



# Illinois Reform Commission

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February 11, 2009

## SENT VIA HAND DELIVERY

Patrick J. Quinn, Governor  
State of Illinois  
100 West Randolph Street, Suite #15-200  
Chicago, Illinois 60601

## *Re: Transparency in Illinois Government*

Dear Governor Quinn:

The Illinois Reform Commission is undertaking its work to address and seek remedies to our state's "crisis of integrity." While the Commission's interim report evaluating existing laws and making recommendations is not due until late April, we believe that it is appropriate for you to take immediate action on the issue of transparency and openness in government.

The Commission held an open meeting on February 5, 2009 to begin to examine the operations of Illinois state government and to determine if our government is sufficiently transparent, open and accessible to the citizens of Illinois. Our preliminary findings give us serious concerns. The compelling and convincing testimony of several parties at the hearing provided substantial evidence that government agencies in Illinois too often operate in secretive ways that tend to foster corruption, and government officials charged with enforcing existing state laws that guarantee access to public information are often violating those same laws.

While the Commission's final report will speak to a variety of reforms directed at problems identified at the hearings, we write to you today to urge you to promptly issue an Executive Order to all state agencies, boards and commissions under your control that directs them to fully comply with all provisions of the Illinois Freedom of Information Act ("FOIA") and the Open Meetings Act and to proactively maximize transparency in their operations, within the bounds of the law.



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The Commission's request is based on the principle that transparency in government is fundamental to curing the culture of corruption in Illinois government, and that without transparency and openness in government, the people and voters of Illinois will remain frustrated, uninformed and in the dark.

We urge you to send a strong message that this is a new day in Illinois, and the time has come to re-emphasize the importance of openness and responsiveness of the government to the citizenry.

To that end, we ask that an Executive Order direct public bodies:

- To observe and ensure full and expeditious compliance, in letter and spirit, with the Illinois Freedom of Information Act, 5 ILCS 140/1 *et seq.* and the Illinois Open Meetings Act, 5 ILCS 120.1 *et seq.*
- When responding to FOIA requests, the State should begin with a presumption of disclosure.
- The State should disclose requested information with as much expediency and efficiency as possible and adhere to deadlines set forth in FOIA.
- The State may charge no more than the actual reproduction and certification costs borne by the applicable agency when responding to an information request, as specifically set forth in FOIA.
- The State should tell the people of Illinois what information is available and comply with FOIA's requirement to "make available for inspection and copying a reasonably current list of all types or categories of records under its control." 5 ILCS 140/5.
- The State should adopt a proactive approach to openness and use technology to increase public access to information. To that end, each agency, board and commission should be required to report to the Office of the Governor within 45 days about how the maximum amount of records and data in its possession can be posted on its website. Those reports should be made public.

In addition to the specific recommendations set forth above, we hope you will support vigorous enforcement efforts both now and in the future, including legal proceedings to compel compliance when necessary.

The Commission's final report to you will include recommendations regarding legislative remedies, calls for education and training, the use of technology and the Internet to facilitate transparency and openness in government and other ideas to engage citizens in moving government operations into public view. Operating with openness and transparency increases



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the accountability of our public officials and brings efficiency to government, a treasured commodity in this time of scarce resources.

Because openness and transparency are fundamental to our democracy and the functioning of our government, the Commission believes action is needed now in the form of a strong statement from the State's Chief Executive requiring that all state agencies, boards and commissions maximize transparency in their operations and fully comply with all provisions of the Illinois Freedom of Information Act and the Open Meetings Act.

Respectfully submitted,

**Illinois Reform Commission**

By: 

Patrick M. Collins, Chair