

STATE OF ILLINOIS        )  
                                       )  
 COUNTY OF LAKE        )

IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT  
 LAKE COUNTY, ILLINOIS

Illinois Department of Natural Resources        )  
   )  
                                       vs.                                 )  
   )  
 Antonio Vernon    )

General Number 05 OV 1495

CERTIFIED BYSTANDERS REPORT

On September 13<sup>th</sup>, 2005, during the 3:00 PM court call, a bench trial was held in the above captioned case. Associate Judge, Christopher Stride, presided over the trial. Mr. Antonio Vernon (hereinafter the defendant) represented himself. Assistant State's Attorney Thomas Anger appeared and prosecuted the matter on behalf of the Illinois Department of Natural Resources. The defendant was charged with one count of Unlawful Display of Martial Arts Devices, in violation of the Illinois Administrative Code, Title 17, Subchapter 9, Part 110, and Section 110.170.

The case was called at approximately 3:45 and the defendant approached the bench along with the prosecution. The defendant was advised of the charges against him and was further advised that his case was set for trial. The defendant was asked if he was prepared for trial. The defendant stated that he was prepared for trial. The defendant requested permission to bring in the martial arts devices in question. The court refused this request out of concerns for court safety. The prosecution answered ready for trial. All witnesses whom intended on testifying were sworn and the trial commenced.

The People called Illinois Conservation Police Officer Fehrenbacher who testified that while on routine foot patrol with another officer at Illinois State Beach Park he saw the defendant near the concession stand wearing only karate-type pants and a belt performing a series of karate moves while standing near two blankets that had a variety of items displayed on them. The defendant was shirtless. Those items included long wooden poles/sticks, sais, nunchucks, chains with tennis balls affixed and rubber knives. The officer offered a detailed description of each of these items. Fehrenbacher further stated it was his opinion that the items he described were commonly regarded as martial arts devices. The officer testified that there were cases lying on the blankets that appeared to be for storing martial arts devices. The officer went on to state that he advised the defendant that it was not permissible for him to display martial arts devices on the beach at Illinois State Beach Park. The defendant was then issued a citation and left the area. Fehrenbacher identified the defendant and the officer indicated that all these events transpired at Illinois State Beach Park in Lake County, Illinois.

**FILED**  
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 Circuit Clerk

On cross-examination, the defendant asked Officer Fehrenbacher if he, the defendant, introduced himself as "Chicago's most prominent non-projectile weapons practitioner". The officer stated that the defendant did introduce himself in that manner. Fehrenbacher also admitted that the defendant told him that the items in question were not martial arts devices, but farming implements. The defendant attempted to offer some explanation for his assertion that the items in question were not martial arts devices but instead farming implements. The court disallowed the narrative at that time since Officer Fehrenbacher was still being cross-examined. The defendant was told that he would be welcomed to offer that testimony during his case.

The questioning of Officer Fehrenbacher ended and the People rested.

The court then asked the defendant if he wished to present a case. He did. The defendant then presented a narrative of the events that transpired. He did not dispute that he was at Illinois State Beach Park nor did he dispute that he possessed the devices described by Officer Fehrenbacher. The defendant's dispute was with the characterization of these items as "martial arts devices". The defendant offered testimony that each of the items described by the officer had a historical use as farming implements. The poles were used to carry buckets of milk and water, the sais were used to plant rice and the nunchucks were used to thrash wheat to separate the wheat from the chaff. No farming explanation was offered for the rubber knives. The defendant introduced definitions of nunchucks and attempted to introduce definitions of the words "use" and "device". The court declined to allow the introduction of definitions of these words and instead accepted their common definitions.

The defendant drew an analogy between a chisel and sculpting tools and the offense that he was charged with. He stated that if he possessed a screwdriver that he was using as a chisel in an area that prohibited sculpting tools, it would be wrong to charge him with possession of a sculpting tool since a screwdriver has other uses. The defendant concluded his testimony by stating he was using these devices as farming implements and that the use of these items was a tribute to the ancient cultures that first invented and employed these items in their daily lives.

The court inquired of Officer Fehrenbacher if any farming related the defendant was carrying out activities as he used any of these items. Officer Fehrenbacher stated that no such activities were being carried out.

The court ruled that the People had met their burden of proof and found the defendant guilty. An inquiry was made of his criminal history and a sentence of supervision was imposed for 60 days, the defendant was ordered not to possess any martial arts devices on the grounds of Illinois State Beach Park, and fines and court costs totaling \$79.00 were assessed. The defendant was advised of his post-trial rights and the case was concluded.

FILED  
MAY 12 2005  
Christopher Sturde  
Associate Judge  
11/22/05  
CIRCUIT CLERK