



Office of the Kane County State's Attorney
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FOR IMMEDIATE RELEASE

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**Kane County Sheriff Complied with TRUST Act,
State's Attorney's Review Finds**

*Contrary to AG report, no immigrants were transferred into
DHS custody by the Kane County Sheriff*

ST. CHARLES, IL – A review conducted by Kane County State's Attorney Jamie L. Mosser has found that the Kane County Sheriff's Office did not violate the Illinois TRUST Act in transferring two individuals into DHS custody, contrary to a report recently published by the Illinois Attorney General's Office.

On December 23, 2025, the Illinois Attorney General's Office released its Way Forward Act Annual Compliance Report for 2024. The report, which uses self-reported data to summarize state and local compliance with the Illinois TRUST and VOICES Acts, alleged two violations of Illinois law by the Kane County Sheriff's Office for purportedly transferring individuals into the custody of DHS following the receipt of a civil immigration detainer or warrant.

If true, these allegations would have constituted a serious violation of state law and put Kane County at risk of civil liability. Thus, as the attorney for the County of Kane and the Kane County Sheriff's Office, State's Attorney Mosser directed her office to review the alleged violations to determine their veracity and the appropriate next steps.

The AG's report alleges two transfers of individuals to ICE custody: one in April 2024 and a second in January 2025. Both individuals were criminal defendants in Kane County.

The first individual, Marlon J. Vanegas-Murillo (a.k.a. Marlon J. Venegas-Murillo), was arrested in April 2024 on a class 4 felony. Vanegas-Murillo was released under pretrial supervision, but the Judge also entered an order stating that he was, "*to be held in the Kane County Jail until released to U.S. Government Agency. Sheriff to notify the U.S. Department of Homeland Security immediately, pursuant to Notice of Action/Immigration Detainer.*" The Sheriff's Office followed the court's order and notified DHS, but only because the judge ordered it, not due to the immigration detainer itself. Vanegas-Murillo was present at his next court date in May 2024 and

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continued to appear in court. He later pled guilty in a separate case and is currently serving a five-year prison sentence in the Illinois Department of Corrections. (Case No.'s 2024-CF-707 and 2024-CF-1947)

The second individual, Lucio Zarate-Gonzalez, was released from jail on pretrial supervision and awaiting trial on a class 2 felony. He was on Electronic Home Monitoring ("EHM"). On January 22, 2025, he arrived for his status hearing as he was supposed to do, but was arrested by DHS on an ICE warrant before his case was called, according to the court record. A failure to appear warrant was issued. To process Zarate-Gonzalez out of the Sheriff's EHM system and reflect where he went, a notation was made that he was transferred to ICE custody. In actuality, he was not transferred; he was seized by ICE while he happened to be on EHM. (Case No. 2024-CF-2385)

It is the State's Attorney's determination that neither individual was transferred by the Sheriff's Office into ICE custody in violation of Illinois law, and that the Kane County Sheriff's Office is fully compliant with the Illinois TRUST Act and Illinois VOICES Act.

"Today, the TRUST and VOICES Acts are more important than ever," said State's Attorney Mosser. "A closer look at these two cases makes it clear that the Kane County Sheriff's Office did not violate those laws or any other Illinois law. It is unclear where the reporting error reflected in the AG's report resulted from, but it is unambiguous that neither of these cases involved an unlawful transfer, as is prohibited in the TRUST Act. I ask that the Attorney General's office issue an amended report that corrects the record, and my office is happy to share any additional information that would help them do so."

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