

**FILED**  
7/11/2022

CM

**1:22-CR-00344**

THOMAS G. BRUTON  
CLERK, U.S. DISTRICT COURT

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

UNITED STATES OF AMERICA

v.

JOSE GUILLEN

) No.

)

) Violations: Title 18, United States

) Code, Sections 242 and 1512(c)(2)

)

) UNDER SEAL

COUNT ONE

JUDGE LEFKOW  
MAGISTRATE JUDGE FINNEGAN

The SPECIAL MAY 2022 GRAND JURY charges:

1. At times material to this indictment:

a. The Illinois Department of Agriculture was a department of the State of Illinois that oversaw compliance with State law and regulations concerning the treatment and care of animals, including but not limited to the Illinois Animal Welfare Act. Animal shelters, pet shops, kennels, pet daycare centers, as well as other animal control facilities (each an "animal care facility") were required to obtain a license from the Illinois Department of Agriculture in order to operate, and in some cases, to be eligible for State grant funds. Such licenses were issued for a maximum period of one year, and expired each year in June.

b. Defendant JOSE GUILLEN was employed by the State of Illinois and worked for the Illinois Department of Agriculture as an animal and animal products investigator. As an investigator, GUILLEN conducted on-site inspections of animal care facilities within Cook County, Illinois, to ensure their compliance with applicable State law, including the Illinois Animal Welfare Act. In his official capacity as an

investigator, GUILLEN had the power to influence whether or not an animal care facility received a license to operate, and would continue in operation after receiving such a license.

c. Federal law (including the United States Constitution as well as various federal statutes) protected an individual's right to be free from unreasonable searches and seizures.

d. Individual A, Individual B, Individual C, Individual D, and Individual E each operated their own animal care facility, and each of these animal care facilities were subject to inspection by GUILLEN in his official capacity.

2. During the time that GUILLEN was employed as an investigator by the Illinois Department of Agriculture, and was purportedly carrying out on-site inspections to determine whether animal care facilities were eligible to be licensed and were compliant with applicable law, GUILLEN engaged in non-consensual touching of certain women operators of the animal care facilities for purposes of his own sexual gratification.

3. On or about May 30, 2021, a lawsuit was filed on behalf of Individual A in the United States District Court for the Northern District of Illinois, and was assigned case number 21 CV 2911 (the "2021 Civil Case"). The lawsuit included allegations that GUILLEN had inappropriately touched Individual A during the course of an on-site inspection at Individual A's animal care facility, and sought relief under applicable federal and State law.

4. It was material to the outcome of the 2021 Civil Case whether GUILLEN had intentionally touched Individual A without consent, including whether GUILLEN had intentionally touched Individual A's buttocks without consent during an on-site inspection at Individual A's animal care facility.

5. On or about December 15, 2021, as part of the pretrial process in the 2021 Civil Case, GUILLEN participated in a deposition, that is, he was placed under oath and answered questions posed by Individual A's attorney.

6. During this deposition, GUILLEN was asked the following questions and gave the following answers under oath about whether he had intentionally touched Individual A's buttocks without consent during an on-site inspection at Individual A's animal care facility:

Q: Did you intentionally touch [Individual A's] buttocks or was it accidental?

A: *It was accidental.*

Q: It was accidental. And how was it—and how was it an accident?

A: I already—I already (inaudible)—

Q: You can go ahead and answer the question.

A: I told you already. *I accidentally had my hand it went like in that direction.*

Q: Were you grabbing for anything?

A: *No.*

Q: So you accidentally went in that direction but what were you doing for that—to go into that direction?

A: *I don't recall.*

\* \* \* \*

Q. So in that moment, what would you have been reaching for behind [Individual A]?

A. *I, I had my clipboard so obviously I was just making sure my arm was—I wasn't losing balance so whatever was in that vicinity, that hand happened to be there so I was reaching for balance. If you want to pertain that—*

Q: You said—

A: —image. Excuse me. Hold on. If you want to say that that image in that photo and that hand gesture, I am letting you know that was balance. I had my clipboard on me.

Q. Your clipboard. Okay.

A. Yes.

Q. So you have—in this picture you have your clipboard in one hand and you are saying you were falling?

A. *Yeah.*

Q. And that is your testimony here today?

A. Yes.

Q. Okay. So when you were falling—

A. *I was keeping balance.*

Q. When you were—Okay. So when—

A: *Keeping balance.*

Q: —you were keeping your balance—

A: *Yes. I was not falling. Keeping balance.*

Q: You were—What made you lose balance?

A: *My feet on—I have two left feet so obviously I, I'm a little clumsy, so, yes.*

Q: So were you, were you then falling?

A: *I was keeping my balance to make sure I didn't fall.*

Q: Okay. And to keep your balance, you ended up touching her buttocks?

A: *That's correct.*

Q: There was nothing else for you to stop yourself from—

A: No.

Q: —losing balance?

A: No.

Q: Okay. And so you accidentally touched her buttocks?

A: *Correct.*

7. During this deposition, GUILLEN also was asked the following questions and gave the following answers under oath about his interactions with Individual B, Individual C, Individual D, and Individual E:

Q: And so before we went on the break, we were discussing the other allegations that the women had posed, and the women, for example, [Individual B] stated that you inappropriately hugged her, touched

her and you were texting her. Do you recall?

A: No. Because I didn't receive any complaints ever from her and by the Department.

\* \* \* \*

Q: And when you say that you do not recall, did it not happen?

A: *No, it did not happen.*

Q: (Inaudible.) Okay. So you are saying that you never spoke to [Individual B] inappropriately, you never hugged her, you didn't touch her?

A: *No.*

Q: And for [Individual C], she also alleges that you inappropriately hugged her, that you also touched her, her buttocks?

A: *Absolutely not. No.*

Q: So you are saying that you did not touch her, hug her?

A: *No, not at all.*

Q: Another owner said that you were also physically touching her leg. Did you—Do you recall touching her leg—[Individual D]?

A: *No, I do not.*

Q: And you never touched her leg?

A: *No.*

\* \* \* \*

Q: For [Individual E] for [Individual E's animal care facility], do you recall having any inappropriate hugging with her?

A: *No.*

Q: And when you say that you did not have—you did not hug her, are you saying that that did not happen or that you don't remember?

A: *That did not happen.*

8. The italicized portions of the answers given by GUILLEN above were false, because in truth and in fact, as GUILLEN then and there well knew, he had intentionally touched Individual A's buttocks, and he had grabbed and groped Individual B, Individual C, Individual D, and Individual E, which conduct included non-consensual hugging, grabbing and groping of the thighs and buttocks, and pressing his body up against certain of the women.

9. On or about December 15, 2021, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere,

JOSE GUILLEN,

defendant herein, did corruptly obstruct, influence and impede an official proceeding, and attempt to do so, in that defendant gave materially false answers during his deposition in the 2021 Civil Case;

In violation of Title 18, United States Code, Section 1512(c)(2).

## COUNT TWO

The SPECIAL MAY 2022 GRAND JURY further charges:

1. Paragraph 1 of Count One of this indictment is realleged and incorporated here.

2. On or about January 4, 2019, at Chicago, in the Northern District of Illinois, Eastern Division,

JOSE GUILLEN,

defendant herein, while acting under color of law as an employee of the State of Illinois, grabbed and groped Individual B, including but not limited to Individual B's buttock, and kissed Individual B on the lips, willfully depriving Individual B of the right, protected and secured by the Constitution and laws of the United States, to be free from unreasonable searches and seizures;

In violation of Title 18, United States Code, Section 242.

### COUNT THREE

The SPECIAL MAY 2022 GRAND JURY further charges:

1. Paragraph 1 of Count One of this indictment is realleged and incorporated here.

2. On or about March 6, 2020, at Chicago, in the Northern District of Illinois, Eastern Division,

JOSE GUILLEN,

defendant herein, while acting under color of law as an employee of the State of Illinois, grabbed and groped Individual C, including but not limited to Individual C's buttock, willfully depriving Individual C of the right, protected and secured by the Constitution and laws of the United States, to be free from unreasonable searches and seizures;

In violation of Title 18, United States Code, Section 242.

#### COUNT FOUR

The SPECIAL MAY 2022 GRAND JURY further charges:

1. Paragraph 1 of Count One of this indictment is realleged and incorporated here.

2. On or about August 19, 2019, at Chicago, in the Northern District of Illinois, Eastern Division,

JOSE GUILLEN,

defendant herein, while acting under color of law as an employee of the State of Illinois, grabbed and groped Individual D, including Individual D's inner thigh, willfully depriving Individual D of the right, protected and secured by the Constitution and laws of the United States, to be free from unreasonable searches and seizures;

In violation of Title 18, United States Code, Section 242.

**COUNT FIVE**

The SPECIAL MAY 2022 GRAND JURY further charges:

1. Paragraph 1 of Count One of this indictment is realleged and incorporated here.

2. On or about March 11, 2021, at Chicago, in the Northern District of Illinois, Eastern Division,

JOSE GUILLEN,

defendant herein, while acting under color of law as an employee of the State of Illinois, grabbed and groped Individual E, including but not limited to Individual E's buttock, willfully depriving Individual E of the right, protected and secured by the Constitution and laws of the United States, to be free from unreasonable searches and seizures;

In violation of Title 18, United States Code, Section 242.

A TRUE BILL:

\_\_\_\_\_  
FOREPERSON

\_\_\_\_\_  
UNITED STATES ATTORNEY