Moylan Introduces Bill to Combat School Hazing

DES PLAINES, IL – In response to local hazing incidents, state Rep. Marty Moylan (D-Des Plaines) introduced legislation that charges school employees with the act of hazing when they fail to report hazing incidents among students on school grounds.

“It saddens me to see such abusive behavior, like hazing, happening in our schools,” Moylan said. “This legislation strengthens the penalties for failing to report an act of hazing in hopes that we can encourage school employees in the future to report the incident.”

Currently, the definition of those guilty of hazing is restricted to the individuals who performed the act. House Bill 1443 expands the current definition of hazing violators to include any person employed by a school, college, university, or other educational institution of Illinois who is responsible for reporting criminal conduct committed on the educational institution’s property.

Since taking office, Moylan is working hard to combat crime in his district and throughout the State. He has sponsored similarly progressive legislation, such as House Bill 3195, which cracks down on child sex offenders.

“As a father and concerned citizen, I will do everything I can to make my community and Illinois safer.” Moylan said. “I especially feel this way when it comes to our students. These places are meant to be safe environments that encourage learning and growing, not fear and aggression.”

For more information, please contact Moylan’s full-time constituent service office at (847) 635-8565 or by e-mail at staterepmoylan@gmail.com.

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Senate panel advances anti-hazing legislation

By Andrew Maloney
Law Bulletin staff writer

SPRINGFIELD — A Senate panel today backed one bill that would broaden and intensify criminal penalties for hazing and another that would eliminate the statute of limitations for prosecuting child sexual assault and abuse in certain cases.

The committee also passed measures that would enhance penalties for assaulting nurses and stealing catalytic converters from vehicles.

House Bill 1443, sponsored by Sen. Dan Kotowski, D-Park Ridge, would compel teachers, coaches and support staff at schools and universities to report hazing to the police or be charged with a Class B misdemeanor. If the hazing resulted in death or serious injury, the penalty could rise to a Class A misdemeanor.

The legislation is a response to recent allegations at suburban Maine West and Hoffman Estates high schools.

At Maine West, members of the soccer team alleged they were sexually assaulted on campus in a hazing ritual by varsity teammates; the case at Hoffman Estates involved members of the basketball team who were reportedly hazed off campus.

Although members of the Senate Criminal Law Committee advanced the measure to the floor, there were a few hang-ups on the details — namely, what constitutes hazing and who counts as mandated reporters.

It was unclear, for example, if classroom aides qualified as "support staff" under the bill.

Additionally, Sen. Kwame Y. Raoul, D-Chicago, said he worried the measure could blow small incidents out of proportion.

"There's physical hazing, or there's, 'Give me 10 pushups' ... is excessive calisthenics defined as hazing?" Raoul asked.

He said he was concerned that the measure cast too wide of a net, and could unnecessarily turn coaches, fraternity members and others into criminals.
Problems between students that could be easily resolved by teachers or administrators would now be out of their hands, he added.

"I think that's kind of scary territory," Raoul said.

Kotowski acknowledged that there were still kinks left to work out, but urged passage out of committee so he could hone the bill further before calling it for a vote.

"It definitely presents some potential issues," he said. "You don't want to limit people's ability to handle it in-house. ... (But) what if they don't resolve it internally and they don't report it? Then what happens to the students?"

A separate measure that won committee approval would dissolve the statute of limitations on prosecuting child sex abuse or assault in cases where there is corroborating physical evidence or a mandated abuse reporter failed to inform law enforcement officials of the crime.


"The thought is that a photograph or a hotel receipt or a piece of clothing ... or in this day, a videotape" that proved the incident could have happened would qualify as corroborating physical evidence, said Matthew P. Jones, the chief lobbyist for the state's attorneys appellate prosecutor's office, which helped negotiate the language.

"A diary from the alleged victim wouldn't qualify ... it needs to be more than purely testimonial."

Similar to the hazing measure, the bill advanced through committee with the agreement that it would be sharpened before being called for a full vote on the Senate floor.

Other bills that cleared the committee this morning were House Bill 3021, which would make theft of an automobile's catalytic converter a Class 4 felony.

House Bill 801, which increases the penalty for battering an on-duty nurse from a Class A misdemeanor to a Class 3 felony, also won approval.
Supreme Court Issues Split Decision in Public Justice’s ERISA Reimbursement Case: What It Means and What’s Up Next

In mid-April, the U.S. Supreme Court issued a split decision in Public Justice’s closely watched ERISA reimbursement case, *U.S. Airways v. McCutchen*. The Court authorized U.S. Airways’ ERISA Plan to obtain its contractually-provided-for reimbursement of medical expenses from James McCutchen, a former U.S. Airways mechanic rendered permanently disabled in a car accident with a teen-age driver. “If the agreement governs, the agreement governs,” the Court wrote, even where its reimbursement provision conflicts with long-standing principles of equity. “This decision is disappointing because it will allow ERISA plans to strip their beneficiaries of much-needed compensation when they are injured in an accident and later recover damages from a third party,” said Staff Attorney Matt Wessler, who argued the case before the Supreme Court last fall. “It’s hard to imagine a less equitable result than allowing the Plan to recover all or most of its expenses when Mr. McCutchen recovered only a tiny fraction of his total damages due to the other driver’s limited insurance coverage.”

In the second half of its decision, however, the Court denied the Plan’s effort to recover 100 percent of its reimbursement claim by holding that the traditional equitable principle called the common fund rule required that U.S. Airways pay its proportionate amount of fees and costs associated with the law.

PUBLIC JUSTICE LAUNCHES ANTI-BULLYING CAMPAIGN

Bullying is devastating our children. And far too often, schools aren’t doing what the law requires to address and stop it.

That’s why Public Justice launched an Anti-Bullying Campaign this spring. This new practice area is designed to enforce the law, protect our nation’s children, and hold school districts and officials accountable for failing to respond to bullying as they should. (See President Jack Landskroner’s column on the following page.)

The Anti-Bullying Campaign – led by Managing Attorney Adele Kimmel with assistance from Goldberg-Robb Attorney Adrian Alvarez – is already prosecuting two important cases. In *Eclectic v. Pine Bush Central School District*, Public Justice’s litigation team represents five Jewish students who en-

FIFTEEN YEARS IN THE MAKING, KEY VICTORIES AGAINST DESTRUCTIVE COAL MINING

This spring, Public Justice’s Environmental Enforcement Project was the catalyst for two important victories against mountaintop removal coal mining.

First, the D.C. Circuit reversed a district court decision and ruled that the U.S. Environmental Protection Agency has the power to veto the permit for Spruce No. 1 Mine, the largest mountaintop removal coal mine ever proposed in Appalachia.

Public Justice has been fighting the Spruce mine for 15 years, having first blocked it in 1999; continuing litigation created the opportunity for EPA in 2011, to issue its rarely used veto. Spruce No. 1 Mine has become an icon.

INSIDE

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Public Justice Takes on Bullying

What makes Public Justice unique, effective, and alluring to the Foundation’s many supporters is our ability to be proactive and move quickly in response to identified acts of injustice. As a growing national organization, we have created a collective conscience that serves as a watchdog for abuse, combats threats to our justice system and challenges government, corporate, and individual wrongdoing as it develops.

One recent example has been our swift response to one of this country’s most concerning dangers affecting the safety and well-being of our children: Bullying. Kids who are bullied face devastating short- and long-term consequences, regardless of whether the conduct is verbal, physical or originates from social media. The failure to appropriately identify and respond to such behavior can have a life-altering effect on victims and those around them.

In response to these concerns, Public Justice has launched a new project—the Anti Bullying Campaign serves to protect our nation’s children by holding school districts and officials accountable for failing to respond to bullying as they should. Our goals are simple but couldn’t be more important: seek justice for bullying victims and their families; systematically change school districts’ practices by requiring administrators and teachers to be trained and educated on bullying; develop strong federal and state case law in torts and civil rights; and serve as a resource for plaintiffs’ attorneys and other organizations nationwide who are taking on these battles.

At Public Justice, we have become experts at getting institutions to change their bad behavior; we force powerful industries to curb their dangerous conduct, and even secure accountability from our own government for failing to provide the most basic of human rights to those in its custody and control.

Now, with the introduction of the Anti-Bullying Campaign, victims of bullying can know that Public Justice is behind them as well.

Campaigns like this one are just the beginning of what is on the horizon for Public Justice—but only with your continued support. Special projects are the product of both the vigilance of our members who identify injustice as well as our supporters’ generous contributions, which allow us to take immediate action. We are only limited in the impact we can have by the constraints of our resources, so spread the word—the Public Justice Nation is on the rise, and we have supporters like you to thank for it.

In it for the Long Haul

Public Justice is dedicated to preserving access to justice. We fight in the courts for consumers’ rights, workers’ rights, civil rights and civil liberties, environmental protection, and corporate and government accountability.

In the short run, this can be extremely frustrating. It is difficult to use litigation to make a difference when the U.S. Supreme Court, in many areas, seems dedicated to preventing that. But, even as this brief bulletin reflects, we are making a difference every day.

And we are in it for the long haul—as the Spruce Mine litigation shows.

Fifteen years ago, on April 21, 1998, ABC-TV’s Nightline broadcast an expose on mountaintop removal mining, which it portrayed as an ecological disaster permitted by a loophole in the law. I remember it vividly because, at that very moment, Environmental Enforcement Project Director Jim Hecker—who believed that mining violated the law—was preparing major litigation to stop it. I talked with Jim and was convinced. He was right; they were wrong.

Within months, Public Justice sued to block the Spruce Mine in West Virginia, the largest proposed mountaintop removal mine in the nation. In 1999, we won a preliminary injunction stopping the mine. The U.S. Army Corps of Engineers conceded it could not win at trial, withdrew its permit, and started preparing an Environmental Impact Statement—the first ever done for a mine in Appalachia.

After that was completed, the Corps reissued the mine’s permit in 2007 and we sued again. We blocked most of the mining, but, in 2009, the U.S. Court of Appeals for the Fourth Circuit overturned our victory and the coal company began preparing operations. In the meantime, however, scientific research had documented the enormous environmental harm at stake. In 2011, citing that harm, the EPA vetoed the Spruce Mine’s permit. It was the first time the EPA ever vetoed a mining permit.

The mining industry and Appalachian states then sued the EPA, claiming it had no authority to veto the permit. The district court agreed, but, this April, the U.S. Court of Appeals for the D.C. Circuit reversed and upheld the EPA’s authority to block the Spruce Mine.

Like I said, we are in it for the long haul.

We cannot give up. As Martin Luther King, Jr. said in 1967, “The arc of the moral universe is long, but it bends toward justice.” We just have to keep pushing.
Nearly 200 New and Renewed Members Join, Over $270,000 Raised, During Cinco De Mayo Phonathon

The Public Justice Foundation held its annual Super Thursday Phonathon in early May at the Loews Madison Hotel in Washington, D.C. This year's theme was Cinco de Mayo, and callers on Team Mariachi and Team Salsa came ready to put in long hours. The day began with an 8:30 a.m. training session and lasted until 7:00 p.m. Teams broke midday for lunch and, yes, salsa dancing.

In total, 27 callers raised over $270,000 (an impressive average of $10,000 per person), and nearly 200 new, lapsed or renewed members signed up.

By day's end, Team Salsa — captained by President Jack Landskroner, Past President Sandra Robinson and Dan Bryson — had defeated Team Mariachi. Mariachi was led by President-Elect Ted Leopold, Board Member Mike Armitage and Simona Farrise. A few of the notable individual performances were Immediate Past President Steve Fineman, who raised more than $64,000; Board Member Lee Rohn, who recruited more women and attorneys of color than any other caller; and Dan Bryson, who signed up the most new and lapsed members.

To all who participated and all who gave — this is our biggest one-day membership recruitment event of the year, and we couldn't do it without the support and generosity of so many dedicated members. Thank you!

Member Michael Swanson of Advocate Capital with Executive Director Arthur Bryant

Phonathon participants learn how to salsa

ANTI-BULLYING CAMPAIGN

continued from page 1.

dured vicious anti-Semitic bullying for years in a school district seventy-five miles north of New York City. These students were regularly taunted with anti-Semitic slurs and “jokes” about the Holocaust, confronted with swastikas and other anti-Semitic graffiti, and hit with coins. They were threatened and beaten. One child was held down while a swastika was drawn on her face. Repeated complaints were made to school officials, but nothing was done.

Michael Meth of Meth Law Offices, P.C., in Chester, N.Y., and Ilann Maazel of Emery Celli Brinckerhoff & Abady LLC in New York, N.Y., are co-lead counsel for the plaintiffs. Co-counsel are Andrew Wilson and Zoe Salzman of ECBA, and Public Justice's Kimmel and Alvarez.

In Doe v. Maine Township High School District 207, Public Justice's litigation team represents four boys in a school district near Chicago who were subjected to a grotesque hazing ritual when they made the varsity soccer or baseball team: they were pinned to the ground, beaten, and then sodomized with sticks and other objects by veteran team members. All of this appears to have been directed and observed by the team's coaches. School officials apparently knew about the abuse for years, but did nothing to stop it.

Public Justice Foundation Board Member Tony Romanucci of Romanucci & Blandin, LLC in Chicago and Executive Committee Member and President-Elect Theodore Leopold of Leopold Law, P.A., in Palm Beach Gardens, Fla., are co-lead counsel. Kimmel and Alvarez are co-counsel.

These cases not only seek damages and justice for the victims, but also aim to effect systemic changes that will stop future bullying and abuse.

As part of its Anti-Bullying Campaign, Public Justice has also prepared a primer for litigating bullying cases and a list of verdicts and settlements in bullying cases throughout the country (both available at publicjustice.net). These resources are offered to help maximize other attorneys' effectiveness in this emerging area of law.
FRIENDS AND PARTNERS PROGRAM LAUNCHED

The Public Justice Foundation is proud to offer a two-tiered engagement program for our Friends & Partners. This program provides increased visibility with marketing opportunities and benefits for those organizations and businesses that work closely with our nationwide membership of nearly 3,000 plaintiffs’ attorneys and public interest advocates. At the same time, our Friends & Partners will be supporting Public Justice’s vital work of righting wrongs and ensuring access to justice for all.

COAL MINING VICTORIES

continued from page 1.

in the coal industry’s claimed “war on coal,” and the D.C. Circuit Court’s decision is likely that mine’s death knell. This mine would have filled seven miles of streams with mining waste. (See Arthur Bryant’s column on page 2.)

Second, the Sixth Circuit invalidated a version of the streamlined permit used by the U.S. Army Corps of Engineers on a region-wide basis to automatically approve the dumping of coal mining waste into hundreds of miles of Appalachian headwater streams. The appeals court threw out the Corps’ 2007 version of Nationwide Permit 21, commonly referred to as NWP 21.

Historically, the Corps has relied on NWPs to rubber stamp permits for huge mountaintop removal mines, even though the Clean Water Act prohibits using NWPs unless the project’s impacts are “minimal,” both individually and cumulatively.

“This permit should never have been issued in the first place,” said EEP Director Jim Hecker. “It was based on the Corps’ unsupportable assumption that filling these streams has minimal environmental effects.”

Public Justice has been suing the Corps since 2002 to invalidate the NWP. Without it, the Corps’ only alternative is to issue individual permits; these require greater public and EPA scrutiny, and contain more protective conditions.

“It was a long road to this decision,” continued Hecker. “We sued the Corps in West Virginia in 2003, won in 2004, lost on appeal in 2005, and won again on remand in 2009. At that point, the Corps abandoned an appeal. In Kentucky, we filed a similar suit in 2005, and the court sat on it for six years before disagreeing with the West Virginia decision and dismissing the case in 2011. We appealed, and the Sixth Circuit has now agreed with us. So we now have two decisions invalidating the permit in both states.”

This decision also raises serious questions about the Corps’ entire approach to cumulative impacts and compensatory mitigation for coal mining projects. Up to now, the Corps has refused to take these issues seriously or to measure mitigation effectiveness. Now it will have to do so.

The groups advocating against NWP 21 in court actions include: Kentuckians For The Commonwealth, Kentucky Waterways Alliance, Kentucky Riverkeeper, Ohio Valley Environmental Coalition, West Virginia Highlands Conservancy, Coal River Mountain Watch and Natural Resources Defense Council.

The legal team opposing NWP 21 and Spruce No. 1 Mine is led by Hecker, who has been assisted by Joe Lovett at Appalachian Mountain Advocates in Lewisburg, W.Va., Jennifer Chavez and Emma Cheuse at Earthjustice in Washington, D.C., and Stephen Sanders at the Appalachian Citizens Law Center in Whitesburg, Ky.
'08 hazing at Maine West

District acknowledges it recently learned of incident involving baseball players

BY JON SEIDEL
Staff Reporter
jseidel@ suntimes.com

The Maine Township school district acknowledged Sunday night it recently learned of a 2008 hazing incident on a baseball team led by the coach now accused of sanctioning the sexual assault of a 14-year-old soccer player in a hazing ritual this year.

The incident was reported to officials at Maine West High School in August 2008, according to the district, and involved players for the freshman team coached by Michael Divincenzo, who is now reassigned with pay from his duties as varsity boys' soccer coach at the school.

Now district officials are asking anyone with knowledge of similar hazing incidents to report them.

“We have already begun taking steps to re-emphasize within our schools the serious nature of bullying and hazing,” said Supt. Ken Wallace, “and to send the clear message that we will act decisively to stop bullying and hazing from reoccurring and to investigate and strongly respond if it occurs.”

At least four freshman baseball players allegedly pulled down a teammate’s pants in the school locker room in spring 2008, according to the district.

When the hazing was reported, district officials said, the students involved were interviewed and disciplined at the school level. But administration officials at Maine Township High School District 207 said they didn’t learn about the incident until Nov. 16, just days before Chicago lawyer Antonio Romanucci sued the district over the alleged hazing of the 14-year-old soccer player.

Attorney Antonio M. Romanucci has sued the Maine Township school district over an alleged sexual assault of a 14-year-old soccer player in a hazing ritual.

The district said Wallace ordered officials to notify the Illinois Department of Children and Family Services about the 2008 incident.

Romanucci confirmed Sunday he’s the attorney mentioned in the district’s statement, and he called the district’s response “appalling.”

“They’ve had a written notification that this incident took place four years ago,” Romanucci said, “and I will be releasing that proof.”

Romanucci wouldn’t elaborate on the spring 2008 incident, though he called it “very egregious conduct” that should have been stopped a long time ago. He said the discipline given to the students involved “was much less than a slap on the wrist.”

“My understanding is that the punishment for these children, pulling down the pants of another child and ridiculing him in front of everyone else, was to be withheld one inning from a baseball game,” Romanucci said.

Divincenzo couldn’t be reached for comment Sunday. He’s previously told the Sun-Times he was advised by the school district and his union not to comment. He and another soccer coach have been reassigned with pay, and three other coaches who don’t teach have been relieved of their coaching duties.

Current and former students at the school have defended Divincenzo, though, and one former soccer player said the coach wouldn’t have tolerated hazing as described in Romanucci’s complaint.

That lawsuit accuses Divincenzo and other soccer coaches of ordering the team to do a “campus run” on Sept. 27. That’s when the lawsuit said the 14-year-old soccer player was grabbed by 10 other members of the team who tore off his underwear, held him down, grabbed his testicles and sodomized him with their fingers and other foreign objects.

“The lawsuit alleged it was part of the soccer team culture and has been sanitized by his coaches for years.”

Des Plaines police have already charged six Maine West students as juveniles.

Des Plaines police have already charged six Maine West students as juveniles with misdemeanor battery and hazing and 10 students have been disciplined.

Maine Township selectmen denied earlier this week that the incident is indicative of a larger culture of hazing within the district, but Romanucci said two other students were hazing in a similar way on Sept. 27. He also said last week he knew of one other incident before he filed his lawsuit, and he learned of two more since.
Hazing Details Revealed

Victim Alleges Soccer Coach Welcomed Him To Team After Incident

Off To The Big Apple

Just minutes before a near fully loaded semi-trailer truck was scheduled to leave downtown Des Plaines for New York City, local officials and Dayton trucking representatives met for the send-off. Des Plaines residents over the last three weeks have been donating cleaning supplies, clothing and other goods to help victims of Hurricane Sandy. The items made it safely to their destination on Monday. See page S2A for full story. From left are, Anthony James, truck driver, Des Plaines Police Sgt. Ron Smith, Police Chief William Kushner, police officer Tom Stancato, Ald. Dick Sayad (4th) and John Mezyk, service center manager of Dayton trucking. (Journal Photo)
Hazing: Victims Say Varsity Team Ran Them Down

(Continued from page 1A) with a finger or stick while they were in the “far corner of the school campus.” The incident was allegedly part of an initiation into the varsity soccer team, the report said. Several subjects, including DiVincenzo, said the report, allegedly witnessed the assault. After welcoming the victim to the team DiVincenzo asked him if it “was all good,” the report states.

The victim reportedly disclosed no physical or sexual abuse by anyone during the incident and his parents did not want the matter investigated further.

Maine Township Dist. 207 confirmed on Sunday, Nov. 25 they were looking into an alleged hazing incident involving the 2008 freshmen Warriors’ baseball team. In that incident, four players allegedly pulled a teammate’s pants down in a school locker room. DiVincenzo was then the coach of the baseball team. Maine West administrators reportedly disciplined students at that time.

The police documents revealed there was at least one other incident this past September in which players were allegedly assaulted by older teammates who allegedly sodomized their victims by using their fingers or sticks. That incident appears to have been the catalyst that set off the investigation, the suspension of several students from the varsity soccer team, and the reassignment of pay of five coaches, including DiVincenzo and freshman coach Emilio Rodriguez. Both have been removed from classroom teaching during the investigation while the other three coaches were not classroom teachers.

The investigation apparently began after Jim Dvorak, dean of students, notified school resource officer Phil Olsen that two students may have been sexually assaulted during a soccer practice at

A victim reportedly told school officials three varsity players tackled him. Two held him down while the third removed the victim’s shorts and sodomized the youth. He said he was held down so he could not identify any of the offenders.

On Oct. 5, one of the victims met with police again, according to reports. During that interview the boy allegedly said a varsity coach once warned the freshmen during practice that “if they didn’t start communicating, he was going to have varsity players come over and stick their fingers up the freshmen players’ butts.”

Five players and two suspects were taken into custody on Oct. 11 and interviewed by police.

One of the offenders allegedly said he saw the freshmen team running the day of the September assault and decided to initiate one of the players.

When dien asked if DiVincenzo knew about the initiations, the offender allegedly said he “thought” the coach knew there was an initiation, but not what was involved. He recalled an incident over the summer when DiVincenzo saw them “messing” with another player and told them to stop and get back to practice.

Other offenders allegedly confirmed the account of the assault. One explained that an initiation is when a player is tackled and “we” start sodomizing, according to the report. A lawsuit was filed by the parents of one of the victims last week claiming DiVincenzo and other coaches “ordered and witnessed” the sexual assault in September.

It also states Haugan “knew or should have known” of the team’s tradition of battering new members.

The suit calls the initiations a “campus run” and claims was part of a long-standing varsity soccer team ritual. Further, the lawsuit claimed there were three total victims.

Coverage Continues Online At journal-topics.com

• Read previous stories about Maine West haz ing allegations

• Comment online or send us a Speak Out

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Vandals damage gravestones in Monee

Filing says Maine West coaches allowed teen to be beaten, raped

The parents of a Maine West High School freshman filed a lawsuit Monday against officials and soccer coaches at the Des Plaines school, claiming that they sanctioned hazing of the teen that included physical and sexual assault.

The unidentified mother appeared in a baseball cap and sunglasses Monday during a news conference with her lawyer, Antonio Romanucci, at his Chicago law office.

"I thought my son would be safe at school," she said. "You think when you drop off your son, it's a safe place to be. But I feel like the coaches should have kept him safe on the soccer field, and they didn't do that."

The 14-year-old and his parents were not named in the suit. It is Tribune policy not to identify victims of alleged sexual assault.

The lawsuit contends that the teen was beaten and sodomized by a group of teammates during soccer practice Sept. 27. The suit says they tore off his pants and underwear while holding him down and beating him.

Two other players were similarly hazed, the lawsuit says, in what Romanucci alleges was part of a practice on the boys soccer team that goes back at least three years. The lawsuit asserts that Principal Audrey Haugan knew or should have known about the practice but did nothing to stop it, and that two soccer coaches witnessed and allowed the alleged hazing ritual.

In addition to monetary compensation, the lawsuit calls for an injunction to end the alleged hazing ritual.

"We see this not just as a local issue, but this is a national issue," Romanucci said. "We hope to springboard what happened here into making significant policy change all over the country."

Six Maine West students were petitioned to juvenile court last week for misdemeanor charges of battery and hazing in connection with the incident. Des Plaines police Chief William Kushner said he declined to provide details of the police investigation that led to the charges because the defendants are minors.

Federal suit says doctor fraudulently prescribed medicine to thousands

Federal suit says doctor fraudulently prescribed medicine to thousands

By Deborah L. Shelton

The Illinois Department of Healthcare and Family Services has suspended Medicaid payments to a controversial Chicago psychiatrist who the federal government says fraudulently prescribed antipsychotic medication to mentally ill nursing home patients.

The action means that Dr. Michael J. Reinstein, also accused in the federal lawsuit of pocketing kickbacks from drug companies, will be prohibited from billing Medicaid, and that any unprocessed bills that remain will not be paid, said Bradley Hart, Medicaid inspector general.

Hart said the 180-day suspension could be extended pending the status of the federal lawsuit, which was filed last week.

Meanwhile, another state agency, the Illinois Department of Financial and Professional Regulation, has filed a formal complaint against Reinstein that mirrors the federal accusations and could lead to disciplinary action on his medical license. A preliminary hearing is set for Dec. 7.

The two-count complaint alleges that Reinstein " Routinely and continuously" prescribed to elderly patients various psychiatric medications, including clozapine, also known by its brand name, Clozaril, despite the risk of potentially life-threatening side effects, including seizures and death.

The "complainant and/or should have known that clozapine is considered to be a drug of last resort for elderly patients," the complaint says.

The complaint also alleges that Reinstein prescribed the treatment in exchange for financial compensation from IVAX, the manufacturer of generic clozapine, and Teva Pharmaceutical Industries Ltd., the company that IVAX later merged into.

Reached by phone Monday, Reinstein, 69, said he was unaware of the payment suspension and couldn't comment on it. But he said he prescribed the drug appropriately. "I feel my treatment with clozapine was justified," he said. "I think for the severely mentally ill population that I treat, the patients I use clozapine with, it was the best choice. I am confident that I will be vindicated."

A joint 2007 investigation by the Tribune and ProPublica, a nonprofit investigative journalist group, revealed Reinstein's unusually heavy reliance on clozapine, which has been linked to at least three deaths. In 2007, he wrote more prescriptions for clozapine than all the doctors in the Uptown area combined, the investigation found. The Illinois Department of Financial and Professional Regulation mentioned the series in its complaint.

In their lawsuit, federal authorities alleged that Reinstein submitted at least $400,000 false claims to Medicare and Medicaid for antipsychotic medications he had prescribed based on the kickbacks he received from pharmaceutical companies against Medicaid in which he falsely stated he had properly monitored the conditions of his patients at more than 30 area nursing homes and long-term care facilities, according to the lawsuit.

The suit seeks triple damages under the False Claims Act as well as hefty civil penalties for each of the tens of thousands of alleged false claims — a total that could easily reach millions of dollars if authorities prove the allegations against Reinstein. Federal authorities said they are continuing to investigate Reinstein.

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Immigrant license pact?

‘We’re trying to make sure they’re insured’

BY DAVE MCKINNEY
Springfield Bureau Chief
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SPRINGFIELD — Virtually every big-name politician in Illinois, with the exception of the two Republican legislative leaders, will gather Tuesday to support an upcoming push to license as many as 250,000 undocumented immigrants to drive in Illinois.

In a nearly unprecedented show of support, Gov. Pat Quinn, Mayor Rahm Emanuel, Senate President John Cullerton (D-Chicago), former GOP Gov. Jim Edgar, GOP state comptroller Judy Baar Topinka, Cook County Board President Toni Preckwinkle and state Rep. Edward Acevedo (D-Chicago) plan to sign on to the immigrant-rights driving initiative and attend Tuesday’s news conference in support of it.

The event, sponsored by the Illinois Coalition for Immigrant and Refugee Rights, aims to highlight legislation in the works that would equip undocumented immigrants with three-year temporary driver’s licenses, said Lawrence Benito, chief executive officer and executive director for the group.

The proposal that likely will be voted on sometime during the post-election legislative session will be a variation from 2007 legislation for undocumented immigrant drivers that narrowly passed the House but failed to get called for a vote in the Senate, he said.

“I don’t think it’s going to be as hard a sell as [2007], but we’re belts-and-suspenders people. We’ll work until it gets signed into law,” Benito said. “I do think there will be strong bipartisan support for it based on who’s showing up [Tuesday].”

The legislation now being drafted in the Senate would create a narrower window of time under which undocumented immigrants would be licensed — three years instead of five — and require that they carry auto insurance and have driver’s education before being licensed, a Cullerton spokesman said.

“From the Senate president’s point of view, you have 250,000 on the roads in Illinois who are uninsured and undocumented, which means they’ve taken no formal kind of drivers’ training,” Cullerton spokesman Ron Holmes said. “If they’re going to be driving, we’re trying to make sure they’re insured and have gone through the proper methods to be trained on the roads.”

Benito said the growing clot that Latino voters possess should help muster support for the initiative this time and give Republicans a second chance to show “good faith” with the voting bloc that swung heavily Democratic earlier this month.

Not on Tuesday’s lineup of political attendees is House Minority Leader Tom Cross (R-Oswego) and Senate Minority Leader Christine Radogno (R-Lemont).

A Cross spokeswoman said she was not certain what Cross’ position on the legislation would be and noted that the House Republican caucus has not yet met to discuss the initiative.

“Basically, I know Tom and a representative of the group had planned to sit down, but it hasn’t happened as of yet. Tom wants to sit down and learn more about it,” Cross spokeswoman Vicki Crawford said.

A spokeswoman for Radogno could not be reached.

Suit claims soccer hazing, sex assault

BY ART GOLAB
Staff Reporter/agolab@sun-times.com

A suit filed Monday against the Maine Township High School District claims three Maine West freshman students were sexually assaulted during a soccer team hazing ritual at the school.

The suit goes into details of the hazing that have not been released by either the Des Plaines Police Department or the school district, which have both conducted investigations. Since the Sept. 27 incident, police have charged six students as juveniles while a total of 10 students have been disciplined, according to the district. Some of the 10 students were barred from playing on the soccer team, and one student told ABC News he was suspended.

During the investigation, two soccer coaches have been reassigned with pay, and three other coaches who are not teachers were removed from their coaching responsibilities, according to the district.

“Inappropriate behavior” was the only official reason cited so far for the actions.

According to attorney Antonio Romanucci, who filed the suit on behalf of a 14-year-old boy, the assault occurred as part of an initiation after the victims were promoted from the freshmen team to the varsity team.

The suit alleges that coaches ordered the “campus run,” a term that was a code indicating the hazing should commence.

At that signal, older team members grabbed Romanucci’s client, tore off his pants and underwear, held him down on the school’s soccer field and sodomized him with their fingers and other foreign objects, the suit alleges.

While this went on, the coaches “stood idly by” according to the complaint.

Two other boys who are not part of the legal action got the same treatment, the suit claimed.

Romanucci said the school has interviewed over 100 people in its investigation and that the number of victims could grow. “I do have information that at least takes this back another three to four years,” he said.

The school district said it does not comment on pending litigation, but issued a statement summarizing the investigative and disciplinary steps it has taken so far.

The statement also noted the district itself started the investigation after someone made a complaint. “We take the misconduct involving the soccer team very seriously,” the district said.

The suit asks for monetary damages and for the school to make changes to keep similar incidents from occurring.

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1511301
RALLYING CRY FOR YOUNG ATHLETES

The floodgates have opened, Sordid accounts of sexual assaults, bullying and hazings at Maine West High School are being aired in a civil suit filed against the school and Maine Township District 207 by three present and students.

Three of the students were freshmen, they allegedly were sexually assaulted. The fourth unnamed former student, who played baseball, is now part of the suit, alleging that after being promoted from the freshman B to freshman A team in spring 2008, he was stripped down from the waist by his teammates in the locker room and repeatedly bullied in the months that followed.

His mother requested that her son be transferred to Maine East, citing the abuse in an August 2008 letter to Maine West Principal Audrey Haugan. The mother said Wednesday at a press conference that Haugan approved the transfer two months later. District officials said in a statement Wednesday that the superintendent became aware of that incident two years later.

The common link, according to the lawsuit, is coach Michael Divincenzo and Emilio Rodriguez, who have been reassigned by the district. According to the suit, they encouraged the abuse. The school district is investigating with DCFS.

Ten students have been disciplined by the school; six have been charged as juveniles by the Des Plaines Police with misdemeanors.

Tony Romanauci, the lawyer for the victims, is calling for the firing of the coaches, Haugan and Supt. Ken Wallace. Romanauci sees parallels between this case and the Penn State scandal involving former football coach Jerry Sandusky, who is in prison for molesting children. Iconic football coach Joe Paterno lost his job for doing nothing to stop Sandusky.

"Joe Paterno wasn't a part of it," Romanauci said. "He turned a blind eye to it."

Across the country, administrators and teachers need to keep an eye on this case and their own schools' programs.

Administrators continually demand higher test scores from teachers and students, but similar oversight and care is needed for extracurricular clubs such as debate, cheerleading and athletics.

These programs groom leaders, who in turn look out for others.

WHEN WILL ALL THIS BLOODSHED END?

Two items: On Monday afternoon, a gunman opened fire at a South Side church where funeral services were held for a slain 1-month-old boy and a 2-year-old girl. The funeral was held for a 1-month-old boy and a 2-year-old girl.

"Hog Butcher for the World," Carl Sandburg once called you.

Now butcher of little girls. And boys.

So that even as the preacher eulogizes, a killer strategizes — casts a deadly spray inside the house of God. The dead bell tolls again in this senseless, senseless murder.

Chicago.

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The soccer hazing scandal at Maine West High School could be described on a team website as a "Devo," was "like a dad to every kid that was there," Puka said. "If you needed help, he could talk to you about grades, anything," Puka said. "He was the first one to say something if something wasn't right. There was no way he would allow haz ing.

Romancucci's lawsuit said Divinencenzo and coach Emilio Rodriguez witnessed the assault and let it happen, though. Rodriguez has also been reassigned, the district said. The lawsuit claimed that the larger hazing culture exists in the school or on the soccer team.

"It's not something that's tolerated in District 207," said Sean Sullivan, president of the district's school board.

One 2009 Maine West graduate, 21-year-old David Puka, also told the Sun-Times he spent four years on the varsity soccer team, never participating in or hearing about any hazing rituals. He said one of the reassigned coaches, Michael Divinencenzo, wouldn't have tolerated it. "The only hazing there was was me having to collect the balls or the cones," Puka said.

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Hazing: Cops wanted felonies

BY BECKY SCHLICKERMAN
AND JON SEIDEL
Staff Reporters

Des Plaines police said they sought felony charges in a hazing incident in which teenage soccer players were allegedly sodomized by teammates.

But so far, Cook County prosecutors have shot them down.

And for now a criminal investigation into apparent hazing rituals at Maine West High School has only resulted in misdemeanor charges against six teenagers.

"We took this case very seriously," Des Plaines police Deputy Chief Nick Treatafelds said. "We did our part of the investigation, however, we must work in conjunction with the state's attorney's office because they're the ones that will prosecute the case."

Prosecutors simply didn't have what they needed legally to charge the teens with felonies, a spokeswoman said.

"Based on the evidence and the information that existed at the time that we received these cases, we did not have the requisite evidence to bring felony charges," said Sally Daly, spokeswoman for Cook County State's Attorney Anita Alvarez.

Legal experts pointed to the many unknowns in the Maine West hazing case. Police reports can't always be trusted, one expert said.

But given the allegations that have been made and the publicity surrounding the case after the filing of a lawsuit against the school district, one former prosecutor said the misdemeanor charges might not be the end of the story.

"It wouldn't surprise me if Anita Alvarez says, 'Let's take another look at this,'" said Paul DeLuca, a defense attorney based in Oak Brook who once worked as a prosecutor in Cook and DuPage counties.

Daly said that could happen if more evidence turns up.

"If there's any new information or any additional evidence that would be presented to this office we would certainly review it," she said. "At this point in time we have not been presented by the police department with any new evidence."

Police said the investigation is ongoing. The Illinois Department of Children and Family Services and Maine Township High School District 207 are also investigating.

The misdemeanor charges filed so far resulted from an incident in which three soccer players were allegedly sodomized on campus Sept. 27 as part of an initiation into the soccer team, according to a lawsuit filed on behalf of two of those boys. Police reports, however, only list two 14-year-old victims that day.

Police reports and an attorney for two of the players said their teammates pulled down the victims' underwear and sodomized them with fingers and sticks.

That lawsuit also includes allegations of hazing on the soccer team in 2007 and the baseball team in 2008.

After a witness, another 14-year-old soccer player, reported to his parents this year's alleged assault by older varsity players and his parents contacted the school, police, an assistant state's attorney and child advocates interviewed two of the victims on Oct. 3, according to a Des Plaines police report.

On Oct. 11, the state's attorney's felony review department was contacted by police, and the assistant state's attorney was briefed on the case.

Then she and other investigators interviewed players, according to the police report. Another assistant state's attorney was also present for some of the interviews.

Treatafelds said police called felony review, the wing of the state's attorney's office that approves more serious charges, because police were seeking felony charges.

"Throughout interviews with the victims, we believed there was a possibility that some felony charges could apply," the deputy chief said.

But in the end, prosecutors said no.

The assistant state's attorney "denied any felony charges for this incident," the report states.

Police reports show the "original offense" the offender were to be charged was criminal sexual assault. In another column, the report shows the offense was changed to battery/hazing.

"After listening to the interview it was decided we would not proceed ahead with felony charges," Tentafield says.

Former prosecutor DeLuca it might not have been clear did what during the alleged assault. But he said if the student agrees to sexually assault a female player, they could all be charged even in the same way under the theory of countability.

Sam Amrante, a former Cook County judge, said comments police reports can be inaccurate or misleading. He also sexual assault cases require some sexual intent, and provers could have been extra cautious because of the significant consequences for students if charged with sexual assault.

They're at an age, he said, when people do "dumb things."

Good
Samaritan
killed on I-57

An 80-year-old northwest suburban man died late Wednesday after being struck by a car on I-57 dowaslate when he tried to help another man hit by a vehicle.

Jack S. Douglas, of Bartlett, died when he stopped to assist

Jimmy Lee Westbrook, 58, who was driving the vehicle in traffic, officiais said.

Douglas helped Westbrook's female passenger drag Westbrook, of Brownsville, Tenn., to the shoulder out of traffic, State Police said.

Douglas spoke with the woman and said he would call for help but when he ran back across traffic to his vehicle, he was struck by a 2003 Toyota Cruizer driven by a 59-year-old from Champaign.

Douglas, who State Police referred to as a Good Samaritan was taken by ambulance to Car Hospital in Champaign, where pronounced dead at 11:01 p.m.

Westbrook died at the scene.
**EDITORIALS**

**Worse than hazing**

If young athletes at Maine West High School were indeed sodomized by older classmates, let’s call it what it was: criminal sexual abuse.

It’s important to stress up front that we are discussing only allegations. Nothing has been established in a court of law. But it’s dismaying to hear the tearing off of young athletes’ underwear, the grabbing of testicles and sodomy with sticks or fingers described by some officials as “hazing” or “bullying.”

We’ll wait for the legal system to establish the facts at Maine West. But it’s never too early to point out that the alleged actions at the school went far beyond hazing or bullying.

Four families have joined a lawsuit against Maine Township High School District 207 that includes two soccer coaches as defendants.

They say sexual abuse has been occurring as part of rituals at the school for as long as six years.

The original complaint was filed last week on behalf of a 14-year-old athlete who says he was attacked in September by older team members. Those soccer team members subsequently joined the complaint. Police have charged six students as juveniles with misdemeanor battery and hazing. Allegations reportedly now involve the baseball, soccer, swimming and water polo teams.

The lawsuit alleges abuse was “part of the soccer team’s culture” and was “sanctioned by its coaches for years.” Des Plaines police were told the school’s varsity soccer coach was nosing around the school campus in July.

School authorities constantly must battle typical hazing and bullying, and it’s unrealistic to believe such activity can be stamped out.

The same can’t be said for sexual abuse. Anyone responsible for high school students has a duty to be constantly vigilant. Enough sexual abuse scandals, from Penn State to the Catholic Church, have been in the headlines that there’s no excuse for shrugging off any signs or looking the other way.

It’s also important that adults send clear signals to student athletes — who take cues from coaches and other authority figures — that the only acceptable culture on a team is one of mutual support.

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**No union busters in Dems’ fight for Illinois**

Illinois’ top Democrats have built their careers on the backs of organized labor.

Just five years ago, it would have been unthinkable for these leaders, House Speaker Michael Madigan, Senate President John Cullerton and Gov. Pat Quinn, to push for major concessions from the state’s unionized employees.

But they are now — and for one simple reason: the State of Illinois is broke.

That, in part, is why we comfortably back their efforts, in particular their push for a non-binding resolution pending in the Illinois Senate that calls for a wage freeze this year. It passed the House on Wednesday.

State government’s largest union and several others are casting the resolution, and Quinn’s move last week to terminate the AFSCME contract, as attempts to undermine the collective-bargaining process. But given the Democratic leadership’s long support for unions, not to mention what they owe labor, they have more than earned the benefit of the doubt. They are not union busters.

The termination of the contract, which has little practical effect, and the legislative resolution are designed to bolster Quinn’s efforts at the bargaining table, which desperately need a boost. AFSCME’s contract expired June 30, with no resolution in sight.

Quinn initially asked for a 15 percent pay cut and higher health-care payments. He is now asking only for a wage freeze and the higher payments. The union is offering a one-year cost-of-living wage hike freeze.

AFSCME argues that state workers aren’t to blame for the state’s fiscal woes, that long-term answers lie in more fair and progressive tax structure. We don’t disagree. But there is a budget crisis that must be dealt with today.

We agree with AFSCME that Quinn’s office should lay off portraying state workers as overpaid compared to those in other states. If the comparison bears out, it’s something to be proud of — that Illinois historically has treated its public workers well.

The real question is whether Illinois can continue that tradition. Sadly, the answer today is no.

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**LETTERS TO THE EDITOR**

**Kennedy comparison ludicrous**

Now Cook County Assessor Joe Berrios defends hiring members of his own family. By saying that’s what President John F. Kennedy did, Berrios, according to reports in the Sun-Times, has hired or found public-service jobs for what can only be considered a “shopping list” of his relatives. I knew of John Kennedy, though I did not personally know him. And you, Joe Berrios, are no John Kennedy!

Bernard Biernacki, Aurora

**Mel Reynolds is unfit**

Mel Reynolds is a convicted sex offender. He also was convicted of improper use of campaign funds. How could anyone in his right mind support or vote for Reynolds? I am all for forgiveness, but that doesn’t mean Reynolds deserves to get back his seat in Congress. Please give us news we can use, Sun-Times, and quit wasting our time on rubbish.

Mary Greco, Ashburn

**Durbin correct on fiscal cliff**

I don’t agree with Sen. Dick Durbin on most things, but I was so happy to see that at least he’s trying to find a solution to this country’s debt.

I am not against raising taxes, but I also think the Democrats need to realize that raising taxes is not the only solution.

If the Republicans are finally opening the door to raising tax revenues, then the Democrats need to realize that not only do we have to stop spending, but we need to figure out a reasonable deal on curbing entitlements.

I totally agree with Thursday’s editorial. Both parties need to give and take.

Debbie Mussen, Aurora

**Reynolds run is a joke**

Let me see if I have this right. Mel Reynolds was convicted of both a child sex offense and federal fraud 18 years ago and is now running for Congress. Meanwhile, I was convicted of a single non-violent, non-sexual, non-financial crime nearly 35 years ago and I can’t get a job with the Post Office. I’d be better off running for Congress, too. Apparently, not everyone gets a second chance.

Tim Shockley, Kelvin Park

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**MAKE YOUR VOICE HEARD**

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* By email: letters@suntimes.com (no attachments). Letters must include name, address and daytime phone number.
* Online: suntimes.com/opinions and on Twitter: @stbacktalk
Suit claims Maine West HS officials allowed the abuse

By Jonathan Bullington

More claims have surfaced involving hazing by student-athletes at Maine West High School in what an attorney for parents of the alleged victims has called a "culture" of hazing at the school.

Lawyers announced Wednesday that three new plaintiffs have been added to a lawsuit filed against Maine Township High School District 207, Maine West Principal Audrey Haagan and coaches on the Des Plaines school's soccer and baseball teams alleging that school officials allowed the hazing. The suit claims that the hazing involved physical and sexual assaults on players.

District officials have asserted that they took immediate action — including alerting police and child welfare agency officials and reassigning coaches who were also classroom teachers — when recent allegations of a hazing incident on the boys soccer team came to light.

But Tony Romanucci, an attorney for the plaintiffs, claims the district "raised a blind eye" to multiple hazing allegations — the earliest in 2007.

"What they did was wrong and continues to be wrong," Romanucci said in a news conference at his law office.

In one incident from 2008, members of the baseball team tore off a freshman player's pants and underwear and exposed his genitalia multiple times, the complaint alleges.

The alleged victim's mother — who declined to give her identity and appeared at the news conference wearing a baseball hat — said her son was not told to go to the principal until weeks after the incident.

"My son was one too many."

— Mother of an alleged victim, after hearing
HAZING SCANDAL EXPANDS

BY JON SEIDEL AND BECKY SCHLIKERMAN
Staff Reporters

When a soccer player at Maine West High School was sexually assaulted on the school campus in July in an apparent act of hazing, Des Plaines police were told the school’s varsity soccer coach watched it happen.

He even allegedly congratulated the victim, welcomed him “and asked him if it was all good.”

That was reported to police by the school’s principal Oct. 3, right after she learned of it and days after a group of varsity soccer players allegedly did the same thing to three 14-year-old players Sept. 27.

An attorney for two of the 14-year-olds said their teammates pulled down their underwear and sodomized them with fingers and sticks.

And now police reports released Wednesday by the Des Plaines Police Department reveal a disturbing new set of allegations involving soccer coach Michael Divincenzo. They include a claim that he threatened to have varsity players assault freshmen if they didn’t start communicating.

The reports, along with an expanding lawsuit against Maine Township High School District 207, also suggest a larger hazing culture sanctioned by the coach at the northwest suburban school district.

One of the players allegedly involved in the hazing is quoted in a police report as saying “everyone agreed to initiate freshmen, and an initiation is to take a freshman down,” sodomize them with their fingers and give them “wedgies.”

Multiple parents also told police they didn’t want the alleged assaults of their sons investigated.

District officials, however, said they don’t tolerate hazing and are investigating. Police reports show several assaults were reported by school administrators.

The lawyer behind the lawsuit, Chicago-based Tony Romanucci, is calling on the Maine Township school board to fire Divincenzo and another coach, Emilio Rodriguez, as well as Maine West High School Principal Audrey Haugan and Supt. Ken Wallace.

“It’s clear that these individuals should not be around children,” Romanucci said. “They have not exercised proper and appropriate judgment. . . . What they did is wrong.”

Students and former players, though, have defended the coach known as “Divo.”

One Des Plaines police report indicates an unnamed soccer coach made the varsity team do push-ups and apologize after the alleged hazing in September.

Over the summer, one player told police, Divincenzo stopped them from “messing with another player” and told them to get back to practice.

So far the coach, himself, has ignored several phone calls from the Sun-Times seeking comment. He asked a reporter to leave when visited Wednesday at his apartment building in Elk Grove Village.

“I just have no comment right now,” Divincenzo repeatedly said.

The coach remains reassigned from his coaching duties with pay.

A mom who did not want her identity disclosed talks about the abuse her son allegedly endured at Maine West High School during a press conference Wednesday. / AL PODGORSKI-SUN-TIMES

So does Rodriguez. Meanwhile, district officials said the allegations made in September “were acted upon immediately” — police and the Illinois Department of Children and Family Services were contacted.

DCFS and the Cook County state’s attorney’s office declined to comment, but Des Plaines police have already charged six students as juveniles with misdemeanor battery and hazing.

Ten students have also been disciplined.

The school’s own investigation now includes a 2008 incident the district acknowledged earlier this week in which a freshman baseball player’s pants were pulled down in the school locker room.

That incident was the focus of a news conference Wednesday at the offices of the boy’s attorney, Romanucci.

The baseball player’s mother, who wore a hat and sunglasses at the news conference and didn’t give her name, wrote in a 2008 letter to Principal Haugan that Divincenzo saw other players taunting her son on bus rides and did nothing to stop it. A redacted version of that letter, in which she successfully sought a transfer for her son in August 2008 from Maine West to Maine East, was provided to the media.

The mother said the players told her son they hated him, and at the team banquet she said her son was the only player not to get a certificate of participation.

When she told school officials, the mother said she got assurances it would be taken care of.

“They did nothing,” the mother said.

Romanucci also represents the two 14-year-olds and one other boy who said they were assaulted by players while on the Maine West boy’s soccer team.

The two 14-year-olds said they were attacked by older varsity teammates on Sept. 27. The lawsuit alleges the older players tore off their underwear, held them down, grabbed their testicles and sodomized them.

A fourth plaintiff said he was assaulted the same way when he joined the varsity squad as a freshman in 2007. He said he the attack happened in July or August and September of that year.
MAINE WEST HAZING SCANDAL WIDENS

Three plaintiffs join lawsuit as allegations of sexual abuse stretch back to 2008

JON SEIDEL & BECKY SCHLIKERMAN REPORT ON PAGE 14

DON'T MISS THE WOMEN'S HEALTH & BEAUTY REPORT IN TOMORROW'S PAPER!
"My son was one too many."

— Mother of an alleged hazing victim, after hearing about other allegations at Maine West High School

and large sunglasses — said she notified a school official shortly after she learned of the incident and requested that her son be transferred to a different school.

That transfer was immediately granted, the mother said.

When she learned of the recent hazing allegations, the mother said it "sicken-
ed" her.

"My son was one too many," she said.

District officials said earlier this week that they first learned of the 2008 allegation on Nov. 6. They said the case was handled at the school level at the time but said they notified state authorities when it came to the attention of district officials.

In the original lawsuit filed earlier this month, parents of a 14-year-old Maine West freshman soccer player contend their son was beaten and sodomized by a group of teammates during soccer practice Sept. 27. The claim alleges the teammates tore the boy's pants and underwear while holding him down on the ground and beating him.

Two other soccer players were similarly hazed, one in 2007 and another in 2008, according to the lawsuit. The hazing is characterized in the suit as the "custom, tradition, ritual and, for long-standing practice" carried out by "veteran" soccer team members against younger players.

The lawsuit also claims the team's coach had knowledge of the hazing but did not report it to district officials. A newspaper also investigated the hazing allegations in 2008 and found a "culture of silence" among parents, according to the report.

Three former Maine West head soccer coaches have resigned or been fired since the allegations surfaced. The Oregon State University soccer program fired head coach Mike Leonard, who left Maine West in 2008, in 2012. The university also announced that assistant coach Frank Lattanzio and former coach Frank Cozzarelli had been fired.

The district's investigation was launched after the lawsuit was filed earlier this month. District officials said they were surprised by the lawsuit and are working with the school district to determine the scope of the investigation.

The district has not yet released any details about the investigation or the allegations.

"I have no information at this time about the lawsuit or the investigation," district spokesman David Beery said. "We are fully cooperating with the district's investigation."