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***LAW ENFORCEMENT OFFICER***

***training case of the MONTH***

**By Don Hays**

 Month of July – 2025

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**LAW ENFORCEMENT OFFICER TRAINING CASE OF THE MONTH**

**Month of July – 2025 Case #1**

### People v. Terry Lee Pyles, 2025 IL App (4th) 240220, April 25, 2025.

**THE CASE:** Pyles was stopped and searched without a warrant. Was the fact that Pyles was on Mandatory Supervised Release at the time he was detained alone sufficient to justify the warrantless, suspicionless search of his person?

**FACTS:** Pyles arrived in Normal, Illinois, on an Amtrak train from St. Louis, Missouri. Shortly after he arrived, he was detained by officers who had received a tip that he might be transporting methamphetamine to Normal from St. Louis. The officers searched Pyles and found a clear plastic bag of white powder that was later shown to be methamphetamine. He was arrested and charged with several offenses including methamphetamine trafficking (720 ILCS 646/56).

Before trial, Pyles moved to suppress the evidence from the search pursuant to section 114-12 of the Code of Criminal Procedure of 1963 (Code of Criminal Procedure) (725 ILCS 5/114-12). At the hearing on the motion, the People's sole argument against suppression was that Pyles was subject to the mandatory parole search condition, making the search permissible even in the absence of suspicion. One of the Officers who searched Pyles testified that he confirmed before conducting the search that Pyles was, in fact, on Illinois MSR, but the Officer also testified that he was unaware whether Pyles's particular MSR agreement contained the mandatory search condition. The People did not introduce Pykes's MSR agreement into evidence. The trial court concluded that the search was a valid suspicionless parole search and denied Pyles's motion.

The evidence obtained from the search was ultimately admitted at Pyles's trial and he was convicted of all charges, but his conviction for methamphetamine trafficking merged with the remaining convictions under the one-act, one-crime rule. The trial court sentenced Pyles to 35 years’ imprisonment. This appeal followed.

**THE PROBLEM:** Prior to detaining and searching Pyles, the Officers never actually obtained a copy of Pyles’s MSR agreement and never specifically confirmed that the MSR agreement signed by Pyles contained a clause that required Pyles to “consent to a search of his or her person, property, or residence under his or her control.” Further, Pyles’s MSR Agreement was never introduced into evidence at Pyles’s hearing on his motion to suppress.

**ARGUMENT:** On appeal, Pyles argued that because the People failed to actually prove that he (Pyles) ever agreed to a warrantless, suspicionless Parolee Search, the search conducted in this case was both impermissible and illegal. For that reason, according to Pyles, the trial court should have granted his motion to suppress.

**THE LAW:** Under the Unified Code of Corrections (Code), a term of mandatory supervised release (MSR) is imposed on defendants when they complete a term of imprisonment in the Illinois Department of Corrections (Department), with the maximum length of the MSR term depending on the offense. MSR refers to what was traditionally known as parole, and courts still use the term “parolee” for a person on MSR. The Department is responsible for supervising parolees after release, and they are considered to be in the Department's custody despite not being imprisoned. However, conditions of MSR are set not by the Department, but by the independent Prisoner Review Board (Board). Section 3-3-7 of the Code provides for certain mandatory “conditions of every parole and [MSR],” with some of those conditions applying only when the defendant was convicted of certain offenses; the Board may also impose additional, discretionary conditions that it “deems necessary to assist the subject in leading a law-abiding life” “after making an individualized assessment” of the parolee. The Board's discretion to impose conditions of MSR does not extend to mandatory conditions. The signed copy of the MSR conditions is referred to as the parolee's “MSR agreement.”

Since 2002, a mandatory condition of every MSR is that the parolee must “consent to a search of his or her person, property, or residence under his or her control.” Id. § 3-3-7(a)(10). This kind of condition is generally known as a “parole search condition” or simply a “search condition,” and a search conducted pursuant to such a condition is called a “suspicionless parole search,” Before 2002, the Board had the discretion to impose a parole search condition, which it did in at least some circumstances.

**KEY CASES: Samson v. California, 547 U.S. 843, (2006) and People v. Wilson, 228 Ill. 2d 35, (2008).** *Sampson* concluded that the Fourth Amendment does not categorically prohibit suspicionless parole searches, but the search must nevertheless be “reasonable under [the] general Fourth Amendment approach of ‘examining the totality of the circumstances,’ with the \*\*\* search condition being a salient circumstance.” *Wilson* explained that “the legal and practical effect of [Illinois's] search condition is no different from that of the search condition at issue in *Samson*.” *Samson* acknowledged two procedural safeguards imposed by the California law to ensure that a particular suspicionless parole search was reasonable: (1) the search could not be “arbitrary, capricious or harassing” and (2) the officer conducting the search was required to have “knowledge that the person stopped for the search [was] a parolee” **EDITOR’S NOTE:** [*The Illinois Statute contains no prohibition against “arbitrary, capricious or harassing” searches and the Court in this case expressed no opinion as to whether Samson or Wilson adopted California's prohibition on arbitrary, capricious, or harassing searches as a constitutional requirement because Pyles did not alleged that the search in this case fit that description*. *Therefore, this is still an open question*.]

In the case of **People v. Coleman**, 2013 IL App (1st) 130030, the Court held that a suspicionless search under Illinois's mandatory search condition is unreasonable when the officer conducting the search lacked advance knowledge that the person being searched was on Illinois MSR. In other words, an otherwise invalid search is not salvaged because the officer later learns that the defendant was on MSR at the time of the search.

**ISSUE #1: Does an officer's knowledge that the defendant was on MSR in and of itself render a suspicionless search reasonable?** In this case, the People argued that the warrantless, suspicionless search of Pyles was justified merely by the Officers learning that Pyles was on MSR. Conversely, Pyles argued that such a search is unreasonable unless and until the Officers actually confirmed that the MSR Agreement Pyles signed actually contained the suspicionless search clause.

**FINDINGS:** The appellate court noted that the question of whether a person is on Illinois MSR is a simple yes-or-no proposition that can be quickly and easily communicated between law enforcement officers. In contrast, a parolee's particular MSR agreement is required to be retained only by the parolee himself and the officer in charge of supervising him. The Court concluded that it would be unreasonable to require law enforcement officers to obtain the parolee's MSR agreement from one of those two people simply to ensure the language of the particular parole search condition complies with the statute or otherwise encompasses the particular search sought to be conducted. The Court declined to impose this “arduous requirement.” Accordingly, the Court concluded that the People could meet their burden of production at a suppression hearing by showing that the officer conducting the search had actual knowledge that the defendant was on MSR. Here, it was undisputed that Pyles was on MSR, and the officers knew as much when they searched him, so the trial court properly found that the People met their burden of production to overcome Pyles’s argument that his warrantless, suspicionless search was impermissible.

**ISSUE #2: After the People successfully overcame Pyles’s complaint about their warrantless, suspicionless search of his person, did Pyles present sufficient evidence to support his argument that the search of his person otherwise violated the 4th Amendment?**

**FINDINGS:** The appellate court concluded that Pyles failed to provide sufficient evidence to support his argument that the search of the Officers violated the Fourth Amendment after Pyles’s attack on his Parolee Search was rejected.

**ISSUE #3: If the Parolee Search conducted by these Officers did not violate the 4th Amendment, did it violate the rights granted by Article I, Section 6 of the Illinois Constitution?**

**FINDINGS:** In response to this question, the Court noted that Article I, § 6 of the Illinois Constitution provides that “the people shall have the right to be secure in their persons, houses, papers and other possessions against unreasonable searches, seizures, invasions of privacy or interceptions of communications by eavesdropping devices or other means.” Further, the Court noted that because this provision has been interpreted in limited lockstep with the Fourth Amendment, “the Illinois Supreme Court conducts reasonableness balancing for the invasion of privacy under the same framework as searches under the Fourth Amendment.” For the appellate court to diverge from the United States Supreme Court under the lockstep doctrine, the defendant must show “evidence in the language of the Illinois constitution or in the debates and committee reports from its drafting that shows the drafters intended the Illinois Constitution to be construed differently.” Absent such a showing, the United States Supreme Court's interpretation of the Fourth Amendment is not merely persuasive authority but a binding interpretation of Article I, Section 6, of the Illinois Constitution. The Court concluded that here, “the defendant has not made a case for an exception to the lockstep doctrine.” Therefore, it concluded that the search was reasonable under Article I, Section 6, of the Illinois Constitution, as well as the Fourth Amendment to the United States Constitution.

**CONCLUSION:** The appellate court affirmed that judgment of the circuit court denying this Pyles’s motion to suppress and his subsequent conviction.

**QUIZ QUESTIONS FOR THE MONTH OF JULY – 2025 Case #1**

### People v. Terry Lee Pyles, 2025 IL App (4th) 240220, April 25, 2025.

1. Warrantless, suspicionless parole searches are prohibited by the Fourth Amendment.

a. True.

 b. False.

2. Does the fact that a suspect is on parole alone justify a warrantless, suspicionless search of the suspect’s person, car or property?

a. Yes.

b. No.

3. In this case, the Officers conducting the parolee search never actually read Pyles’s search agreement. Did this fact render Pyles’s parolee search illegal?

a. Yes.

 b. No.

4. Article I, Section 6 of the Illinois Constitution provides more protection for parolees than does the Fourth Amendment. Consequently, warrantless, suspicionless parolee searches violate the Illinois Constitution.

### a. True.

###

b. False.

**QUIZ ANSWERS AND DISCUSSION FOR THE MONTH OF JULY – 2025 Case #1**

### People v. Terry Lee Pyles, 2025 IL App (4th) 240220, April 25, 2025.

1. Warrantless, suspicionless parole searches are prohibited by the Fourth Amendment.

 ***b. False.***  The Fourth Amendment does not categorically prohibit suspicionless parole searches.

2. Does the fact that a suspect is one parole alone justify a warrantless, suspicionless search of the suspect’s person, car or property?

***b. No.*** This Court concluded that in order for a parole search to be legal, the suspect must, in fact, be on MSR and the Officers conducting the parolee search must be aware of the fact that the suspect in on MSR before they conduct the parole search.

3. In this case, the Officers conducting the parolee search never actually read Pyles’s search agreement. Did this fact render Pyles’s parolee search illegal?

 ***b. No.*** This Court rejected the argument that prior to conducting a parolee search, the searching Officers must inspect the suspect’s actual parole agreement to be sure that it contained a search agreement.

4. Article I, Section 6 of the Illinois Constitution provides more protection for parolees than does the Fourth Amendment. Consequently, warrantless, suspicionless parolee searches violate the Illinois Constitution.

***b. False.*** This Court declared that such searches did not violate the Illinois Constitution.

**LAW ENFORCEMENT OFFICER TRAINING CASE OF THE MONTH**

**Month of July – 2025. - Case #2**

### Nathaniel Pryor v. Michael Corrigan, et al., 124 F.4th 475, December 23, 2024.

**THE CASE:** During a traffic stop Prior exited the stopped vehicle and walked away. In response, Officers tackled Pryor to the ground and handcuff him. Could the Officers be held liable for unlawful arrest and excessive force?

**FACTS:** The police received a tip from a confidential informant that someone would be “cooking crack cocaine” at a local home,” and “would be in a conversion van.” Five police officers joined a stakeout of that location. Officer Corrigan and another officer cruised the neighborhood. Later that evening, a conversion van drove into the neighborhood. After witnessing the Van commit a traffic violation, the Officers decided to pull it over. they followed the Van and activated its emergency lights. The Van pulled into a driveway and stopped. As the Van parked, the rear seat passenger fled the Van. An Officer gave chase. While this was happening, the front seat passenger (Prior) exited the Van, closed the passenger side door and hurriedly walked down the driveway. As Prior approached the street, Officer Corrigan pulled up in a squad car. Pryor slowed to a stop where the driveway met the street, directly in front of the squad car. He faced the squad car and raised both hands, which were empty, in the air. Prior stood still for a few seconds, looking at the officers. Officer Corrigan then ran toward Pryor and twice yelled for Pryor to “Get on the ground!”.

Officer Corrigan approached Pryor, who was a much larger man, from the front. Officer Corrigan later testified that because Pryor had not been searched and was larger than him, he feared Pryor was going to gain control over the situation and harm him. Officer Corrigan ran behind Pryor and put both arms around his midsection. He then used his right leg to sweep Pryor's left leg, taking him to the ground, and then tackled him. Pryor claimed he was not given time to get on the ground, he did not resist the Officer, and the Officer did not tell him he was under arrest or why he was being arrested. Pryor landed on his side in the snow-spotted pavement. He was face down with Officer Corrigan straddling him. Pryor then asked, “what's going on?” Officer Corrigan yelled, “don't fight, stop fighting!” Pryor responded, “I'm not fighting.” Officer Corrigan ordered Pryor to put his hands behind his back. Pryor asked, “Sir, what is the problem?” The video shows that Pryor may not have put his hands behind his back right away. Pryor repeated, “what is the problem?” Officer Corrigan then raised his right arm and hit Pryor twice. Pryor repeatedly asked, “Sir, what is the problem?” Officer Corrigan told Pryor “don't move.” Meanwhile, Officer Corrigan reached for his handcuffs, grabbed Pryor's arms, and placed him in the restraints. This took about 30 seconds. Officer Corrigan searched Pryor while he laid on the pavement. Pryor wore black jeans over a pair of sweatpants. Under the sweatpants were basketball shorts and then underwear. Officer Corrigan later helped Pryor to his feet and searched him a second time. Eventually, the police put Pryor into a transport vehicle and took him to the police station. Prior to being transported, Pryor alleged that a second Officer searched him a third time while he sat in the back seat of the transport vehicle.

Pryor filed suit against the Officers and the City of Aurora. He brought six claims: three under federal law, 42 U.S.C. § 1983—false arrest, excessive force, and illegal search; one under both federal and state law—malicious prosecution; and two under state law alone—battery and indemnification. Both Pryor and the defendants cross-moved for summary judgment. The district court denied Pryor's motion in its entirety and granted in part and denied in part defendants' motion. The court dismissed the false arrest, and malicious prosecution claims in their entirety; dismissed part of the excessive force, illegal search, and battery claims; and dismissed all defendants except Officers Corrigan and one other Officer. Three claims survived for trial: (1) the excessive force claims under § 1983 against Officer Corrigan for the two punches; (2) the illegal search claims under § 1983 against the second Officer for the third search; and (3) the state law battery claims against both Officers, and the City of Aurora. Following a jury trial, the jury found in favor of the defendant Officers.

**ARGUMENT:** On appeal, Pryor claimed the district court erred in granting the Officers summary judgment on his three § 1983 claims—false arrest, excessive force, and the illegal searches.

**ISSUE #1: False Arrest.**

**Sub-Issue A: Obstruction of Justice.** Pryor argued that Officer Corrigan did not have probable cause to arrest him for obstruction of justice. The Court of Appeals ruled that considering the totality of the evidence in this case, a reasonable officer in Officer Corrigan's position could have concluded that Pryor was leaving a lawful traffic stop. When a passenger does so, an officer has probable cause to arrest for resisting or obstructing a police officer. Officer Corrigan thus had probable cause to arrest and charge Pryor with obstruction of justice. Therefore, the district court did not err in granting Officer Corrigan summary judgment on Pryor's false arrest claim as to his obstruction of justice charge.

**Sub-Issue B: Resisting Arrest.** The Court of Appeals concluded that to evaluate whether Officer Corrigan appropriately arrested Pryor for this crime, it must decide (1) whether probable cause for an underlying offense existed to arrest Pryor, (2) when Pryor was under arrest, and (3) whether Pryor resisted arrest. First, the Court concluded that a reasonable officer in Officer Corrigan's position could have concluded that Pryor was leaving a lawful traffic stop. Officer Corrigan consequently had probable cause to arrest and to charge Pryor. Second, an arrest occurs when “a reasonable person in the suspect's position would have understood the situation to constitute a restraint on freedom of movement” and submits to the known police officer. Here, the emergency lights were activated on Officer Corrigan's police vehicle, and he ran toward Pryor ordering him to “get on the ground.” Pryor stopped and raised his hands, then lowered them as Officer Corrigan approached. According to the Court, Pryor's actions constituted submission because no reasonable person would have felt “free to decline the officer's request or otherwise terminate the encounter.” So, at this point Pryor was under arrest. Third, because Pryor was under arrest, any subsequent resistance violated Illinois law. Resistance under Illinois law was an action that “impedes, hinders, interrupts, prevents, or delays the performance of the officer's duties” and is defined as “withstanding the force or effect of or the exertion of oneself to counteract or defeat.” Here, Pryor refused Officer Corrigan's orders to “get on the ground.” Instead, Pryor began to lower his arms as Officer Corrigan ran toward him. This prevented Officer Corrigan from gaining control of Pryor and placing him in handcuffs. Once on the ground, Pryor continued to resist Officer Corrigan's attempt to place his hands behind his back to restrain him. A reasonable officer in Officer Corrigan's place could have believed that Pryor resisted. Therefore, Officer Corrigan could have appropriately arrested Pryor for resisting arrest and the district court did not err in granting Officer Corrigan summary judgment on Pryor's false arrest claim on this charge.

**ISSUE #2: Excessive Force.** Pryor argued the district court erred in granting Officer Corrigan qualified immunity against Pryor's claim of excessive force during the leg sweep and tackle. Officer Corrigan argued that he was entitled to qualified immunity from liability for the force he used against Pryor. According to the Court, qualified immunity rests on two questions: “first, whether the facts presented, taken in the light most favorable to the plaintiff, describe a violation of a constitutional right; and second, whether the federal right at issue was clearly established at the time of the alleged violation.” If the plaintiff fails to prove either prong, “the defendant official is protected by qualified immunity.”

In this case, the Court concluded that Pryor failed to show that it was clearly established when he was tackled that such force was excessive under the Fourth Amendment. So, the District Court did not err in finding Officer Corrigan's leg sweep and tackle protected by qualified immunity.

**ISSUE #3: Illegal Searches.** Pryor argued that the police did not have probable cause or reasonable suspicion to believe he possessed drugs or a gun. Therefore, to Pryor, the Officers had no justifiable reason to search him, and the district court erred in granting defendants summary judgment on the first two searches.

In response, the Court noted that it had previously “recognized that, given the dangers of drug trafficking, guns and drugs often go hand in hand.” Officer Corrigan assisted in a lawful traffic stop of a van related to suspected drug activity. He saw Pryor get out of the van and move quickly down the driveway toward the street. For these reasons, the Court concluded that Officer Corrigan could have reasonably believed that Pryor was fleeing and had drugs or a weapon on his person. The Court also noted that it is a “bright-line rule that police are entitled to search the persons and possessions of everyone arrested on probable cause, with or without any reason to suspect that the person is armed or carrying contraband.” Officer Corrigan thus could constitutionally search Pryor incident to his arrest. Such a search can be “ ‘a relatively extensive exploration of the person.’ ” But it becomes unlawful when the search is conducted in a manner that is “ ‘extreme or patently abusive.’ ” According to the Court of Appeals, the district court correctly found that Officer Corrigan's two searches of Pryor were not “extreme or patently abusive.” First, there was no support in the record that Officer Corrigan searched Pryor for sexual gratification or to humiliate him. Second, there was no evidence that Officer Corrigan exposed Pryor's private parts to the public. At most, as Pryor argued, the searches exposed his boxers. But this contention was insufficient to create a genuine issue of fact about whether the search exposed his private parts. Third, Pryor alleged that during the first search Officer Corrigan “searched him thoroughly, going up his boxers, [and] into his private area” and during the second search the Officer “put his hand down inside the front of Plaintiff's boxers and searched, touching his genitals.” But those allegations, even if true, did not amount to a strip or body cavity search. Thus, the Court concluded that there was no factual support to establish that the Officer's two searches incident to arrest were unlawful.

**CONCLUSION:** The Court of Appeals affirmed the District Court’s judgment granting the Officers’ motions for Summary Judgment concerning Pryor’s allegations of unlawful arrest and excessive use of force.

**QUIZ QUESTIONS FOR THE MONTH OF JULY – 2025 - Case #2**

### Nathaniel Pryor v. Michael Corrigan, et al., 124 F.4th 475, December 23, 2024.

1. In this case, Pryor accused the Officers of False Arrest. In these types of cases, the existence of probable cause is an absolute defense to a claim of false arrest.

a. True.

 b. False.

2. Pryor exited the car in which he was a passenger and walked away after it was pulled over by the Officers. Were the Officers justified in arresting Pryor based upon his conduct.

a. Yes.

b. No.

3. Pryor complained that Officer Corrigan used excessive force in placing him under arrest. The Courts rejected this argument and concluded that Officer Corrigan did not us excessive force against Pryor.

a. True.

 b. False.

4. Officer Corrigan argued that he was justified in twice searching the person of Pryor. Did the Courts agree with this argument?

### a. Yes.

###

b. No.

**QUIZ ANSWERS AND DISCUSSION FOR THE MONTH OF JULY – 2025 - Case #2**

### Nathaniel Pryor v. Michael Corrigan, et al., 124 F.4th 475, December 23, 2024.

1. In this case, Pryor accused the Officers of False Arrest. In these types of cases, the existence of probable cause is an absolute defense to a claim of false arrest.

***a. True.*** As this Court declared, “Probable cause is an absolute defense to a false arrest claim, and we analyze it objectively. Abbott v. Sangamon County, 705 F.3d 706, 713 (7th Cir. 2013).”

2. Pryor exited the car in which he was a passenger and walked away after it was pulled over by the Officers. Were the Officers justified in arresting Pryor based upon his conduct.

***a. Yes.*** As this Court held, “Considering the totality of the evidence, a reasonable officer in Corrigan's position could have concluded that Pryor was leaving a lawful traffic stop. When a passenger does so, an officer has probable cause to arrest for resisting or obstructing a police officer. See *People v. Johnson*, 348 Ill. Dec. 695, (2010) (defendant, a passenger in vehicle lawfully stopped for traffic infraction, attempted to evade police by running from vehicle; officers had probable cause to arrest him for obstruction under Illinois law).”

3. Pryor complained that Officer Corrigan used excessive force in placing him under arrest. The Courts rejected this argument and concluded that Officer Corrigan did not us excessive force against Pryor.

 ***b. False.*** The Federal Courts did not conclude that Officer Corrigan used reasonable force when arresting Pryor. Rather, the Courts concluded that Officer Corrigan was entitled to qualified immunity from any allegations of the excessive use of force.

4. Officer Corrigan argued that he was justified in twice searching the person of Pryor. Did the Courts agree with this argument?

### *a. Yes.* The Federal Courts concluded that Officer Corrigan’s searches of Pryor were legal.