

## Drugs, guns found in Pike hunting cabin where judge died

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Two months after Associate Judge Joe Christ died in the bathroom of friend and colleague Michael Cook's rural hunting cabin in Pike County, sheriff's deputies and federal agents seized drug evidence, guns and ammunition, according to a newly opened search warrant.

Cook was under arrest at the time of the search. The former St. Clair Circuit Court judge was arrested on May 22 outside his heroin dealer Sean McGilvery's house in Belleville. He was charged with possession of heroin and later pleaded guilty and is now awaiting sentencing.

But in the days after Cook's arrest, federal agents were ready with search warrants for his Belleville home and the Pike County hunting cabin where Christ, a longtime prosecutor and newly appointed associate judge, died on March 10. Despite a 2 1/2-month lag between Christ's death and the cabin search, federal agents seized 48 items of potential evidence listed in the search warrant inventory recovery log.

The items taken from the cabin included:

- A torn dollar bill with a small amount of white powder residue taken from the vanity in a bathroom.
- A small red and green jewelry box with white residue found in a bedroom nightstand.
- A glass plate with razor, straw and white residue taken from the drawer of a coffee table.
- An unopened plastic bag with a plastic syringe containing ".0.9 percent sodium chloride." This is sometimes called a "salt shot," according to expert Jonathan Lurie, a Portland, Ore., psychologist and former heroin addict. A salt shot is meant to combat a heroin overdose, he said.

Within hours of Christ's death, a red vial with a white powder dropped onto the autopsy table as Christ's body was being undressed. The vial allowed one "hit" of cocaine to enter a chamber with a tip that would limit the user to inhale no more than a single dose.

The "hitter vial" was submitted to Illinois State Police for testing of fingerprints and DNA samples.

According to a copy of the test reports:

- Both Christ's and Cook's DNA was found on the vial.
- The "major" DNA contributor was Cook, meaning more of his DNA was found on the vial than Christ's. Cook's own DNA samples matched the DNA found on the vial to a certainty of 1 in 9.4 billion of the Caucasian population, the report stated.

- For the “minor” contributor, Christ, his DNA matched the DNA to a 26 percent of the Caucasian population.

Experts said the latter finding “didn’t mean much,” even though the vial was last in Christ’s possession.

“It doesn’t really tell you who touched it last, or who owns it,” said Monte Miller, an expert witness in DNA. “It just tells you that one guy got more DNA on it than the other.”

“Within a mixed DNA profile there may be more DNA present from one contributor to the point where an analyst can declare a discrete major profile. This simply means that there is more DNA present from the major contributor than the other contributors in the mixture,” said Mehul B. Anjaria, an independent DNA expert in Beverly Hills, Calif.

Cook told Pike County Sheriff and Coroner Paul Petty that he used drugs, according to the affidavit filed by a federal agent to support his request for the search warrant for the cabin.

“Judge Cook further admitted he used cocaine the day prior to Christ’s death, after Christ brought it out as the two drove to their hunting trip in Pike County,” the affidavit stated.

Another key figure in the courthouse drug scandal, former St. Clair County Probation Officer James Fogarty, admitted to federal agents that he sold cocaine to Christ and Cook days before they left for the cabin. Fogarty has pleaded guilty and is awaiting sentencing.

In court documents released in U.S. District Court for the Southern District of Illinois, a federal agent stated there were phone calls between Cook and McGilvery the morning Christ and Cook headed to the Pike County cabin for a Saturday night Quail Unlimited banquet. The next day, Cook called 911 to report that he found an unconscious Christ on the bathroom floor. Cook told the dispatcher that he “loved (Christ) like a brother.”

McGilvery, a longtime friend and former legal client of Cook’s, told federal agents that he sold Cook heroin “almost daily.” McGilvery pleaded guilty to conspiracy to distribute heroin and also is awaiting sentencing.

Cook, 43, was scheduled to be sentenced Friday. In exchange for his guilty plea, Cook agreed to serve 18 months in federal prison. But the sentencing was delayed after U.S. District Judge Joe Billy McDade of the Central District of Illinois asked for a supplemental pre-sentence report, stating there may be reason for an extended prison sentence after learning that a drug informant told authorities Cook was using drugs before he became a judge.

As part of his reasoning, McDade cited the long duration of Cook’s criminal conduct without any effort to get drug treatment, the disruption of governmental functions, and the loss of public confidence in the judicial system caused by Cook’s behavior.

Cook’s sentencing is now scheduled for Feb. 26.

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