We will pay for this from the chirper fund. Thanks everyone!

Jeff





# **EXHIBIT 17**

**From:** Jeff Bullard sheriffjeffbullard@gmail.com  
**Subject:** Re: Fwd: FW: JEFFERSON CO COURTHOUSE MONUMENT MOVING (version 1).xlsb  
**Date:** October 16, 2024 at 1:41 PM  
**To:** rrowland rrowland@jeffersoncounty.illinois.gov



Yes, thanks Randa!

On Wed, Oct 16, 2024, 1:25 PM rrowland <[rrowland@jeffersoncounty.illinois.gov](mailto:rrowland@jeffersoncounty.illinois.gov)> wrote:

Good afternoon,

I just received the invoice from Rich Baker for the concrete to sit the monument on. Would you like the concrete invoice paid from the Chirper fund also? Thanks!

## **Randa Rowland**

Administrative Assistant  
Jefferson County Sheriff's Office  
[911 Casey Ave.](#)  
[Mt. Vernon, IL 62864](#)  
Ph: (618) 244-8004 ext. 223  
Fax: (618) 244-9209

NOTE: I have a new email address; please update my contact.

---

----- On Fri, 11 Oct 2024 10:33:40 -0500 **Jeff Bullard**  
<[sheriffjeffbullard@gmail.com](mailto:sheriffjeffbullard@gmail.com)> wrote ---

----- Forwarded message -----

From: **Jeff Bullard** <[sheriffjeffbullard@gmail.com](mailto:sheriffjeffbullard@gmail.com)>  
Date: Fri, Oct 11, 2024, 10:32 AM  
Subject: Fwd: FW: JEFFERSON CO COURTHOUSE MONUMENT MOVING (version 1).xlsb  
To: Kristi Ingram <[kingram@pyramidtops.com](mailto:kingram@pyramidtops.com)>

Got it thanks Kristi. Please proceed with scheduling the relocation project.

Randa,

This gets paid from the Chirper fund. Thanks!

Jeff

----- Forwarded message -----

From: **Kristi Ingram** <[kingram@pyramidtops.com](mailto:kingram@pyramidtops.com)>  
Date: Fri, Oct 11, 2024, 10:28 AM  
Subject: FW: JEFFERSON CO COURTHOUSE MONUMENT MOVING (version 1).xlsb  
To: Jeff Bullard <[sheriffjeffbullard@gmail.com](mailto:sheriffjeffbullard@gmail.com)>

## Kristi Ingram

Pyramid Marble & Granite  
[3020 S Banker St](#)  
[Effingham, IL 62401](#)  
217-536-6187

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**From:** Mike Harvey <[mharvey@pyramidtops.com](mailto:mharvey@pyramidtops.com)>  
**Sent:** Thursday, October 3, 2024 6:50 AM  
**To:** [SHERRIFJEFFBULLARD@GMAIL.COM](mailto:SHERRIFJEFFBULLARD@GMAIL.COM)  
**Cc:** Kristi Ingram <[kingram@pyramidtops.com](mailto:kingram@pyramidtops.com)>  
**Subject:** JEFFERSON CO COURTHOUSE MONUMENT MOVING (version 1).xlsb

JEFF – SEE ESTIMATE ATTACHED TO MOVE THE MEMORIAL FROM INSIDE TO OUT ON THE LAWN. WE WOULD WANT TO SCHEDULE ONCE THE NEW CONCRETE FOUNDATION IS IN PLACE FOR IT. THANKS

## Mike Harvey

Pyramid Marble & Granite  
[3020 South Banker St.](#)  
[Effingham, IL 62401](#)  
217.536.6187

# **EXHIBIT 18**

**SEAN FEATHERSTUN**  
State's Attorney

Jefferson County State's  
Attorney's Office



Jefferson County Courthouse  
100 S. 10<sup>th</sup> Street, Room 203  
Mount Vernon, Illinois 62864

Telephone: 618.244.8025  
Fax: 618.244.7235

October 3, 2024

Jefferson County Board  
100 South Tenth Street, Room 106  
Mt. Vernon, IL 62864

Re: *Freedom from Religion Foundation demand letter, August 29, 2024*

Honorable Chairman and Board Members,

As I believe you are aware, on or about August 30, 2024, Brittney sent me the demand letter (attached hereto) pertaining to the proposed removal of the Ten Commandments. Since that time, more than one County Board Member asked for my analysis as to our potential liability. I was also asked whether the decision to remove the Ten Commandments (or not) belongs to the Sheriff or the County Board. I offer my analysis of these questions as a fiduciary.

The Sheriff and County Board have been served with FOIA requests, obvious discovery devices which appear to precede litigation. While researching this issue, I found the Freedom from Religion Foundation named as a Plaintiff in similar cases. You should consider their threat to sue you in Federal Court for an alleged violation of the Establishment Clause to be a legitimate threat. In such a case, we would end up paying all of their legal fees and costs if they are successful in proving a Constitutional violation.

I start my potential liability analysis as if I had been asked in the first instance whether the County should place a prominent display of the Ten Commandments on courthouse property. When considering any course of action likely to lead to litigation, I would ask you a preliminary and fundamental question...is this contemplated course of action necessary to the transaction of County business? If the course of action is not necessary, I advise you not to do it. This is general advice, but simple from a liability exposure perspective. As a County, we generally don't want to risk taxpayer money or our own limited resources for unnecessary reasons.

If you decided the display of the Ten Commandments was necessary, I would have advised you how to proceed in a way that maximizes your chances of succeeding in litigation when you are sued. To fully advise you, I would first need to know...what exactly is our stated secular (non-religious) purpose?

The "non-religious" purpose most often advanced in support of similar displays has been that the challenged displays show the historical or foundational developments of the rule of law, and the Ten Commandments are just part of that development. After all, most of the Founding Fathers

believed in the Ten Commandments, and many of our criminal prohibitions are but restatements of the principles laid out in the Ten Commandments.

Assuming the secular purpose, I would have advised you to display the Ten Commandments along with other objects that show the historical context in which you are placing them. I would also advise you consider placing the Ten Commandments along a wall, perhaps in a bookshelf or something. The case law interpreting this issue frequently discusses the prominence of the display in determining whether a given government action promotes a specific religion in violation of the Establishment Clause. An inconspicuous display appears safer than a large, prominent one.

Finally, because I am aware there are religious donors, I would have advised you the use of religious donors for a 'non-religious' display raises particular concerns. In *ACLU v. Grayson County, KY*, the Court affirmed a display with 9 historical documents which included the Ten Commandments. *American Civil Liberties Union of Kentucky v. Grayson County, Ky*, 591 F.3d 837 at 840-841 (6<sup>th</sup> Cir., 2010).

Of concern, part of the argument in *ACLU v. Grayson* related to religious donors. The Court found that even if the donors themselves had a religious purpose, the government did not adopt it. The Court relied, in part, on the fact that there was no sign posted linking the display to a religious donor. *ACLU v. Grayson* at 851. By posting a sign identifying religious donors, Plaintiff may argue Jefferson County has adopted any religious purpose which those donors may have had.

My analysis herein is also guided in large part by two United States' Supreme Court decisions rendered on the same day in 2005. According to Westlaw (our research software), the cases which I have cited to have not been overturned.

In *Van Orden v. Perry*, 125 S. Ct. 2854, 545 U.S. 677, 125 S.Ct. 2854, 162 L.Ed. 607 (2005), the Supreme Court of the United States examined a 6-foot-high monolith inscribed with the Ten Commandments. *Van Orden v. Perry* at 677. In this 2005 case, the Ten Commandments were only 1 of 21 historical markers (17 monuments) surrounding the Texas State Capitol. *Id.* The Supreme Court noted the monument had been in place and unchallenged for 40 years in finding that the religious message of the Ten Commandments was sufficiently incorporated into a broader historical message. *Id.* at 679.

On the same day the Supreme Court decided *Van Orden v. Perry*, they decided *McCreary County v. ACLU of Kentucky*, 545 U.S. 844, 125 S. Ct. 2722, 162 L.Ed.2d 729 (2005). In *McCreary*, the Supreme Court reviewed two Kentucky Counties who each posted copies of the Ten Commandments in a courtroom. The Supreme Court of the United States did not allow the Counties to display the Ten Commandments, which were framed on the wall. In finding the displays unconstitutional, the Court focused on the fact that the Ten Commandments had been placed by themselves. *McCreary* at 847.

Taken by themselves, the symbolism of the Ten Commandments is largely understood to be religious, as explained generally by the Supreme Court in *Stone v. Graham*, 449 U.S. 39, 101

*S.Ct. 192, 66 L.Ed.2d 199, 449 U.S. 39 (1980)*. In *Stone*, the Supreme Court rejected the idea that an inscription on the bottom of the Ten Commandments displays in that case could give a secular purpose to the Ten Commandments. *Stone at 41*.

I am also advised from the demand letter there may be a dispute as to whether or not the case of *Kennedy v. Bremerton* [597 U.S. 507, 142 S.Ct. 2407, 213 L.Ed.2d 755 (2022)] controls the issue before you. The *Kennedy v. Bremerton* case recently upheld a high school football coach's right to kneel at midfield in quiet, personal prayer. *Kennedy v. Bremerton* deals with the propriety of government action which limits an individual's right to freedom of expression of religion.

The *Kennedy* decision expressly abandoned use of the "Lemon test", which was discussed and summarized as follows: *That approach called for an examination of a law's purposes, effect, and potential entanglement with Religion. Kennedy v. Bremerton at 534. In time, the approach also came to involve estimations about whether a 'reasonable observer' would consider the government's challenged action an 'endorsement' of a religion. Id.*

Although the decision did not expressly overturn cases which had employed the *Lemon* test, the Supreme Court in *Kennedy v. Bremerton* instructed that Establishment Clause cases should be interpreted by reference to 'historical practices and understandings'. *Id. at 535*. It is unclear exactly what practical effect *Kennedy v. Bremerton* might have on the Ten Commandments cases.

I note the movement away from *Lemon* as a test is not new in reading the Ten Commandments cases. In the 2005 *Van Orden v. Perry* case, the United States Supreme Court acknowledged the *Lemon* test was not useful in that case, and that their analysis would be driven by the monument's nature and the Nation's history. *Perry at 686*. This analysis from 2005 sounds very much like the 'historical practices and understandings' standard suggested in *Kennedy v. Bremerton*, but that analysis did not stop the Court in 2005 from citing to *Lemon* that same day in the *McCreary* opinion.

While it is possible the Supreme Court will reverse course on cases involving the display of the Ten Commandments, they have so far declined opportunity to do so. In *Felix v. Bloomfield*, the United States Court of Appeals for the Tenth Circuit ruled that the placement of a Ten Commandments monument on the lawn in front of a municipal complex violated the Establishment Clause. *Felix v. City of Bloomfield, 841 F. 3d 848 (2016)*. The Tenth Circuit ultimately found the City's conduct had the effect of endorsing religion. *Felix at 851*.

In arriving at their decision, the Tenth Circuit said that it was analyzing only the 'effect' prong of the *Lemon* test, but they also considered purpose. *Id. at 856*. On October 16, 2017, the United States Supreme Court declined to hear the *Felix* case, effectively allowing the Tenth Circuit ruling to stand. Whatever else is said, a proponent of a Ten Commandments display erected by itself on Courthouse property must be relying on the idea the Courts are in fact going to do something different with these cases than that which they have already done.

In closing, I called the lawyer for the Freedom from Religion Foundation and asked why the demand letter was addressed to the County Board. Mr. Joshi advised, based on his research,

ultimate responsibility for this decision falls on the County Board. 55 ILCS 5/5-1106 does obligate the County Board with the responsibility “To erect or otherwise provide when necessary, and the finances of the county will justify it, and keep in repair, a suitable court house, jail and other necessary county buildings, and to provide proper rooms and offices for the accommodation of the county board, State's attorney, county clerk, county treasurer, recorder and sheriff, and to provide suitable furniture therefor.”

55 ILCS 5/3-6017 also provides that it is the Sheriff who is the custodian of the courthouse, except as otherwise provided. I presuppose there could be a dispute among you as to who has the authority to make the decision at issue.

The Illinois Supreme Court has noted in some circumstances that ultimate responsibility for the Courthouse lies with the County Board. *People ex. rel. Goodman v. Wabash R. Co.*, 395 Ill.520 (1946). The Illinois Supreme Court said in that case that “While the Sheriff is entrusted with the care and custody of the courthouse, his authority is subject to the control of the county board.” *Goodman v. Wabash* at 531. In another case, *Wade v. Pike County*, 104 Ill.App.2d 426, 244 N.E.2d 209 (4<sup>th</sup> Dist. 1969), the Appellate Court determined it was the County Board and not the Sheriff who had ultimate authority to allocate courthouse rooms. *Wade v. Pike* at 429.

However, contrast those cases with *O'Connor v. County of Cook*, 337 Ill.App.3d 902, 787 N.E.2d 185, 272 Ill. Dec. 370. In *O'Connor*, the Court determined the Sheriff was the proper Defendant to a lawsuit involving a parking lot injury despite the fact the County Board owned the lot. *O'Conner* at 909. The Court seemingly relied upon the custodial nature of the work performed in determining the Sheriff was the proper party. *Id.* at 907.

One thing is certain, if the Plaintiff believes they should sue the County Board, then in all likelihood that is how this lawsuit will begin. The Board may then have the option of trying to remove itself from the lawsuit, but it sounds as if you will have to litigate that issue. As such, I advise the Board formally vote and determine whether you support the Ten Commandments monument, and that we also address your representation in federal court.

I offer my analysis, not specific advice, because of potential conflicts of interest. I also don't plan to debate the Establishment Clause or try and predict the outcomes of future appellate cases. Because I cannot represent any of you in Federal Court, we should move forward with obtaining attorneys who can further advise you. I will move forward with the other necessary work of the County.

Because you may be summoned to federal court on relatively short notice, I recommend you formally address these issues no later than our next meeting.

Sincerely,



Sean M. Featherstun

Encs.

CC w/encs: Sheriff Jeff Bullard