

# Lake County Sheriff's Office

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**John D. Idleburg**  
Sheriff

## MEDIA RELEASE

### Parolee Charged After Spitting in Deputy's Face

On November 19, 2022, at approximately 12:45 a.m., a 47-year-old Beach Park woman was driving home to her residence. As she was driving home, she noticed she was being followed by another vehicle. The victim pulled into her driveway and the vehicle that was following her also pulled into her driveway. The victim notified her husband, a 49-year-old man, who came outside. The victim's husband confronted the driver of the car, asking why he followed his wife. The victim and the victim's husband realized they did not know the man who followed her home. The man was later identified as Ben Smart, 55, of the 4200 block of Barberry Lane, Zion. Smart refused to leave when asked to by the victim's husband.

The victim called 911 and Lake County Sheriff's Deputies responded. When sheriff's deputies arrived, they noticed Smart had obvious signs of alcohol impairment. They also found Smart had been driving with a revoked driver's license. Sheriff deputies attempted to take Smart into custody, but he resisted arrest, and actively fought with the deputies. The deputies were able to place Smart into custody and began walking him toward their squad cars. While walking toward the squad cars, Smart spit several times at the deputies, and his spit struck one of the deputy's directly in the face. Smart's saliva likely contained blood, as he was bleeding from his lip.

After spitting in the deputy's face, Smart bragged he had a transmittable disease.

Smart arrived at the Lake County Jail and resisted the correctional officers efforts to remove him from the squad car. Due to his resistance, correctional officers utilized pepper spray to assist in extracting him from the squad car.

Smart was subsequently charged with: Aggravated Battery to a Peace Officer, two counts of Aggravated DUI, Resisting a Correctional Officer, Disorderly Conduct, and Driving While License Revoked.

Smart is currently on parole with the Illinois Department of Corrections. It is anticipated the department of corrections will issue a no bond parole violation warrant, based on this incident.

Smart remains held in the Lake County Jail pending an initial court hearing this morning.

The deputy who was spit on went to an area hospital for treatment and will be on a long-term precautionary treatment plan, due to the possibility Smart has a transmittable disease.

Sheriff John D. Idleburg said, “This is just one example of the many dangers our deputies and correctional officers face on a daily basis. Even knowing the risks and dangers, our staff come to work every day and serve our community professionally. I am very hopeful our deputy in this incident will be okay.”

All defendants are presumed innocent unless proven guilty in a court of law.

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