



Real open 'government still a goal, not a reality

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The brand-new Illinois Freedom of Information Act that took effect this year is not alone going to change Illinois governments' long-standing mindset of secrecy.

It's a law, sure, but it's words on paper. It's going to take action, not words, to get the state's units of government – all 7,000 of them – to embrace the idea that taxpayers have a fundamental right to openness. Governments are too used to being allowed to operate in the dark.

If there is one subject on which newspapers should be biased, it is the idea that public records belong to the public. Starting today and lasting through the year, the Northwest Herald, through stories and editorials, will fight for that idea.

Although the games that Illinois governments play in withholding public information go back decades, the events of the past year alone show that this fight is necessary:

- The Northwest Herald shouldn't have to beg the Prairie Grove District 46 school board to obey the Open Meetings Act and discuss the qualities it wants in a new superintendent in open session. Maybe a parent or two would be interested in such a topic.
- It shouldn't take a four-year legal battle for a Wheaton taxpayer to view his school superintendent's contract. It shouldn't have taken the Illinois Supreme Court to rule that he could have it. And it shouldn't have taken that ruling to persuade the McHenry County College Board to release a contract in which it gave its ousted president a six-figure, do-nothing president emeritus job.
- We can't understand why the Illinois Department of Public Health decided to withhold our own news stories from us in response to a FOIA request regarding the McCullom Lake brain cancer cluster, because we named people with the disease who sued.
- We're concerned over the pressure that the Illinois Municipal League and other special interest groups put on Gov. Pat Quinn to veto many of the improvements made to FOIA. To hear them say it, Jan. 1 should have marked the end of civilization. It did not.
- We're dismayed that the state Senate, which for the past decade has helped spend us into a \$13.2 billion deficit, decided last month to discuss how to fix the problem behind closed doors. We're incredulous that its leaders didn't seem to understand why it's a big deal in a state where two consecutive governors were indicted for corruption.
- It's a shame that it took the first-ever impeachment of an Illinois governor to force the General Assembly to improve FOIA. And it's appalling that within weeks of it becoming law, legislators have filed at least eight bills, two of them successful to date, to chip away at FOIA and make it harder for taxpayers to get information.

Illinois, from top to bottom, has a transparency problem. We who fund government deserve better.

How it costs you

People make better decisions when they know that others are watching them, or when their conduct is open to public scrutiny. As any child knows, you don't sneak a cookie out of the jar while Mom is in the kitchen.

While the Northwest Herald and other news media outlets have a special interest in this topic, this is far from just an issue for journalists. The corruption that comes from a lack of transparency costs all of us.

A May 2009 report by the political science department of the University of Illinois at Chicago concluded that corruption cost the state at least \$500 million a year. Put one way, that would cover the \$487 million that the state owes the University of Illinois at Urbana-Champaign in late payments. Put another way, Illinois graft every year wastes just under double what James Cameron spent to make "Avatar."

Half a billion dollars, divided among the 6.7 million Illinois residents in the workforce, translates into \$150 a year for a two-income household. In essence, the 2009 study stated, we all pay a "corruption tax."

Corruption costs us in many ways. Our tax dollars pay for the salaries of nonexistent ghost payrollers. State contracts go to companies with the right connections rather than the lowest-responsible bidder, which means that taxpayers pay more for services. The final report of the Illinois Reform Commission created after former Gov. Rod Blagojevich's ouster stated that "many companies report that they are hesitant to do business in Illinois because of the state's reputation for corruption."

Our tax dollars pay for services that never are rendered, and they pay for the enforcement to bring crooked officials to justice. But corruption also has unforeseen wasteful effects.

Blagojevich and fundraiser Tony Rezko's alleged wrongdoings cost taxpayers \$22.1 million as of May 2009, not counting the cost to investigate them, the UIC report concluded. However, Blagojevich's arrest in December 2008 lowered the state's bond rating, which cost taxpayers an additional \$20 million when the state borrowed \$1.4 billion to help pay overdue bills.

It was not long after that when Blagojevich's successor, Gov. Pat Quinn, began pushing for an income tax increase. One can make the argument that the \$500 million a year wasted in corruption would go a long way toward easing the state's record deficit.

Former U.S. Supreme Court Justice Louis Brandeis famously remarked that "sunlight is said to be the best of disinfectants." Maybe that annual corruption tax wouldn't be so high if everyone shone the sunshine a bit brighter on government.

No more excuses

McHenry County is not Chicago or Springfield. We're not saying that any county politician is the next Blagojevich or George Ryan waiting in the wings, and we don't mean to disparage county governments that obey transparency laws.

But that doesn't mean that local governments couldn't learn the value of a little more sunshine.

Today marks the first day of "Sunshine Week," an annual national initiative to stress the importance of open government and freedom of information. However, given the past few years that Illinois has had, we don't think a week is going to cut it.

Through 2010, the Northwest Herald is going to examine transparency in state and local government in a series called "No More Excuses." Many denials for information that taxpayers have a legal right to know, especially in the Internet age, are just that – excuses.

We're going to show you how easy it is to make a FOIA request, and how to fight a denial. It's a lot easier now than in the past. We're also going to take you step-by-step through the new and much-improved process for reporting if you think a local government has violated FOIA or the Open Meetings Act.

We will talk with local activists, attorneys and others to show you how difficult it has been at times to get information that the law requires to be produced upon request.

We'll let you know about efforts by lobbying groups and elected officials to scale back transparency laws, and whether your tax dollars have gone to their efforts to keep you in the dark. We'll be sure to let you know how each one of your representatives in Springfield – Sens. Pam Althoff and Dan Duffy, and Reps. Jack Franks, Mike Tryon and Mark Beaubien – vote on bills aimed at either improving or curtailing your right to know.

Franks, Tryon and Beaubien on Thursday sided with openness when they voted against a bill to exempt the performance evaluations of all public employees from disclosure. However, the bill passed, 70-39, and is now in the Senate for Althoff and Duffy to help decide.

Most importantly, we're going to put the county's governments to the test to see how well they comply with reasonable requests for information. We'll also examine whether matters that should be discussed in open are instead being taken behind closed doors.

Illinois doesn't need a Sunshine Week. It needs a Sunshine Year.

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