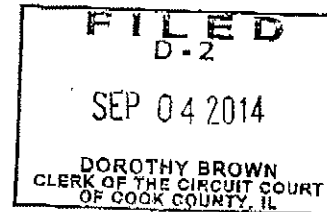


STATE OF ILLINOIS)
) SS
COUNTY OF COOK)



IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, CRIMINAL DIVISION

THE PEOPLE OF THE)
STATE OF ILLINOIS)
)
 Plaintiff)
)
 - vs-)
)
ROBERT SERRITELLA)
)
)
 Defendant)

14MC2- ~~102067~~
 2520

Bail to stand
MS 9/24/14x
10:30 am

PEOPLE'S FACTUAL PROFFER
IN SUPPORT OF SETTING BOND

NOW COME the People of the State of Illinois, Plaintiff herein, through their attorney ANITA ALVAREZ, State's Attorney of Cook County, by her Assistant Ethan Holland and hereby present their factual proffer in support of setting bond.

I. Introduction:

Section 5/110-5 of the Illinois Code of Civil Procedure sets forth criteria relevant to determining the amount of bail and conditions of release. 725 ILCS 5/110-5. The information used by the Court in its findings with regard to setting the amount of bail may be presented by way of written proffer based upon reliable information offered by the State. 725 ILCS 5/110-5.

Defendant Robert Serritella ("Defendant") is charged by complaint for preliminary examination with the felony offense of: First Degree Murder of David Chereck in violation of Ill. Rev. Stat. 1992, Ch. 38, par. 9-1(a)(1) & (2) which occurred on or about January 1, 1992.

II. Defendant:

Defendant is 71 years-old and was 49 at the time of this crime. His last known address is in Los Angeles, California. Defendant is a Registered as a Sex Offender in California. He has a Misdemeanor conviction for Annoy/Molest Children under 18 which he received 36 months' probation

III. Facts:

The Cold Case Units of the Cook County Sheriff's Police Department and the Cook County State's Attorney's Office investigated this case. The Investigation revealed the following facts:

On January 2, 1992, at approximately 6:30 a.m., a man was walking his dog in a heavily wooded section of Linne Woods, a Cook County Forest Preserve located at 9136 McVicker in Skokie. At the time the man found the dead body of 15 year old David Chereck. Chereck was lying on his right side and the shoes and winter coat he was last seen wearing were missing. Chereck's wallet was about five feet away from his body and his rear pants pocket was turned inside out. Chereck's dark colored winter scarf was tied around his neck and blood was running from his mouth and nose.

The Cook County Medical Examiner's Office determined that Chereck died from ligature strangulation caused by the scarf. The Cook County Sheriff's Police Department ("CCSPD") processed the crime scene and the Cook County Forest Preserve Police Department ("CCFPPD") conducted a follow-up investigation into Chereck's murder.

The initial investigation revealed that on the night of January 1, 1992, Chereck had been walking with friends in various locations in Skokie. A friend last saw Chereck alive on January 1, 1992, at approximately 10:00 p.m. walking near a 7-11 store located at Gross Point Road and Lincoln Avenue in Skokie

On January 4, 1992, Robert Serritella ("Defendant"), then 49, phoned the CCSPD and offered information about the Chereck murder. The following day, a CCSPD detective had a phone conversation with Defendant who stated that he saw Chereck get into a white car on the night of January 1. On January 6, Defendant called the Morton Grove Police Department and spoke to a detective and stated that he saw Chereck get into a large white vehicle on the night before Chereck was found murdered. Investigators believed that Defendant made the calls in an effort to learn how much the police knew about the Chereck homicide. Investigators further

believed that Defendant offered himself as an eyewitness in fear that another witness would identify Defendant's own car as being near the scene. The Defendant was the registered owner of a white Chrysler New Yorker at the time Chereck was murdered. The Defendant also accurately described the Skokie locations and streets that Chereck and his friends had walked on the evening of January 1, 1992.

In 1992, investigators made several attempts to locate and personally interview Defendant, including at his Park Ridge residence, but they were never able to do so in Illinois. When Defendant learned that the police had been at his residence, he began staying with friends in Chicago. Sometime later, Defendant fled to California where he told several friends that he came to California because he had furnished information about a young boy being killed.

On April 1, 1992, investigators learned that the Defendant had returned to the Chicago area from California. They then obtained and executed a search warrant for Defendant's residence located on West Touhy Avenue, in Park Ridge, Illinois. One item recovered during the execution of this search warrant was a handwritten note that read as follows:

Boy profile for exploitation

- *Between 8 & 17 years old*
- *An underachiever in School or home*
- *Come from a home where parents were absent either physically or psychologically*
- *Usually wont(sic) previous homosexual experiences*
- *Has no strong moral or religious obligations*
- *Usually had no record of previous delinquency*
- *Suffers from poor sociological development*

The investigation continued for several years. During the course of this investigation, investigators identified numerous incidents in which Defendant was accused of approaching young male victims and engaging them in conversation for the purpose of homosexual activity. The following is a summary of the facts surrounding those cases:

- o In 1991, the Defendant was identified as the man who approached a man at Higgins and Canfield, in Chicago, and offered him a ride. The man declined the ride the first time but Defendant approached three more times. Finally, the man talked to Defendant and they exchanged telephone numbers. Defendant called the man several times and asked him if he would have sexual relations with him. This man declined Defendant's offer because Defendant was too old for him.
- o In June 1991, Defendant was arrested in Los Angeles, California and charged with Child Annoyance when a 14 -year-old boy reported that Defendant had followed him

over the course of a year, waved at him and tried to strike up a conversation. When Defendant learned that the victim had reported him to the police, Defendant attempted to run the boy over with his car. Defendant pled guilty to this misdemeanor charge and was sentenced to three years of probation.

- In November 1991, Defendant approached a young man at a bus stop at Lake and Austin Streets in Chicago. Defendant offered him a ride and the man accepted. A relationship developed between the man and Defendant during which Defendant admitted that he had molested children in the past.
- In February of 1992, a neighbor of Defendant's in Los Angeles, California, identified Defendant as the man who had walked into the Boy's and Girl's Club of Hollywood wearing a priest collar. Defendant then stood in the lobby of the Club and talked to children. The same neighbor indicated that Defendant attempted to befriend her 7 and 8-year-old male relatives by buying ice cream for them.
- The Director of the Boy's and Girl's Club of Hollywood also reported that in 1989, Defendant took a boy, approximately 8-years-old, from the Club in the morning and returned him at 4:00 p.m., the same afternoon. The Director related that these types of incidents occurred often when Defendant explained that he took children from the Club to an apartment complex across the street so they could swim together.
- In 2004, the Defendant confided in "Witness A", a friend, that Defendant had sex with 16 and 17-year-old boys in the past.

In March 1998, a Chicago television news reporter investigating the Chereck murder aired an interview that he had conducted with the Defendant in Las Vegas. The Defendant stated that he saw Chereck get into a white Cadillac on January 1, 1992. Defendant also stated that he did not know for sure who killed Chereck but that he (Defendant) "may have the answer."

In June 1998, Cook County State's Attorney's Office Investigators, travelled to Las Vegas where they located and interviewed Defendant about Chereck. Defendant told the investigators that he furnished information to the police in 1992 to help them find Chereck's killer. Investigators confronted Defendant with inconsistencies he had made in previous interviews. Defendant responded by quoting the Bible and stated that he would be judged by God and not by man. When asked what he believed happened to Chereck, Defendant stated that someone had stopped Chereck on his way home and asked Chereck where he lived. Defendant stated further that Chereck got into the car and the driver drove to the Forest Preserve. Defendant said that he believed that Chereck and the offender then smoked marijuana before the offender "posed a question" to Chereck and that is when "things got out of hand".

In December 2004, "Witness A", a resident of Los Angeles, called investigators in

Chicago with information about Defendant. Witness A advised that he had met Defendant while Witness A was working on an acting job. Defendant told Witness A that Defendant got into trouble in Palm Springs with a "little girl" and the police impounded his vehicle as a result. Defendant also told Witness A that he had been arrested while in the company of a young boy.

Defendant told Witness A that he was a suspect in a murder in Skokie, Illinois and that he had furnished the police with information on this murder. Defendant stated that he saw the young murder victim get into a white Cadillac and that the driver of the car was an older, heavy set, white man, who was smoking a cigar. Defendant admitted to Witness A that he saw victim several times and at several locations on the night of the murder, including near a 7-11 store. Defendant stated that this homicide investigation was like a "hang nail" to him.

Defendant described a specific hypothetical scenario to Witness A that Chereck might have insulted his attacker just before he was murdered. At this point in his description, Defendant began talking in the first person (as the murderer) but quickly caught himself and returned to referring to the murderer in the third person. During this conversation, Defendant also admitted that he had molested boys but stated that he did so when he was in his 30s. Defendant intimated that he was sexually attracted to teenage boys but stated that he needed to stay away from them and assured Witness A that his sexual encounters with underage boys were all "consensual".

On June 28, 2013, at approximately 4:00 p.m. Defendant called the home of Mrs. Esther Chereck, the mother of David, and spoke to her. Defendant asked Mrs. Chereck if her son was murdered in January of 1992 and then he identified himself as Robert Serritella. Defendant stated that during the time of her son's murder the police thought he was a suspect but that he was only a witness. He asked Mrs. Chereck if the police were still investigating the case. Mrs. Chereck believed that Defendant was trying to obtain information from her about the status of the murder investigation. Mrs. Chereck told Defendant that she was unsure and that the police did not share that information with her.

Defendant further stated to Mrs. Chereck that on the night of the murder he saw the victim get into a white Cadillac driven by an older white man with bushy sideburns. Defendant stated that he believed that the license plate number of the vehicle was either "VC666" or "VC616". Defendant told Mrs. Chereck that the Cadillac began to pull into a Forest Preserve area when Defendant and the victim made eye contact and the victim smiled at him. Defendant stated that he again saw the victim later that night at the 7-11. He noticed the victim walking and then saw a red Dodge speed past. Serritella stated that after seeing the Dodge speed away he did not see the victim which led him to believe that the victim got into the Dodge.

Mrs. Chereck informed police investigators of this call and they confirmed that the

number that called Mrs. Chereck was a cell phone registered to Robert Serritella of Los Angeles, California. Investigators then obtained a court order allowing for the recording of any future calls made between Defendant and Mrs. Chereck.

On July 7, 2013 in the evening hours, Defendant called Mrs. Chereck and they had a conversation that was recorded pursuant to the court order. Defendant told Mrs. Chereck that he had his "Christian family" with him and that he was speaking to her via speaker phone because "he had nothing to hide." The conversation continued as Mrs. Chereck asked Defendant for details about her son's murder. Defendant restated information but also provided more detail. Defendant described how he saw a boy, presumed to be David Chereck, standing on a roadway in the Forest Preserve and that the boy waved to him as Defendant drove past in his car at about 40 mph. Defendant further stated he then saw the boy enter the white Cadillac which then pulled up next to his car at a traffic light. Defendant said that he looked into the Cadillac and made eye contact with the boy who sat in the front passenger seat. Defendant stated that the Cadillac then turned into the park near where David Chereck's body was later found.

Mrs. Chereck asked what the driver of the Cadillac looked like. Defendant responded that the driver was a male white in his forties, with dark brown bushy hair, sideburns down to his earlobes and that was smoking a cigar. Defendant stated that he was also driving a white car that night. Defendant stated that he stopped at a 7-11 store later that night where he saw the same boy that he had seen earlier in the Cadillac. The boy was walking out of the 7-11. Mrs. Chereck told Defendant that it was curious that he happened to run into the same boy again that night. At this point in the conversation, Mrs. Chereck told Defendant that she had a gut feeling that he killed her son and she wanted to know why. Defendant denied that he killed her son and ended the call. Mrs. Chereck had no further conversations with Defendant.

In July 2014, investigators travelled to Los Angeles and interviewed acquaintances of the Defendant:

"Witness A" acted in a short film directed by Defendant. Witness A talked with about the murder case in Chicago from the early 1990's. Defendant told Witness A that he was driving in Skokie, Illinois one evening at around 4:30- 5:00 p.m. when he saw a boy wave to him. Defendant said he pulled over to pick the kid up but another white car picked up the boy. He said the car was driven by an older white male who had a huge belly, sideburns, and who was smoking a cigar. He said that he saw the car pull into a park with the boy inside. Defendant said that later that evening he saw the same boy walking out of a 7-11 store as Defendant was walking into the store. The next morning, Defendant learned from the newspaper that a boy had been strangled and left in the same park where he had seen the white car with the boy inside. Defendant claimed that he saw

the boy at 12:30-1:00 a.m. in the evening. He said that as he got into car parked behind the 7-11, he saw the kid walking across the street.

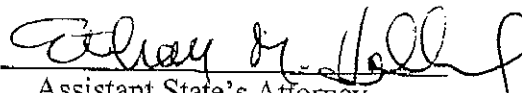
"Witness B" was the manager of the residence where Defendant lived until his arrest. During a conversation with Witness B earlier this year, Defendant told her that he was accused by police of being involved in a murder in Chicago twenty years earlier. He told her that he was driving around and saw the murder victim who he described as "good looking" and over 18- years-old. He saw the victim walking around a park and wanted to pull over and say "hi" to him. Defendant said that he had already passed the guy walking so he drove around the block so he could get a chance "say hi" to this attractive guy. By the time Defendant returned, the guy was already talking to the driver of a white car. Defendant stated that was also driving a white car. Defendant told Witness B that the attractive guy he saw was later strangled to death and left somewhere. Defendant called the police and volunteered information after he learned the guy was murdered. Defendant told Witness B that his own family thought he was involved in the murder so he moved to California because he no longer had their support.

IV. Bond Recommendation:

Section 5/110-5 of the Illinois Code of Civil Procedure sets forth criteria relevant to determining the amount of bail and conditions of release. 725 ILCS 5/110-5. Based upon matters discussed herein, the People of the State of Illinois recommend that this Honorable court

Respectfully submitted,

ANITA ALVAREZ
STATE'S ATTORNEY OF COOK COUNTY

BY: 
Assistant State's Attorney