

BEFORE THE HEARING BOARD
OF THE
ILLINOIS ATTORNEY REGISTRATION
AND
DISCIPLINARY COMMISSION

In the Matter of:

CHRISTOPHER GAVIN MCCALLUM,

Attorney-Respondent,

No. 6287858.

Commission No. 2026PR00054

COMPLAINT

Lea S. Gutierrez, Administrator of the Attorney Registration and Disciplinary Commission, by her attorney, Rachel C. Miller, pursuant to Supreme Court Rule 753(b), complains of Respondent, Christopher Gavin McCallum, who was licensed to practice law in the State of Illinois on January 31, 2006, and alleges that Respondent has engaged in the following conduct that subjects him to discipline pursuant to Supreme Court Rule 770:

COUNT I

(Engaging in a Conflict of Interest – S.M.)

1. In 2019, Respondent began working at the Champaign County State's Attorney's Office as an Assistant State's Attorney. Respondent was terminated from his position at the Champaign County State's Attorney's Office on April 30, 2025.

2. On February 3, 2020, a man with the initials "G.A." was shot with a firearm while sitting in a parked car at an apartment complex in Champaign. G.A. died from his injuries later that day. A woman with the initials "S.M." was the only eyewitness to the shooting, and she identified a man with the initials "D.M." as the shooter.

3. On February 4, 2020, the Champaign County State's Attorney charged D.M. by information with three counts of first-degree murder, pursuant to 720 ILCS 5/9-1(a)(1)-(2). On

October 6, 2020, the U.S. Marshals Fugitive Task Force and the Champaign Police Department arrested D.M. On February 28, 2022, D.M.'s jury trial began before the Honorable Randall Rosenbaum. The case was prosecuted by Champaign County Assistant State's Attorney Kristin Alferink as the lead prosecutor and Respondent as second chair. On March 4, 2022, after the jury could not reach a verdict, R.R. declared a mistrial.

4. After R.R. declared a mistrial, he set a schedule for D.M.'s retrial. Between March 4, 2022, and November 25, 2024, the Champaign County State's Attorney's Office and D.M.'s defense counsel engaged in additional discovery and multiple pleadings were filed, including motions related to evidence testing, D.M.'s motions to continue the trial date, and multiple motions *in limine*.

5. After the mistrial on March 4, 2022, Respondent gave his cellphone number to S.M. Prior to the mistrial, Respondent assisted in preparing S.M. for trial, although S.M. communicated primarily with Ms. Alferink and a victim witness coordinator. After Respondent gave S.M. his cellphone number, Respondent and S.M. communicated about the trial preparation. In or around May 2022, Respondent added S.M. as a contact on the social media application Snapchat. Respondent and S.M. communicated through Snapchat by sending each other personal messages, including sexually explicit photographs. Snapchat messages, photographs, and videos are not saved, and they disappear after the recipient views them.

6. At some point between September 2022 and December 2022, Respondent drove S.M. home from the Champaign County Courthouse after a hearing in a separate juvenile abuse and neglect matter in which S.M. was a party. When Respondent reached S.M.'s home, and before S.M. exited Respondent's vehicle, Respondent kissed S.M. Between December 2022 and June 2023, and while Respondent continued to prosecute D.M.'s case on behalf of the

Champaign County State's Attorney, Respondent and S.M. continued to exchange Snapchat messages, including sexually explicit messages. Respondent did not notify anyone in the Champaign County State's Attorney's Office that he had kissed and exchanged sexually explicit messages with S.M., of whom Respondent would be conducting a direct examination during D.M.'s trial, potentially exposing S.M. to cross-examination by D.M.'s attorney because of Respondent's personal relationship with her.

7. After K.A. left the Champaign County State's Attorney's Office in October 2023, Respondent was appointed as lead prosecutor on D.M.'s case. Between October 10, 2023, and March 26, 2025, Respondent appeared in at least five of the eight court dates for D.M.'s criminal matter.

8. On March 31, 2025, beginning at 4:11 p.m., Respondent and S.M. exchanged the following text messages:

RESPONDENT: "Sooooo [*sic*], third time you've missed a meeting[.]"

S.M.: "Well[,] u [*sic*] answered today. I plan ahead. At 6[:00] am [*sic*] when my day was already planned out. I am not okay[.] Did you think about that? Nah[.]"

RESPONDENT: "Don't pull that. You gave me times and then just didn't respond at all. You're gonna [*sic*] look how you look when you're on the stand, that's all I can say. You're not the only witness, and my weekends don't revolve around you."

S.M.: "lol [*sic*] and I'll look fine bc [*sic*] it's literally a memory that won't leave my head[.] Does that make sense? I don't want ur [*sic*] weekends to revolve around me[.] [You] need to stop treating me like shit before I pull up ur [*sic*] old messages and make this trial go to shit. Fuck you. I was

asleep. I cried myself to sleep because I don't want to re live [sic] this shit[.]”

RESPONDENT: “I wouldn't start threatening me, [S.M.]. Be very careful.”

S.M.: “lol [sic] [C]hris shut up[.] I'm not scared of you. Didn't you take me home[,] make out with me [sic] I have the dick pic u [sic] sent me[.]”

RESPONDENT: “I answered you about today when I could, you didn't respond. That's the third time. Try at what I said, and you're going to threaten me?”

S.M.: “YOU BE CAREFUL. Leave me alone[.]” [emphasis in original]

RESPONDENT: “See you next Monday for trial[.]”

S.M. “Yeah bc [sic] I'm tired of ur [sic] bs [sic][.]”

RESPONDENT: “If you change your mind[,] I have time tomorrow afternoon, Thursday morning and Friday morning. ”

9. On March 31, 2025, and after Respondent and S.M. exchanged the text messages described in paragraph eight, above, S.M. contacted the Champaign County State's Attorney Julia Reitz. S.M. told Ms. Reitz about the text messages she exchanged with Respondent, and S.M. forwarded the text messages to Ms. Reitz.

10. On April 2, 2025, the Chief of the Criminal Division of the Champaign County State's Attorney's Office, Troy Lozar, informed D.M.'s defense counsel, Brian King, of the interactions between Respondent and S.M. Later in the day on April 2, 2025, Mr. Lozar and Mr. King met with Judge Rosenbaum and informed him of the interactions between Respondent and S.M.

11. On April 5, 2025, R.R. appointed an appellate prosecutor, a woman with the initials “K.K.” as lead prosecutor in D.M.’s criminal matter. K.K. entered her appearance in the matter on April 7, 2025. Between April 5, 2025, and June 18, 2025, K.K. and B.K. engaged in additional discovery related to Respondent’s interactions with S.M.

12. On April 30, 2025, Respondent was terminated from his employment at the Champaign County State’s Attorney’s Office.

13. On September 29, 2025, D.M. filed a motion to represent himself *pro se*. R.R. set a hearing for the motion on September 30, 2025. On September 30, 2025, R.R. allowed D.M.’s motion to represent himself *pro se*, B.K.’s appearance as D.M.’s attorney was withdrawn, and D.M. was given 30 days to file any additional motions. A motion hearing date was set for November 6, 2025, for any of D.M.’s potential motions.

14. On October 31, 2025, D.M. filed a motion to dismiss the criminal matter. The basis of his motion was the interactions between Respondent and S.M. The same day, the Appellate Prosecutor’s Office submitted a request for investigation of Respondent to the ARDC and alleged that Respondent had engaged in a conflict of interest when he engaged in a personal relationship with S.M. while he served as the prosecutor of D.M.’s case.

15. On November 6, 2025, K.K. and D.M. appeared in court for D.M.’s motion to dismiss the criminal charges. At that time, R.R. denied D.M.’s motion to dismiss. On December 10, 2025, D.M. filed a *pro se* notice of appeal based on Respondent’s personal relationship with S.M., and a hearing on the notice to appeal was set for December 19, 2025. On December 19, 2025, R.R. granted D.M.’s request for an appeal, and the appeal is pending as of the date of filing of this complaint.

16. By reason of the conduct described above, Respondent has engaged in the following misconduct:

- a. representing a client there was a significant risk that the representation of the client would be materially limited by a personal interest of the lawyer, by conduct including exchanging sexually explicit messages with and kissing an eyewitness in a criminal matter that he was prosecuting as a Champaign County Assistant State's Attorney, in violation of Rule 1.7(a)(2) of the Illinois Rules of Professional Conduct (2010); and
- b. engaging in conduct that is prejudicial to the administration of justice, by conduct including exchanging sexually explicit messages with and kissing a witness in a criminal matter that he was prosecuting as a Champaign County Assistant State's Attorney, in violation of Rule 8.4(d) of the Illinois Rules of Professional Conduct (2010).

WHEREFORE, the Administrator respectfully requests that this matter be assigned to a panel of the Hearing Board, that a hearing be held, and that the panel make findings of fact, conclusions of fact and law, and a recommendation for such discipline as is warranted.

Respectfully submitted,

Lea S. Gutierrez, Administrator
Attorney Registration and
Disciplinary Commission

By: /s/ Rachel C. Miller
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