

JOHN T. THEIS
ATTORNEY AT LAW
190 SOUTH LA SALLE STREET
SUITE 520
CHICAGO, ILLINOIS 60603

TELEPHONE (312) 782-1121
FACSIMILE (312) 422-1121
E-MAIL theislaw@aol.com

Hon. Jason A. Barickman
Hon. Frank J. Mautino
Co-Chairs
Legislative Audit Commission

To the Co-Chairs and Members of the Commission:


I appear on behalf of Barbara Shaw, who is in receipt of a subpoena for testimony before this Commission.

This Commission's hearing concerning the audit of the Neighborhood Recovery Initiative is an appropriate exercise of its statutory function. Ms. Shaw's former position as the long-term Director of the Illinois Violence Prevention Authority places her in a position to provide insight into the program which began nearly four years ago as a serious effort to deal with a critical problem of violence in many neighborhoods. As you know, Ms. Shaw was the first and only Director of the IVPA from its inception in 1997 until her retirement in 2012. Barbara Shaw has over thirty years of experience in violence prevention, and her experience might be a valuable resource in this hearing process.

Ms. Shaw has been made aware through numerous sources that in addition to this Commission's hearing, other bodies, including federal and state Grand Juries, and law enforcement authorities in Cook County and the Central District of Illinois are investigating some of the same areas of concern expressed in the Auditor General's audit of NRI.

The existence of these inquiries is not a matter of speculation. Last week, a request was communicated to this body by the United States Department of Justice, asking to postpone the testimony of several witnesses for a reasonable period of time until these investigations were concluded or had at least moved significantly forward. The Department stated unequivocally its concern that public testimony before this Commission "would pose substantial risks to (its) investigation." A similar request was made yesterday by the United States Attorney for the Central District.

Therefore, although this Commission has expressed disagreement with, or at least skepticism of, the Justice Department's expressed concerns that parallel inquiries might pose substantial risks to the United States Attorney's investigation, it is Ms. Shaw's decision at this time that it would be inappropriate not to respect the intent of the Justice Department's request and the concerns raised therein, and therefore until these concerns are resolved, it is her decision not to testify before this Commission.

 John T. Theis
Attorney for Barbara Shaw