

SUPREME COURT OF ILLINOIS

People v. Boeckmann; People v. Maschhoff

238 Ill. 2d 1 (Ill. 2010) · No. Nos. 108289, 108290 · Decided June 24, 2010

SUMMARY

The Supreme Court of Illinois held that mandatory three-month suspension of driving privileges under section 6-206(a)(43) of the Illinois Vehicle Code, following court supervision for underage alcohol consumption, did not violate substantive due process or the Illinois proportionate penalties clause. The court concluded that the suspension was rationally related to highway safety and that the statute required a mandatory suspension rather than granting the Secretary of State discretion. The court reversed the circuit court's judgment declaring the statute unconstitutional and remanded the matter.

CASE DETAILS

COURT	Supreme Court of Illinois
WRITING FOR THE COURT	Justice Kilbride; Chief Justice Fitzgerald; Justice Garman; Justice Thomas; Justice Freeman; Justice Burke; Justice Karmeier
JURISDICTION	Illinois
DECIDED	June 24, 2010
DOCKET	Nos. 108289, 108290
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	The Illinois Secretary of State took a direct appeal under Illinois Supreme Court Rule 603 from the Clinton County circuit court's judgment declaring section 6-206(a)(43) of the Illinois Vehicle Code unconstitutional as applied.
STANDARD OF REVIEW	Constitutional challenges to statutes are reviewed de novo. Because a driver's license is a nonfundamental property interest, substantive due process is reviewed under the rational-basis test. Statutory construction is also reviewed de novo.
PRECEDENTIAL VALUE	Published Illinois Supreme Court majority opinion; precedential.
PARTIES	The People of the State of Illinois, Illinois Secretary of State Jesse White v. Zachary Boeckmann, Chelsey Maschhoff

TOPICS

substantive due process

rational basis review

statutory interpretation

appellate jurisdiction

appellate procedure

PRACTICE AREAS

constitutional law

statutory interpretation

criminal procedure

driver's license suspension

QUESTIONS PRESENTED

1. Whether mandatory three-month suspension of driving privileges under section 6-206(a)(43) for receiving court supervision for underage alcohol consumption violates substantive due process when no motor vehicle was involved in the offense.
2. Whether section 6-206(a)(43) is arbitrary as applied because the Secretary of State allegedly failed to exercise discretion in deciding whether to impose a suspension.
3. Whether the suspension is punishment subject to the Illinois proportionate-penalties clause and the federal prohibition against cruel and unusual punishment.

HOLDINGS

1. Section 6-206(a)(43), as applied to persons receiving court supervision for underage alcohol consumption, bears a rational relationship to the legitimate public interest in the safe and legal operation and ownership of motor vehicles and does not violate substantive due process.
2. Section 6-206(a)(43) mandates a three-month suspension upon the specified disposition; it does not give the Secretary of State discretion to decide whether to suspend driving privileges.
3. Because section 6-206(a)(43) requires suspension rather than granting the Secretary discretion to suspend, the defendants' claim that the Secretary's failure to exercise discretion made the statute arbitrary as applied fails.
4. The three-month suspension under section 6-206(a)(43) is regulatory rather than punitive, so the Illinois proportionate-penalties clause and the corresponding federal cruel-and-unusual-punishment protection do not apply.

KEY QUOTATIONS

“Rather, the critical determination is whether the revocation of driving privileges bears a rational relationship to the public interest in the safe operation of motor vehicles.” (238 Ill. 2d at 13, 932 N.E.2d at 1005)

“The statutory language, therefore, provides for a mandatory consequence of a three-month suspension in these circumstances.” (238 Ill. 2d at 17, 932 N.E.2d at 1007)

FACTUAL BACKGROUND

Zachary Boeckmann and Chelsey Maschhoff were each charged with unlawful consumption of alcohol by a person under 21. Each pleaded guilty and received court supervision for 90 days. Under section 6-206(a)(43) of

the Illinois Vehicle Code, the Secretary of State was required to suspend for three months the driving privileges of a person receiving court supervision for specified underage-alcohol offenses. No motor vehicle was involved in the charged offenses, and the defendants challenged the suspension statute as violating due process and the Illinois proportionate-penalties clause.

PROCEDURAL HISTORY

Boeckmann and Maschhoff pleaded guilty to unlawful consumption of alcohol by persons under 21 and received 90 days of court supervision. The circuit court initially declared sections 6-206(a)(38) and (a)(43) unconstitutional, later vacated those orders after the Secretary asserted lack of notice, and permitted supplemental constitutional challenges. The court then held section 6-206(a)(43) unconstitutional on substantive due process grounds, rejected the equal-protection and proportionate-penalties challenges, and entered the findings required by Rule 18. The Secretary appealed directly to the Illinois Supreme Court.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The circuit court's judgment declaring section 6-206(a)(43) unconstitutional was reversed, and the cause was remanded for further proceedings consistent with the opinion.

CASES CITED

- People v. Williams, 235 Ill. 2d 178, 199, 205, 920 N.E.2d 446 (2009)
- People ex rel. Birkett v. Konetski, 233 Ill. 2d 185, 200, 206-07, 909 N.E.2d 783 (2009)
- Cook County Republican Party v. Illinois State Board of Elections, 232 Ill. 2d 231, 239, 902 N.E.2d 652 (2009)
- Napleton v. Village of Hinsdale, 229 Ill. 2d 296, 307, 891 N.E.2d 839 (2008)
- In re Lakisha M., 227 Ill. 2d 259, 263, 882 N.E.2d 570 (2008)
- People v. Lindner, 127 Ill. 2d 174, 179-83, 535 N.E.2d 829 (1989)
- Village of Lake Villa v. Stokovich, 211 Ill. 2d 106, 122, 126, 810 N.E.2d 13 (2004)
- People v. Jones, 223 Ill. 2d 569, 596, 604, 861 N.E.2d 967 (2006)
- Arangold v. Zehnder, 204 Ill. 2d 142, 147, 787 N.E.2d 786 (2003)
- People v. Adams, 144 Ill. 2d 381, 391, 581 N.E.2d 637 (1991)
- Freed v. Ryan, 301 Ill. App. 3d 952, 957, 704 N.E.2d 746 (1998)
- Horvath v. White, 358 Ill. App. 3d 844, 852-53, 832 N.E.2d 366 (2005)
- People v. Colon, 225 Ill. 2d 125, 146, 866 N.E.2d 207 (2007)
- People v. Lewis, 234 Ill. 2d 32, 44, 912 N.E.2d 1220 (2009)
- People v. Davison, 233 Ill. 2d 30, 40, 906 N.E.2d 545 (2009)
- People v. Cardamone, 232 Ill. 2d 504, 512, 905 N.E.2d 806 (2009)

- People v. Ousley, 235 Ill. 2d 299, 311, 919 N.E.2d 875 (2009)
- In re Rodney H., 223 Ill. 2d 510, 518, 861 N.E.2d 623 (2006)
- People v. Esposito, 121 Ill. 2d 491, 501, 521 N.E.2d 873 (1988)
- State v. Bennett, 142 Idaho 166, 171-72, 125 P.3d 522, 527-28 (2005)
- State v. Niedermeyer, 14 P.3d 264, 267-68 (Alaska 2000)
- People v. Valenzuela, 3 Cal. App. 4th Supp. 6, 9-10, 5 Cal. Rptr. 2d 492, 493-94 (1991)
- Commonwealth v. Strunk, 400 Pa. Super. 25, 33-34, 582 A.2d 1326, 1330 (1990)
- People ex rel. O'Malley v. 6323 North LaCrosse Avenue, 158 Ill. 2d 453, 458-59, 634 N.E.2d 743 (1994)
- Cooper v. Hinrichs, 10 Ill. 2d 269, 275, 140 N.E.2d 293 (1957)

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