

NEWS RELEASE ON FILING BY LAWYERS FOR WILLIAM CELLINI ARGUING
FOR PROBATION

Lawyers for William Cellini filed Thursday a sentencing memorandum which presents an extraordinarily powerful argument for the exercise of leniency in sentencing and they urged Judge James Zagel to impose a sentence of probation.

The 63-page document marshaled support from 364 letters submitted to the court on Mr. Cellini's behalf which echoed the sentiment that Mr. Cellini led an exemplary life characterized by enormous integrity and profound concern for his community.

Citing the trial record and jury verdict, the lawyers said that the government's theory of his presumed political influence was rejected by the trial jury that acquitted Mr. Cellini on the two counts of the charges related to the widespread corruption alleged during the terms of former Gov. Rod Blagojevich. They argued it would be a legal impropriety to allow that theory to infect the sentencing and it would be fundamentally unfair.

The memorandum noted that the 364 letters of support submitted to the U.S. District Court documented Mr. Cellini's conduct in business, politics and as a community leader whose generosity and charity affected the lives of hundreds of people.

These letters were submitted by a variety of individuals – including an Indonesian orphan, a young man suffering from cerebral palsy, and a Chinese political asylum seeker – all of whom Mr. Cellini befriended, supported and championed with no expectation of

receiving anything in return other than the knowledge that he was able to make a positive difference in their lives.

The lawyers argued that these actions, for which Mr. Cellini has never sought recognition, should inform the critical determination as to any punishment to be meted out in this case. Mr. Cellini's advanced age and serious health conditions should also inform the sentencing determination, as should his documented and exemplary record of military service. Considerations of "just punishment," "specific deterrence," "general deterrence" and the need "to avoid unwarranted sentencing disparities" all align in favor of a sentence of probation in this case.

They also said the nature and circumstances of the offense support a probationary sentence.

"...Mr. Cellini stands convicted of some participation in a conspiracy to extort Tom Rosenberg, but it is undisputed (and likely almost without precedent in cases involving comparable facts) that Mr. Cellini was never even informed of and did not participate in the most critical aspects of that conspiracy, including the actual decision, planning, and alleged attempt to extort Rosenberg by providing him a choice between paying a kickback and making a campaign contribution. Indeed, it is uncontroverted that at least for a time, Mr. Cellini actively attempted to aid Rosenberg and defeat the extortion efforts of the mastermind of the conspiracy, Stuart Levine...Against that background, the evidence at trial and jury's verdict established that Mr. Cellini did no more than act as a middle man for the purpose of smoothing out a situation he knew little about involving corrupt individuals with unknown plans and ulterior motives.

The memorandum includes letters from people praising Mr. Cellini's real estate projects that provided high quality, low cost, living facilities for senior citizens and the disabled in Springfield.

One writer said that because of Mr. Cellini, buildings were redeveloped and repurposed that could have been torn down. Some examples of this include the Illinois watch company, the Sangamo electric factory, the Concordia Seminary Complex, the Lincoln Depot where Lincoln made his farewell address, and the Sears Roebuck department store.

"It's easy to complain about one's city or to begin every comment on its future with 'Somebody ought to do this' or 'somebody ought to build that.' For the last 35 years, Bill Cellini has been that somebody," wrote a businessman.

Cellini served for 27 years in the Illinois National Guard, rising from the rank of private to lieutenant colonel, annually missing out on family activities to serve his two-week military requirement. He also was president of the Illinois USO. These are activities that the federal judicial guidelines say must be considered during sentencing.

Political leaders also chimed in.

Gene Callahan who was the right hand man for both Sens. Alan Dixon and Paul Simon said, "Never and I repeat N-E-V-E-R did Bill Cellini ever ask me to do anything illegal, immoral or unethical. Nor have I heard of anyone I respect say that Bill Cellini was anything less than honest."

Former Gov. Jim Edgar wrote that he dealt with Mr. Cellini on matters involving state government. Governor Edgar stated, "On many occasions I did not agree with Bill's position on an issue and I would often take action which was contrary to Bill's position.

In all of this time and in all of these issues, I never personally saw nor did I hear on any of those occasions that Bill acted improperly in any manner. Bill never asked me to take any action which I deemed inappropriate.”

The lawyers wrote, “Mr. Cellini’s lifetime of demonstrated integrity lends critical perspective on the verdict in this case, which falls well outside of the pattern of professional propriety Mr. Cellini had upheld for the last 50 years.

The filing outlined unquestionably serious health conditions suffered by Mr. Cellini, who will be 78 in November. In June, he suffered a heart attack that caused severe damage to the heart and the formation of blood clots that have not been definitively resolved.

“Mr. Cellini’s advanced age and failing health present strong arguments for leniency in sentencing...any sentence that might be imposed on Mr. Cellini would remove him from the care of his long time treating physicians, a matter about which all of the doctors have expressed concern. Worse, any prison time for Mr. Cellini could result in his suffering from illness or death outside the presence of his family and close friends. This is an unimaginably harsh result for a man who has, other than the allegations in this case, led an exemplary life characterized by enormous integrity and profound concern for his community.”

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