

CLIENT SUCCESS

Serving as Special Prosecutor for the State of Illinois, Won Conviction of Jussie Smollett on Five Felony Counts for Falsely Reporting a Hate Crime

DECEMBER 1, 2023

In August 2019, Dan Webb was appointed as Special Prosecutor (with Winston's Sam Mendenhall and Sean Wieber as Deputy Special Prosecutors) to conduct an independent pro bono investigation of the actions of any person or office (including the Chicago Police Department (CPD) and the Cook County State's Attorney's Office) involved in all aspects of the investigation and prosecution of *Empire* Actor Jussie Smollett after local prosecutors abruptly dropped the initial charges against him under unusual circumstances, sparking public outcry. Smollett claimed he was the victim of a hate crime in Chicago in January 2019, which, after investigating, CPD concluded Smollett had falsely reported to CPD.

After performing a six-month investigation, our special prosecution team announced plans to further prosecute Smollett, **with a grand jury returning a six-count indictment** of disorderly felony conduct against Smollett for falsely reporting a hate crime to CPD.

After a seven-day trial that garnered nationwide media coverage and after 10 hours of jury deliberations, the team secured a tremendous win in December 2021 when the jury convicted Smollett on five of six counts of felony disorderly conduct. Am Law recognized the team with its prestigious "Litigator of the Week" honor for the win.

We handled the matter pro bono, contributing 15,000+ hours to the investigation, trial, and sentencing. Smollett was sentenced to 150 days in county jail and ordered to pay US\$120K in restitution for CPD overtime spent investigating the hate crime he reported. He was released on bond as he appeals the conviction.

Webb considered the jury's verdict a "resounding message" that the jury agreed with his investigation's findings—that Smollett had lied about the alleged hate crime.

On December 1, 2023, the First District Illinois Appellate Court affirmed Smollett's convictions and sentence, handing another victory to Winston's special prosecution team. Am Law recognized the team for the second time with a "Litigator of the Week" shout out for the win.

This case has received significant national and international media coverage.

IMPACT

The people of the state of Illinois received justice after being victimized by the expenditure of significant resources investigating a crime that wasn't committed, which caused undue harm to its citizens and the country.

(*People of the State of Illinois v. Jussie Smollett* (Case No. 20 CR 03050-01, Circuit Court of Cook County, Chicago, Illinois; Case No. 22-0322, First District Appellate Court, State of Illinois))

2 Min Read

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Sean G. Wieber



A. Matthew Durkin