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Former Waukegan cop acquitted of official misconduct

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The Illinois Appellate Court 2nd District ruled this week that former Waukegan police officer Delatwan Haynes, who was acquitted of an alleged sexual assault, will also be acquitted of official misconduct.

In 2009 Haynes was sentenced to two years in prison after he was acquitted of rape charges, but found guilty of official misconduct stemming from using a patrol car for a sexual encounter and filing a false report about his location that evening.

“This ends the three-year ordeal for Mr. Haynes,” said his attorney, Jed Stone. “Haynes has maintained his innocence for years.”

Stone said Haynes was grateful to the appeals court justices for seeing that he was not guilty of official misconduct and thanked his lawyers for their hard work.

Haynes was charged with five counts of sexual assault, but was acquitted of those and found guilty of misconduct. Haynes was in Lake County Jail during his trial and resigned his position on the Waukegan police force.

He was sentenced in 2009 to two years on the misconduct charges. He has been out of jail for some time, according to Stone’s office.

The state has 30 days to appeal the decision, which was unanimous among the three-judge panel. They ruled that police department rules did not constitute “law” within the meaning of Section 33 of the criminal code, so his convictions for official misconduct were reversed.

The court ruled his conduct came under the heading of administrative infractions and not of breaking the law under the official misconduct statute, which is a Class 3 felony.

If the judgment is not appealed, Haynes’ felony record will be expunged.

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