

1 LEGISLATIVE AUDIT COMMISSION HEARING

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3 Report of proceedings had at the Legislative  
4 Audit Commission Hearing, held at the Bilandic Building,  
5 160 North LaSalle Street, Room C-600, Chicago, Illinois,  
6 on the 9th day of October, 2014, commencing at the hour  
7 of 9:00 a.m.

8

9 APPEARANCES:

10 SENATOR JASON A. BARICKMAN, Co-Chair

11 REPRESENTATIVE FRANK J. MAUTINO, Co-Chair

12 SENATOR BILL BRADY

13 SENATOR ANDY MANAR

14 SENATOR IRIS Y. MARTINEZ

15 SENATOR JIM OBERWEIS

16 SENATOR KWAME RAOUL

17 REPRESENTATIVE FRED CRESPO

18 REPRESENTATIVE DENNIS REBOLETTI

19 REPRESENTATIVE DAVID REIS

20 REPRESENTATIVE ROBERT RITA

21 REPRESENTATIVE RON SANDACK

22

MS. JANE STRICKLIN, Executive Director

23

MR. WILLIAM G. HOLLAND, Auditor General

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25

1 REPRESENTATIVE MAUTINO: The hour of 9:00 o'clock  
2 has arrived. I'd like to call the Legislative Audit  
3 Commission to order.

4 Jane, would you take -- Excuse me. We do not  
5 take the roll again.

6 (Brief pause.)

7 REPRESENTATIVE MAUTINO: We do need to take the  
8 roll because yesterday we were adjourned until 9:00 a.m.  
9 this morning. So with that, our Executive Director Jane  
10 Stricklin will take the roll.

11 MS. STRICKLIN: Senator Barickman.

12 SENATOR BARICKMAN: Here.

13 MS. STRICKLIN: Senator Brady.

14 SENATOR BRADY: Here.

15 MS. STRICKLIN: Senator Manar.

16 SENATOR MANAR: Here.

17 MS. STRICKLIN: Senator Martinez.

18 SENATOR MARTINEZ: Barely here.

19 MS. STRICKLIN: Senator Oberweis.

20 (No response.)

21 MS. STRICKLIN: Senator Raoul.

22 (No response.)

23 MS. STRICKLIN: Representative Crespo.

24 (No response.)

25 MS. STRICKLIN: Representative Mautino.

1 REPRESENTATIVE MAUTINO: Here.

2 MS. STRICKLIN: Representative Reboletti.

3 REPRESENTATIVE REBOLETTI: Present.

4 MS. STRICKLIN: Representative Reis.

5 REPRESENTATIVE REIS: Here.

6 MS. STRICKLIN: Representative Rita.

7 (No response.)

8 MS. STRICKLIN: Representative Sandack.

9 REPRESENTATIVE SANDACK: Here.

10 REPRESENTATIVE MAUTINO: We have a quorum present  
11 and we have been notified that also Representatives  
12 Oberweis, Raoul and Rita are in traffic and Crespo are  
13 in traffic and will be here shortly.

14 With no objections, we have one piece of  
15 housekeeping before we proceed; and that is I need a  
16 motion to approve the minutes from the previous  
17 meetings. They were in all of your packets. Seeing no  
18 changes or request for revisions, I would entertain a  
19 motion to accept them as presented.

20 REPRESENTATIVE SANDACK: So moved.

21 REPRESENTATIVE MAUTINO: Representative Sandack  
22 moves, seconded by Representative Reis. All in favor  
23 say aye.

24 (Chorus of ayes.)

25 REPRESENTATIVE MAUTINO: Opposed no.

1 (No response.)

2 REPRESENTATIVE MAUTINO: The ayes have it and the  
3 minutes are adopted.

4 Thank you and welcome back. Our first witness  
5 today is Jack Lavin. He has joined us.

6 Jack, please join us at the table. Former  
7 Chief of Staff to Governor Quinn.

8 We do have a court reporter with us today. So  
9 when we go to the comments, if you would state your  
10 name, spell it out, also the attorney, and have him  
11 spell his name as well. Why don't we do that now.

12 MR. LAVIN: My name is Jack Lavin, J A C K,  
13 L A V I N.

14 REPRESENTATIVE MAUTINO: Please raise your right  
15 hand.

16 MR. MOORE: Wait a minute. My name is Thomas S.  
17 Moore, M O O R E.

18 REPRESENTATIVE MAUTINO: Thank you.

19 Jack, please raise your hand to be sworn in.

20 (Witness sworn.)

21 REPRESENTATIVE MAUTINO: We shall begin. Welcome  
22 to the Audit Commission as we review the NRI audit.  
23 Would you like to make any opening comments?

24 MR. LAVIN: Yes, I will make an opening statement.

25 REPRESENTATIVE MAUTINO: Thank you, sir.

1 MR. LAVIN: Members of the Legislative Audit  
2 Commission and Auditor General, thank you for inviting  
3 me today to discuss the performance audit of the  
4 Illinois Violence Prevention Authority Neighborhood  
5 Recovery Initiative.

6 I have read the audit and was surprised at the  
7 serious flaws in the management of the program.  
8 Subsequent actions taken by the Governor and the General  
9 Assembly to abolish the authority and the program as  
10 well as to tighten the way grants are monitored and  
11 conflicts of interest are addressed will go a long way  
12 to prevent problems like this in the future.

13 This program was developed due to the serious  
14 violence epidemic that had gripped the City of Chicago  
15 in 2010. Over 430 murdered and hundreds more injured by  
16 gun violence. At the time I was Chief Operating Officer  
17 of the State. There was a huge cry from across  
18 Chicagoland to act on this serious issue. There were  
19 calls for the National Guard. The faith-based community  
20 asked the Governor to declare a state of emergency.  
21 Five police officers were killed in 2010. Children were  
22 being shot. A 13-year-old boy was shot 22 times while  
23 riding his bicycle. Chicago was becoming known as  
24 Chiraq. The level of violence was unacceptable. Along  
25 with the great recession and the lack of jobs it was the

1 No. 1 issue gripping the City of Chicago in the summer  
2 of 2010. Action needed to be taken. The Governor  
3 needed to take a leadership role. Taking no action was  
4 unacceptable.

5 A young woman in Chicago named Krista  
6 Wortendyke put this epidemic of violence in perspective  
7 through a project called Killing Season Chicago. It  
8 documents through her photo art a mural in Wicker Park  
9 the 172 homicides in the City of Chicago from Memorial  
10 Day to Labor Day in the summer of 2010. That was almost  
11 two homicides per day. She took a picture of each site  
12 and it's in this artwork. It was on the TV news every  
13 night, in the newspapers every morning, Killing Season  
14 Chicago: Summer of 2010. Put things in context. Puts  
15 things in context.

16 The General Assembly for the fiscal year 2011  
17 gave the Governor a lump sum budget. This provided the  
18 flexibility to address this epidemic of violence  
19 gripping the Chicagoland area, the No. 1 issue. The  
20 violence prevention policy and framework developed for  
21 this program was driven by the violent conditions on the  
22 streets of Chicago and various townships of Cook County.

23 The best people to fight this violence with  
24 this policy framework are the people on the front lines:  
25 community organizations, local elected officials and the

1 faith-based community. These were the folks on the  
2 front lines in their community fighting violence. They  
3 needed a framework and resources. Simply adding more  
4 cops and calling out the National Guard, as someone  
5 suggested, would not provide a long-term solution.

6 The policy framework of the program was  
7 developed for best practices by people such as Barbara  
8 Shaw who spent much of her career on violence prevention  
9 issues and programs. This framework was recommended by  
10 the Governor's Antiviolence Commission who also told the  
11 Governor that action needed to be taken immediately  
12 without delay. The members of this commission all had  
13 family members touched directly by gun violence  
14 including two police officers' wives. This framework  
15 and program was approved by the Illinois Violence  
16 Prevention Authority, an independent entity created in  
17 State statute. It was done due to the epidemic of  
18 violence and the lack of jobs for the right public  
19 policy reasons with good intentions.

20 Over fiscal years 2011 and 2012 the  
21 Neighborhood Recovery Program run by the Illinois  
22 Violence Prevention Authority provided direct services  
23 in the way of jobs and mentoring to about 1700 youth and  
24 jobs to 1600 adults per year, parenting skills to  
25 roughly a thousand parents per year, counseling services

1 to over 3600 youth over two years and reentry services  
2 to almost 600 young people returning to the community  
3 from correctional facilities in year one and almost  
4 2,000 people over two years. These numbers are from the  
5 audit. By my count, that is over 14,000 served by this  
6 program. Thousands of lives touched by this program.

7 How many shootings did this prevent? How many  
8 lives did this save? We may never know the answer to  
9 these questions. I'm not sure a study can even tell us  
10 the answer to these questions. I think we would all  
11 agree that some lives were saved and some shootings were  
12 prevented. Was it one, ten, a hundred, a thousand or  
13 more? We don't know. But how much is one life worth?

14 The Sun Times recently ran an editorial about  
15 40 state troopers being deployed to the City of Chicago  
16 to reduce violence. They said, If 40 more cops can save  
17 one more child's life, we don't see how anybody can  
18 object. This program was designed to save lives, reduce  
19 violence and address the lack of jobs. Mistakes were  
20 made, but they were not intentional and this program did  
21 save lives.

22 Auditor General Holland, thank you to you and  
23 your staff for the hard work on this audit.  
24 Improvements in State government have occurred. The  
25 program developed for the right public policy reasons



1 and with good intentions broke down due to insufficient  
2 monitoring and program administration.

3 Having said that, there were some good  
4 outcomes, over 14,000 served, thousands of lives and  
5 their families touched by this program. Thank you and  
6 I'd be glad to answer questions.

7 REPRESENTATIVE MAUTINO: Mr. Lavin, can you give us  
8 a copy of that just for the record? That would be  
9 included also with the documents that we place on our  
10 site.

11 MR. LAVIN: We will give you the Killing Season  
12 Chicago and the opening statement.

13 REPRESENTATIVE MAUTINO: Yes.

14 I also need to add to the roll Senator  
15 Oberweis and Representative Crespo.

16 We are prepared to go to questions.  
17 Senator Oberweis.

18 WHEREUPON:

19 JACK LAVIN,  
20 called as a witness herein, having been first duly  
21 sworn, was examined and testified as follows:

22 EXAMINATION

23 BY SENATOR OBERWEIS:

24 **Q. Mr. Lavin, I'd just like to make it clear, I**  
25 **think all of us on this panel are 100 percent in**

1 agreement that we want to do everything we can to  
2 protect every kid we possibly can. The reason we are  
3 here is because of the incredible incompetence in the  
4 program, and we wonder how many more kids could have  
5 been saved that weren't saved had this program been  
6 administered in a reasonable fashion.

7 A. Senator, I don't -- What I was trying to get  
8 across is a lot of the coverage to date has covered a  
9 lot of the negatives; and I think in my statement I  
10 acknowledged there were some negatives. But I think we  
11 should also acknowledge that 14,000 people benefited  
12 from this program, and that's 14,000 people and their  
13 families. So that was the point I was making.

14 I know everybody here thinks it's important.  
15 There's some different philosophies on how to handle  
16 violence, and this was the way we thought it was best  
17 for the long-term solution. There's a carrot and a  
18 stick. The stick is to just add more cops. The carrot  
19 is to kind of look at the long term and try to look at  
20 the root of the cause of the violence. And the root of  
21 the cause of the violence was lack of jobs, the great  
22 recession, people not prepared for the workforce. So we  
23 did job training, trying to get people small business  
24 loans and access to credit to create jobs. So that was  
25 the point I was trying to get across.

1 REPRESENTATIVE MAUTINO: Representative Reboletti.

2 EXAMINATION

3 BY REPRESENTATIVE REBOLETTI:

4 Q. Thank you, Mr. Chairman, and thank you,  
5 Mr. Lavin, for being here and I appreciate your opening  
6 statement. I think you and I are both committed to that  
7 same mission.

8 Having served as a State's Attorney and seeing  
9 the violence in Joliet and the Will County communities,  
10 I can tell you firsthand how devastating it is to  
11 families and to the community. And I understand that  
12 there was a desire to do -- make something happen, fix  
13 the situation.

14 So before we get into the meat and potatoes of  
15 the program, can you tell me a little bit about your  
16 history with the State of Illinois, how you started,  
17 where you -- during your time frame so the Commission is  
18 aware. Most of us are but not the public.

19 A. Sure. Well, my first appointment with the  
20 State was back in the early '90s, 1991 to '95. I worked  
21 for the State Treasurer's office, State Treasurer Pat  
22 Quinn. I was the Director of Development Finance for  
23 two years, and then I was Deputy Treasurer for two  
24 years.

25 Then in 2003 I was appointed the Director of

1 the Department of Commerce and Economic Opportunity. We  
2 accomplished a lot of things there. We reorganized the  
3 agency. We took the focus away from what it had been to  
4 more of a regionalized approach. We did an economic  
5 development plan for every region of the state, ten  
6 regions of the state. We worked with business  
7 incentives. Over 500 businesses worked with them on  
8 incentives. We did job training, international business  
9 development, film office, coal development, energy  
10 development, workforce development. We did all these  
11 things. We accomplished a lot. We won FutureGen from  
12 the state of Texas was one of the things we got. We got  
13 a number of national lab facilities here.

14 As I said, we helped over 500 businesses come  
15 to Illinois. We refocused the work development, so it  
16 worked with economic development. We did a program  
17 called Disability Works, which won a national award for  
18 the Department of Labor, which is helping to employ  
19 people with disabilities.

20 So we had a number of accomplishments during  
21 my time at the Department of Commerce and Economic  
22 Opportunity. And then in February 2009 --

23 **Q. With DCEO you would have served and presided**  
24 **over a grant process in large grants and small grants**  
25 **and administering those grants, both State and Federal?**

1 A. Yes.

2 **Q. I'm sorry. Go ahead.**

3 A. In February 2009 I became Chief Operating  
4 Officer of the State working with Governor Quinn. My  
5 primary responsibilities were of economic development,  
6 economic recovery, help manage the Obama stimulus plan,  
7 helped put together and pass and implement the first  
8 capital bill the State had in ten years and worked with  
9 a lot of the agencies that were involved in economic  
10 development and building infrastructure.

11 **Q. And your educational background?**

12 A. I have a Bachelor of Science in Finance from  
13 the University of Illinois. I have a Master's degree,  
14 an MBA, and a Master's in international relations from  
15 the University of Chicago and spent some time studying  
16 over in Seoul South Korea at Yonsei University.

17 **Q. Are you still employed by the State of**  
18 **Illinois?**

19 A. I am not. My last job at the State was as  
20 Chief of Staff, which was from December 2010 till  
21 October of 2013. And we did a lot of things while that  
22 was going on. We passed a tax increase. We brightened  
23 the fiscal shift of the State. We went from a  
24 \$10 billion deficit down to less than half that when I  
25 left certainly. We did Medicaid reform, workmen's

1 compensation reform, unemployment insurance reform,  
2 helped oversee the collective bargaining negotiations  
3 which saved the State more than any other collective  
4 bargaining in the history of Illinois and a number of  
5 things like that as Chief of Staff.

6 Q. So obviously you have a lot of State  
7 experience. You have a lot of experience administering  
8 programs and working with different levels within the  
9 State and the Federal government and local government so  
10 that you have a lot of expertise. That would be fair to  
11 say, right?

12 A. I would say I have expertise.

13 Q. So let me bring you to what has been commonly  
14 known as the Neighborhood Recovery Initiative. Were you  
15 the Chief Operating Officer of the State at that time  
16 back in the summer of 2010?

17 A. Yes, I was.

18 Q. And when did you first hear about the NRI?  
19 Because yesterday this Commission went 0 for 4 in  
20 determining who was in charge of the NRI. And you being  
21 the Chief Operating Officer, I was hoping that you can  
22 shed some light as to when you first heard of NRI, came  
23 up with NRI and then we will walk through what happened  
24 after that.

25 A. Well, first of all, NRI is part of the

1 Illinois Violence Prevention Authority. So that's where  
2 it stood.

3 You know, over the summer of 2010 the epidemic  
4 of violence kept bubbling up and it boiled over and --

5 **Q. Now, you said it boiled over. So I've asked**  
6 **the witnesses that I've inquired of: When was that**  
7 **tipping point? So, Mr. Lavin, when would you submit the**  
8 **tipping point was? Was there a particular date or month**  
9 **that would have been where the human cry came from that**  
10 **there was a call to action?**

11 A. I don't remember specifically. I remember  
12 seeing it in the news every day. 172 homicides in the  
13 City between Labor Day -- between Memorial Day and Labor  
14 Day. That's about two homicides per day. Countless  
15 more shootings. And I think -- you know, early in July  
16 I think at least one police officer was shot and killed.  
17 The Governor appointed an Antiviolence Commission.  
18 Every one of those Commission members --

19 **Q. Who served on the Antiviolence Commission?**

20 A. I don't know all the names. But every one of  
21 those members had been directly impacted by gun  
22 violence -- had a member of their family directly  
23 impacted by gun violence.

24 That happened in late July. I think by not  
25 quite August the Governor went and met with a number of

1 ministers who -- You know, these ministers in their  
2 congregation had people that were killed, people that  
3 were shot. They were dealing with it every day, and  
4 they asked the Governor to declare a state of emergency.  
5 And so at that point the Governor, you know, gave  
6 direction that we should develop a program.

7 **Q. Were there any calls for action previous to**  
8 **that meeting that the Governor had with the ministers?**

9 A. I'm not -- I don't remember any other calls  
10 for action from people prior to the ministers. I think  
11 generally there was -- I mean, I wouldn't be able to use  
12 specific names -- but on the news people calling for the  
13 National Guard to be brought out.

14 **Q. I can remember that. I know Representative**  
15 **La Shawn Ford from Englewood to now Cook County**  
16 **Commissioner, then State Representative Bob Pritchard.**  
17 **That would have been April, end of April of 2010. So**  
18 **obviously there was a human cry at least from some of my**  
19 **colleagues at the time.**

20 A. Sure.

21 **Q. So the Governor had a meeting with the**  
22 **ministers. And when would that have been and were you**  
23 **there?**

24 A. I was not there. It was sometime early to mid  
25 August.



1           **Q.**    Do you know who he was with on his itinerary,  
2   **who would have been there?**

3           A.    I do not.

4           **Q.**    And so after that meeting with the ministers,  
5   **what happened?**

6           A.    After that meeting there was a meeting with  
7   some people in the Governor's office, you know.

8           **Q.**    Do you know who those people are?  Because  
9   **it's helpful to us because we have seen four people**  
10 **here.  There is a couple of folks after you.  So that we**  
11 **can try to tie all these individuals together.**

12          A.    I think at the initial meeting probably  
13 Barbara Shaw wasn't there, but I think that some of the  
14 other folks you're talking to were.  Malcolm Weems.  I  
15 think the budget director was there.  I don't think  
16 Warren was there.

17          **Q.**    **Billy Ocasio?**

18          A.    I'm not sure if Billy was there.  He might  
19 have been there.  I think he was there, but I'm not  
20 positive.

21          **Q.**    **Toni Irving?**

22          A.    Toni Irving.  Andy Ross.

23                   And, you know, the discussion was, What can we  
24 do?  What are some ideas?  Do we have the resources?  
25 And that was the initial meeting.

1           Q.    Was there any ever discussion -- I know that  
2 you talked about the desire to obviously stem the  
3 violence and that police officers were appointed too.  
4 Was there any discussion about helping the Chicago  
5 police or adding Illinois state troopers into the mix so  
6 there would be a blended program or was it all just  
7 community efforts?

8           A.    I think it was primarily community efforts.

9           Q.    So after this meeting there was this desire to  
10 help these communities afflicted with violence. So who  
11 was then charged with organizing what would then be  
12 called NRI? Was there one particular person that was  
13 given that task?

14          A.    I don't think there was one particular person.  
15 First of all, remember NRI -- Now, this audit pertains  
16 to the NRI that was at the Violence Prevention  
17 Authority. NRI was more than that. NRI was also job  
18 training, small business loans, micro loans. So there  
19 were a few different things. And so we were trying to  
20 look at what's the root cause of the violence and what's  
21 the best long-term solution. And so we kind of saw  
22 three different parts. We actually at the beginning  
23 also looked at housing. Does housing fit into this?

24                   And so we had different people looking into  
25 different areas. Malcolm and Toni kind of talked about

1 the violence -- this stuff, the violence prevention  
2 stuff with the mentoring clause, the reentering programs  
3 and the like because Toni had a lot of experience in  
4 that area. She had a Ph.D. in related issues. They  
5 looked at that. Andy Ross looked at what are the  
6 economic development things that can be done, the small  
7 business loans, the job training, that kind of thing.

8 **Q. So I'm getting at --**

9 A. And then the budget office had to look at, Do  
10 we have a budget? What do we have? What resources do  
11 we have? So that would have been Malcolm and I believe  
12 Dave Vaught, the budget director, was at the first  
13 meeting.

14 **Q. Sure, because obviously you want to have the**  
15 **funding with which to move forward with implementing the**  
16 **program.**

17 **So still there wasn't someone specifically**  
18 **tasked with running NRI. It was kind of a loose**  
19 **conglomerate. Is that your best understanding?**

20 A. The Governor's office was a very collegial  
21 atmosphere. It was a flat organization-type thing. And  
22 that's how we worked, and so that's how it was.

23 **Q. So after the Governor gave you the charge to**  
24 **help these communities and this collegial group move**  
25 **forward, what would have happened next? So what was the**

1 next step? Obviously there was a lot of violence in the  
2 City. You've talked about the number of murders in that  
3 short period of time. What happened next? Who was  
4 supposed to do what?

5 A. Well, as far as I can recall, I think Malcolm  
6 and Toni went and talked to Barbara Shaw. Do you have a  
7 framework that you could give us to do this?

8 Q. What month would that have been? Would that  
9 have been August of 2010?

10 A. August.

11 And Andy would have talked to DCEO Warren  
12 Ribley. What can you do? What do you have the ability  
13 to do within your budget?

14 Q. Was at any particular time a desired amount of  
15 money to be spent decided upon by those individuals,  
16 yourself, the Governor, anybody that said, I want this  
17 to be a program that spends, it turns out to be at  
18 least, \$54 million? Who decided that number?

19 A. Well, I don't -- I don't -- I think the  
20 original number was 50 million, if I recall correctly.  
21 We had to wait for the budget office to say what  
22 resources do we have. The budget office for the portion  
23 that this audit was covering came back originally and  
24 said we have \$20 million, and then later on they came  
25 back and said we could get to 30 million. And that was

1 desirable because you could cover more communities. We  
2 wanted to cover as many communities as we could.

3 As far as the rest of the money, that was  
4 money that was, I believe, within DCEO's budget. There  
5 may have been a program that IDOT had also that was  
6 under this umbrella Neighborhood Recovery. Neighborhood  
7 Recovery was an umbrella of the different programs that  
8 could be done to go at the root causes of violence. So  
9 that's why it was an antiviolence and a jobs program.

10 **Q. When did you first hear the term Neighborhood**  
11 **Recovery Initiative?**

12 A. I don't recall. It was probably --

13 **Q. To the best of your recollection.**

14 A. You know, later in August. I don't really  
15 remember the exact time.

16 **Q. So these individuals were tasked with**  
17 **budgeting now for \$50 million and finding the dollars.**  
18 **They then have to find the agency to do that; and it was**  
19 **determined that Barbara Shaw, the IVPA, would be that**  
20 **instrument. Is that correct?**

21 A. To run the program?

22 **Q. Correct.**

23 A. Yes.

24 **Q. Who decided that she was best suited to do**  
25 **that?**

1           A.    I think it was just -- it was a consensus  
2 thing. They had been created in state statute as the  
3 Violence Prevention Authority, and that's what they had  
4 been doing albeit at a smaller level. And it was  
5 thought, okay, you know, they are best equipped from a  
6 policy standpoint, an understanding standpoint, to do  
7 that.

8                   I think there was a brief discussion about DHS  
9 but thought that that was too big of an agency and this  
10 would get lost in there. And this was an agency. This  
11 is what they have been doing. So it should be there.

12           **Q.    Who would have been part of that conversation  
13 to decide that IVPA was the best way to go?**

14           A.    Similar group to what I had mentioned earlier.

15           **Q.    Any particular meeting that you recall?**

16           A.    I don't particularly -- I don't remember the  
17 exact meeting. I think we had a -- I don't remember the  
18 exact meeting. Although in the first meeting, it must  
19 have been discussed because they followed up with IVPA  
20 and Barbara Shaw to get a framework.

21           **Q.    So Barbara Shaw is determined to be the person  
22 that's going to carry out the program, her agency.**

23           A.    The Violence Prevention Authority.

24           **Q.    Under the IVPA. And obviously --**

25           A.    Yeah. They had an independent board. They

1 had a lot of people with a lot of experience in violence  
2 prevention --

3 Q. Sure. And I appreciate that.

4 A. -- in running these programs for years.

5 Q. But here's one of the concerns that I think I  
6 have and I think maybe the Auditor General had -- and I  
7 will let him speak for himself -- is that you had an  
8 agency with 9 to 11 employees that have been tasked with  
9 administering an \$11 million budget, and now they were  
10 going to be tasked with managing this huge influx of  
11 resources. With your professional and personal  
12 experience with your background in government, were you  
13 ever concerned that that agency was not in a capacity to  
14 hold accountable where those grants would go, who would  
15 get them, how effective they may be?

16 A. Yes. The answer is yes. I do not know if I  
17 knew exactly how many employees they had or what their  
18 budget had been. I knew it was a smaller agency. I  
19 knew that this was going to be a big increase in what  
20 they do. And at some point in time -- I don't remember  
21 exactly when -- I said perhaps we should get DCEO  
22 involved as far as the grant administration and grant  
23 monitoring go. At minimum, maybe they should --

24 Q. You said that you thought that that might be a  
25 better way to go. So who did you tell that to? Who did

1 **you share that with?**

2 A. I think it was in one of those meetings. And  
3 I said that -- I don't know that I said I thought that's  
4 the way they should go. I said we should consider this  
5 because this is a big growth in what IVPA would do, and  
6 at minimum perhaps they should talk to DCEO about all  
7 the processes that they have in place and how they  
8 handle it. I mean, the assumption always was that IVPA  
9 would add staff, would be able to manage the growth of  
10 this program. But perhaps they needed some initial help  
11 from DCEO to set those processes in place.

12 **Q. Who decided that DCEO should not be an active**  
13 **participant?**

14 A. I don't think it was ever decided that. I  
15 just don't think the follow-up ever happened.

16 **Q. So the program is put with IVPA and**  
17 **\$50 million from what we've heard testimony --**

18 A. Not 50 million for IVPA. It was 30 million  
19 for IVPA and it was -- the rest of the money was coming  
20 I think primarily from DCEO; and, like I said, maybe  
21 IDOT had a small program.

22 **Q. Sure. So we heard testimony from Barbara Shaw**  
23 **yesterday that initially the program was supposed to be**  
24 **\$10 million. Then it was \$20 million. Then it was**  
25 **\$30 million. Do you recall how that number continued to**



1     **move upwards?**

2           A.     My recollection is the initial number was 20  
3     and then it went to 30.

4           **Q.     So you had some concerns that IVPA may not be**  
5     **in the best position suited to operate it based on their**  
6     **number of employees, and you had made the assumption**  
7     **that they would add a number of employees. Is that**  
8     **correct?**

9           A.     No. The concern was this would be a large  
10    increase in their programming. I'm not sure -- I don't  
11    recall if I knew how many employees exactly they had.  
12    But there was going to be a large increase in  
13    programming and that they may need help and DCEO could  
14    provide some of that help.

15          **Q.     So \$30 million comes to the IVPA, and they**  
16    **begin to figure out with a number of people how to best**  
17    **administer this program, how to get money into the**  
18    **communities most impacted by the violence. So to the**  
19    **best of your knowledge, how was this programming moving**  
20    **forward? Who was -- How were the grants decided, what**  
21    **the amounts were and to whom it would go? Do you know**  
22    **how that process went?**

23          A.     Well, my understanding is the 30 million was  
24    going to be divided evenly among the 23 communities.

25          **Q.     Let me stop you right there. It was \$30**

1 million, and there was 23 communities that were  
2 selected.

3 A. Correct.

4 Q. Do you know on the basis of how those  
5 communities were selected?

6 A. My recollection is crime statistics.

7 Q. Do you know where those crime statistics came  
8 from?

9 A. Barbara Shaw.

10 Q. Were you aware of any report that DHS may have  
11 had that used some formula to determine how the  
12 communities would be picked?

13 A. I don't recall a specific report. I was just  
14 told it was based on crime statistics.

15 Q. Because Barbara Shaw testified yesterday,  
16 Mr. Lavin, that there were a number of factors that went  
17 into it and it wasn't just shootings. So do you know  
18 anything else about what other factors may have been  
19 used?

20 A. I mean, I saw yesterday that Barbara had  
21 mentioned poverty and something about school dropouts or  
22 something. But my recollection at the time was crime  
23 statistics. Maybe at the time they said there's some  
24 other factors. I just don't remember that.

25 Q. Violence statistics or just murders?

1 A. I don't remember.

2 Q. Okay. So the program moves forward. There  
3 are 23 communities selected. How long did it take the  
4 IVPA to determine what those 23 communities would be,  
5 from the time of the inception of NRI to the decision of  
6 who should get the money?

7 A. I think they identified the 23 -- Well, I  
8 think they identified them fairly quickly. I think a  
9 little bit later in the process there were some south  
10 suburban areas added.

11 Q. Sure. And we will get there. So initially it  
12 was 23 Chicago communities, right?

13 A. That's not my recollection.

14 Q. How many communities were in Chicago specific  
15 and how many were suburban communities, if you recall?

16 A. I don't remember exactly how the thing came  
17 to, but I think there were 18 Chicago communities and 5  
18 suburban communities. 18 neighborhoods or communities,  
19 whatever. Communities, sure.

20 Q. So the 18 communities are selected. Do you  
21 know who made those final determinations of who -- what  
22 those communities -- which communities would get the  
23 money or help?

24 A. The Violence Prevention Authority based on  
25 crime statistics is my recollection.

1           **Q. It wouldn't be one person in general. It**  
2 **would be the entire group that represents the Illinois**  
3 **Violence Prevention Association or the group?**

4           A. You mean the whole board?

5           **Q. Right, the whole board.**

6           A. That I don't know.

7           **Q. Do you know who made the determination --**

8           A. I mean, at some point the Violence Prevention  
9 Authority did vote on this program and the framework and  
10 approved it. I don't know if they voted on -- early on  
11 the specific communities and then later on in the  
12 program. My recollection would be they voted on it one  
13 time, the framework of the program, the communities and  
14 that kind of thing.

15           **Q. Who decided that the aldermen would be the**  
16 **best facilitator of choosing the communities and groups**  
17 **that would be involved; do you know?**

18           A. Well, first of all, my recollection is that  
19 recommendations were going to be pursued from local  
20 elected officials and the faith-based community and that  
21 from those recommendations there would be an RFP process  
22 and they would be vetted. In some communities there  
23 would be multiple people recommended, and the IVPA would  
24 have an RFP process to implement decisions.

25           **Q. That would be a pretty quick RFP process,**

1 right? Because now we have an emergency. And we have  
2 heard testimony yesterday that we don't know what's  
3 (inaudible) in an RFP process because in a special  
4 emergency situation we take care of the emergency first  
5 and we fill out paperwork later. So was there a time  
6 frame in which the RFP was open and then people were  
7 able to file applications and then it was closed and  
8 then a determination would be made as to who would get  
9 it?

10 A. Yeah. I think the audit points that out.

11 Q. Do you know?

12 A. I don't remember the exact dates, but I know  
13 that there was an RFP sent out; and then the RFP -- the  
14 responses were due, and then there was a decision  
15 process by the Violence Prevention Authority.

16 Q. Do you know who personally selected the  
17 communities? Do you know of any particular individual,  
18 either in the Governor's office or in the IVPA, who  
19 said, These are those communities? We are going with  
20 these communities?

21 A. I think we just went over that when we said it  
22 was based on crime statistics.

23 Q. That was it. Nothing else. No other  
24 influence whatsoever?

25 A. As far as I know.

1           **Q. Who made the final determination as to what**  
2 **the funding levels should be?**

3           A. As I said, the 30 million was divided by 23  
4 communities; and that's what was to go to each  
5 community.

6           **Q. And you've had a chance to read the audit; is**  
7 **that correct?**

8           A. I read it a couple months ago, yes.

9           **Q. So in your professional experience, were you**  
10 **concerned that with this large influx of money moving**  
11 **out that there may be some concern about waste, fraud or**  
12 **abuse?**

13          A. No. I mean, they were putting the processes  
14 in place. They had their own board. You know, they had  
15 two co-chairs, one of which was the Attorney General.  
16 They had their own grant processes in place. You know,  
17 they had set up the processes for quarterly reporting  
18 and annual reporting like other agencies do.

19          **Q. So the money begins to move out and begins to**  
20 **go to these communities. There was an expansion of**  
21 **additional communities being added. Do you remember**  
22 **what time frame that was?**

23          A. There were three -- The south suburban  
24 communities had gone to the Governor and said, We have  
25 communities with high crime and we should -- we want to

1 be part of this. And my recollection was IDPA did an  
2 analysis on some of the areas of the south suburbs and  
3 said they met whatever crime statistics and that they  
4 qualified to be part of it.

5 **Q. Do you remember who from the south suburban**  
6 **communities -- which communities contacted, I guess it**  
7 **would be, the violence prevention folks? Would it be**  
8 **the Governor's office; do you recall?**

9 A. I don't recall. My recollection would be some  
10 south suburban ministers, but I really don't know and I  
11 don't know the ministers.

12 **Q. And then moving forward, what was your**  
13 **involvement then with NRI? What was your continuing**  
14 **role? Were you being updated as to how the processes**  
15 **were flowing?**

16 A. Moving forward ... What time frame are we  
17 talking about?

18 **Q. You're the COO, right? That would be 2010.**  
19 **So the process begins. The communities are selected.**  
20 **In August were you advised as to how things were going?**

21 A. I think that we had the initial meeting.  
22 There was a follow-up meeting -- I don't know if it was  
23 in August or early September -- to see what the progress  
24 was, and so I would have been in that meeting.

25 **Q. Who would have been in that meeting, if you**

1 **recall?**

2 A. I think a similar group. Although I think  
3 Barbara Shaw started coming to the meetings -- started  
4 coming to those meetings.

5 **Q. And then was there an update in the month --**  
6 **Were there weekly updates to you? Monthly updates?**  
7 **What was your role? That's what I'm trying to figure**  
8 **out.**

9 A. Sure, sure, sure. I don't know that there  
10 were weekly meetings. I think periodically I might see  
11 somebody and say, How's things going? It's moving  
12 along. You know, that kind of thing.

13 **Q. And then you would have had conversations with**  
14 **the Governor informing him of how things were going?**

15 A. I would have briefed the Governor. I would  
16 have briefed him on hundreds of things. We had a lot of  
17 things going on in State government.

18 **Q. No doubt.**

19 A. This would probably have been one of them.

20 **Q. And the process continued to roll out. And**  
21 **what was your continued involvement in October, if you**  
22 **recall?**

23 A. Well, the program was announced in early  
24 October. I probably read the press release. Maybe I  
25 had some comments on that. Went to the press



1 conference. You know, that was it.

2 Q. Thank you, Mr. Lavin.

3 Mr. Chairman, I'm going to reserve the right  
4 to come back to this witness if it's necessary. I'm  
5 going to turn the time back over to the chair.

6 REPRESENTATIVE MAUTINO: Representative Sandack.

7 EXAMINATION

8 BY REPRESENTATIVE SANDACK:

9 Q. Good morning, Mr. Lavin.

10 A. Good morning.

11 Q. Did you watch Barbara Shaw's testimony  
12 yesterday?

13 A. No, I did not.

14 Q. Did you listen to it?

15 A. No, I did not.

16 Q. Did you listen or watch anyone else's  
17 testimony from yesterday's event?

18 A. No, I did not.

19 Q. Mr. Moore was there obviously because I got to  
20 tell you, there's a stark contrast in the inception and  
21 rollout of NRI. As I understand it from your testimony,  
22 was this initiative of the IVPA or a Governor's office  
23 initiative? Who gave what to whom and when, if you  
24 wouldn't mind, sir?

25 A. Sure. Well, the Governor's office was

1 involved initially; and then we tasked the IVPA to come  
2 up with a framework and we tasked DCEO what they could  
3 do. And sure, the Governor's office or people in the  
4 Governor's office were involved as the framework was  
5 built and that kind of thing. The RFP process was done  
6 by the IVPA. There was some meetings with local elected  
7 officials. There was some meetings with ministers. The  
8 Governor's office people were in those. So I don't want  
9 to say it suddenly all became the IVPA. The Governor's  
10 office was involved, sure.

11 **Q. Certainly, because you testified it was**  
12 **involved. I want to focus on when it was -- when this**  
13 **was rolled out. Was this originally an IVPA initiative**  
14 **or originally a Governor's office initiative?**

15 A. Well, the initiative of addressing the  
16 epidemic of violence was the Governor's office.

17 **Q. When?**

18 A. As I said, after the Governor met with the  
19 ministers, we had a meeting to talk about what can we do  
20 to address the epidemic of violence and do we have the  
21 resources.

22 **Q. We had Mr. Weems in front of us yesterday, and**  
23 **there was a quarterly meeting of IVPA in September; and**  
24 **they meet quarterly. So I'm not aware of any special**  
25 **meeting called by the IVPA to address anything about**

1 Neighborhood Recovery Initiative. Do you have any  
2 information about a special meeting or any meeting  
3 undocumented and heretofore never spoken of other than  
4 the September 30 meeting?

5 A. I do not know the schedule of the IVPA  
6 meetings.

7 Q. All right. Well, I want you to assume that  
8 they meet quarterly because that's what the website says  
9 and that's what everything in this evolving situation  
10 says. So IVPA as a board meets on September 30, but we  
11 know lots of stuff happened before that. And the  
12 ministers meeting I think is the Rosewood community  
13 meeting, is it not?

14 A. For the Governor?

15 Q. Yes.

16 A. I believe that was it.

17 Q. I want you to assume that happened in early to  
18 mid August, maybe August 10th. How's that? Using that  
19 as a marker, is there a definitive date prior to  
20 August 10th that you were involved in with respect to  
21 the Governor's office deciding they needed to address  
22 this violence -- this epidemic of violence?

23 A. There were discussions in the Governor's  
24 office prior to the ministers meeting. I mean, clearly  
25 the Governor had appointed an Antiviolence Commission.

1 So there was discussions about the epidemic of violence  
2 and what's going on and that kind of thing.

3 Q. But that Commission you speak of that  
4 Mr. Weems was a member of, they became obviously a group  
5 of people deeply and profoundly affected by horrific  
6 acts of violence. They didn't come up with any  
7 proposals, at least as far as this program is concerned;  
8 isn't that correct?

9 A. I'm sorry. Say that question again.

10 Q. That group, that well-meaning group of  
11 personally affected victims of violence, they had  
12 nothing to do with this program NRI, correct?

13 A. Correct.

14 Q. Okay. So using August 10 again as the line of  
15 demarcation, Representative Reboletti asked you the  
16 tipping point question: Is it fair to say that that may  
17 have been the tipping point as far as how NRI evolved  
18 thereafter?

19 A. Well, that was the point where the Governor I  
20 think wanted to move forward and do something. Were  
21 there discussions or meetings before that? There may  
22 have been. They may have been part of a weekly staff  
23 meeting. There may have been a meeting to discuss if  
24 they had the epidemic of violence before August 10th.  
25 But that was the point where it became, you know, we

1 should do something.

2 Q. And, Mr. Lavin, I will tell you we start  
3 seeing e-mails from Barbara Shaw not very far  
4 thereafter, in mid to late August, about the program.  
5 So I'm trying to find out who told what to whom because  
6 Miss Shaw came here and she isn't the inventor of this  
7 program. At least she didn't take ownership of it. She  
8 certainly was the person principally responsible for its  
9 operation and administration. But I couldn't get anyone  
10 to tell me whose idea this was, who was the principal  
11 person. And so I'm going to ask you, Mr. Lavin, do you  
12 know who the principal person was responsible for the  
13 Neighborhood Recovery Initiative?

14 A. I think I said this before; that we had a very  
15 collegial office and people met and people all had their  
16 input. And we had a meeting in the Governor's office,  
17 not Barbara Shaw, not IVPA, to discuss we need to do  
18 something about the epidemic of violence. And so there  
19 was discussion about parameters of what we should do,  
20 some ideas of what we should do, and the ideas were not  
21 add more cops. They were let's try to get to the root  
22 of it. Let's do --

23 Q. Let me stop you right there because that's  
24 something that Miss Shaw said I was struck by.  
25 Obviously a good-hearted person who dedicated her entire

1 life to fighting violence --

2 A. Sure.

3 Q. -- and helping people. She kept saying, This  
4 isn't something you can do with the snap of your  
5 fingers. This is something that takes a long time.  
6 There is no quick efficacy in these programs. It's  
7 really preventative in nature. And when we got to the  
8 measurement component -- because you know from the audit  
9 we don't have any measurements of the efficacy of this  
10 program -- I was struck by Mr. Weems saying we have to  
11 do something. This is happening right now. But no more  
12 police were put on the street to try and quell violence.  
13 Instead, money for jobs, resources and long-term  
14 preventative action. But you will know one of the main  
15 criticisms of the Auditor General is how quickly this  
16 program was put together. Almost lightning speed.  
17 From August -- we will say August 10 through October,  
18 that announcement you mentioned -- I think you were  
19 there -- we've got a program of 54 or \$50 million.

20 Mr. Lavin, in your extensive involvement in  
21 State government, is there another instructive  
22 illustration of that type of speed and rapidity from  
23 inception to rollout that you can think of that mirrors  
24 the NRI experience we're talking about today?

25 A. Well, I mean, there was a crisis, you know.

1 When there's a tornado or a flood or a storm in  
2 downstate, the Governor goes down there and visits with  
3 them and visits with the families and immediately, you  
4 know, comes up with disaster relief. Well, this was a  
5 state of emergency as the ministers told the Governor;  
6 and so there was a sense of urgency to get something  
7 done.

8           Some of the pieces of the program, what was in  
9 DCEO, were already programs that were there. It was  
10 just having the resources to go out and do them with  
11 these communities. So those programs were there. That  
12 doesn't take long to do.

13           As far as the IVPA's piece, Barbara Shaw and  
14 people like Toni Irving had been looking at these issues  
15 for years and years; and I think they had looked at best  
16 practices in other places. And they came up with the  
17 kind of four categories that they did with mentoring  
18 plus jobs, reenter, school-based counseling. I'm  
19 forgetting the fourth one. Safety networks that had  
20 already been out there and had some similar features.  
21 So there was people that had been thinking about this  
22 for a while and then had the opportunity to put it into  
23 practice.

24           **Q. I asked you about another instructive**  
25 **experience, and you said the very same thing that**

1 Miss Shaw and Mr. Weems said. They equated it to a  
2 crisis, which I certainly think is a legitimate analogy.  
3 The analogy is always weather related. And so a  
4 hurricane, a tornado, a flood, a natural disaster, which  
5 certainly is a bad thing. But whenever that happens,  
6 the Governor sets a state of emergency and employs  
7 resources to help people. I don't recall anyone saying  
8 other than the African-American ministers out of  
9 Roseland and other communities talking about that state  
10 of emergency.

11 But if there's a state of emergency in a  
12 neighborhood, why wouldn't the police -- why wouldn't we  
13 address the immediate harm, not unlike a tornado victim,  
14 with more police? Because Miss Shaw was talking  
15 prevention, not policing. How is that state of  
16 emergency?

17 A. Well, that's an issue for the Chicago police  
18 and the Mayor of Chicago. And I'm sure they were doing  
19 everything they could to prevent the violence, and there  
20 are -- there is some work that the State police does  
21 with the Chicago police as far as drug issues and drug  
22 whatever that they do work with them. But some of what  
23 you're saying, that's an issue for the Chicago Police  
24 Department --

25 Q. Okay.



1 A. -- and the Mayor of Chicago.

2 Q. Apart from a natural disaster, is there any  
3 other instruction -- other example you could point to  
4 that shows a concept to a program in two months for  
5 \$50 million?

6 A. You know, off the top of my head right now, I  
7 can't think of one.

8 Q. All right.

9 A. I'm sure there is one though, but I can't  
10 think of it right at this moment.

11 Q. Okay. You also had other duties though.  
12 While you were Chief of Staff, you were the -- By the  
13 way, how often did you interact with the Governor?

14 A. First of all, I was Chief Operating Officer.

15 Q. Sorry.

16 A. Later on, I was Chief of Staff.

17 Q. Yes. I'm sorry.

18 A. I don't know how often as Chief Operating  
19 Officer. Less than Chief of Staff, but I don't recall  
20 exactly how often we met. And at the time he was in a  
21 campaign, you, know and --

22 Q. We will get to that in a second.

23 A. And so he was out of the office a lot. So I  
24 can't -- I don't recall specifically how many times, how  
25 often we met.

1 Q. But you contacted him. You were in  
2 communication daily. Yes?

3 A. I wouldn't say every day but, you know, often.

4 Q. And how was that communication usually? Was  
5 it face to face, phone, text, e-mails?

6 A. Primarily face to face.

7 Q. Okay.

8 A. Some phone calls.

9 Q. Some phone calls?

10 A. But primarily face to face.

11 Q. Did you e-mail the Governor from time to time?

12 A. Not often.

13 Q. Text him?

14 A. No.

15 Q. Okay. You mentioned just a minute -- not even  
16 a minute ago that he was also on the campaign trail.  
17 You also had a campaign duties off State time as well;  
18 did you not?

19 A. I did not have an official role in the  
20 campaign, no.

21 Q. I didn't ask you if you had an official role.  
22 But did you have campaign-related duties that you lent  
23 yourself to for the Quinn reelection effort in 2010?

24 A. I don't know that I would call them campaign  
25 duties. There was periodic meetings, usually once --

1 they were once a week. And, you know, I would do this  
2 certainly in my personal time. I was very careful to  
3 keep personal time separate from State time. And in  
4 those phone call meetings, I would in my capacity help  
5 educate the people on the campaign what was happening  
6 with the State that week, you know, what announcements  
7 were happening, any new programs, any, you know,  
8 significant issues happening with the State.

9 Q. Your attorney gave to the Legislative Audit  
10 Commission two nights ago, I don't know, ten pages of  
11 e-mails. I'm going to have copies made so you can look  
12 at them. This was brand new to us. Obviously Mr. Moore  
13 can show you them as well.

14 Starting at I think the bottom of page 5,  
15 Mr. Lavin, and it goes on to the next page. So it's an  
16 e-mail ostensibly sent by you that's dated September 5,  
17 2010 at 2:53 p.m. Do you see that?

18 A. Yes, I do.

19 Q. What day was September 5; do you know?

20 A. It was a Sunday.

21 Q. It was a Sunday. So it was off regular work  
22 hours.

23 A. Right.

24 Q. This e-mail that we're looking at, you and I,  
25 is a campaign-related e-mail, is it not?

1 A. It is.

2 Q. It was sent from your personal e-mail, not  
3 affiliated with the State of Illinois?

4 A. Correct.

5 Q. I want to go through it with you, if you don't  
6 mind. By the way, who is this e-mail sent to?

7 A. This e-mail was sent to Ben Nuckels, Andy  
8 Ross, Mica Matsoff and Tom Quinn.

9 Q. So Ben Nuckels was the Governor's campaign  
10 manager at the time, right?

11 A. That is correct.

12 Q. He had no State affiliations at that time?

13 A. That is correct.

14 Q. Andy Ross, however, did have State  
15 affiliations and we talked a little bit about it. At  
16 this time was he at DCEO?

17 A. No. He was a Deputy Chief of Staff at the  
18 Governor's office.

19 Q. Mica Matsoff.

20 A. She was on the campaign.

21 Q. Solely on the campaign?

22 A. Correct.

23 Q. Thomas Quinn, solely on the campaign?

24 A. (Nodding.)

25 Q. All right. Your e-mail says, "If we are

1 trying to get the base out and that's the key to our  
2 victory, we better prioritize correctly." Do you see  
3 that sentence, sir?

4 A. Yes, I do.

5 Q. You're totally in campaign mode; isn't that  
6 right?

7 A. I am talking on the campaign side, yes.

8 Q. "We spent a lot of money in the AA community."  
9 That's the African-American community, correct?

10 A. Correct.

11 Q. "We did a lot of robocalls utilizing  
12 Congressmen David, Rush and Jackson. We also did radio  
13 with the same people. Obama can be positive and get  
14 more people -- get people to be more excited about PQ,"  
15 Pat Quinn, right?

16 A. Correct.

17 Q. So let me stop right there. The purpose of  
18 this is, as I read it at least -- you can correct me --  
19 is that you're trying to get people excited about Pat  
20 Quinn's reelection effort.

21 A. Sure. That's what campaigns are all about.

22 Q. They are. No doubt about it.

23 "The Congressmen and ad like Andy suggests  
24 (from the typical African-American family, particularly  
25 women) can say why Brady would be a disaster. The

1 African-American community tends to break late so we  
2 have some time."

3 Now, the next sentence, the last sentence, is  
4 what I want to hone in on. "The Governor's Neighborhood  
5 Recovery Initiative will also help on the jobs and  
6 antiviolence messages." That's decidedly a  
7 policy-related issue, is it not?

8 A. No.

9 Q. Explain that for me.

10 A. Sure. Well, elections are about referendums  
11 on incumbents, what have they done, what have they  
12 accomplished, have they shown leadership, what have they  
13 done for our town or community. Campaigns are about  
14 messaging and educating various constituencies about the  
15 incumbent.

16 Here myself on State time -- on personal time,  
17 on my personal computer -- I was very careful to keep  
18 those separate -- I was helping educate the campaign  
19 about an accomplishment of the Governor, an  
20 accomplishment --

21 Q. What accomplishment? What had he done by  
22 September 5, sir?

23 A. Well, he hadn't done anything; but it was  
24 within a few weeks it was going to be announced.

25 Q. It was announced a month later, was it not?

1 On October 6th.

2 A. It was announced early October. That's  
3 correct.

4 Q. This wasn't -- You mentioned the term  
5 framework to a lot of questions that Representative  
6 Reboletti made. On September 5, that Sunday, of 2010,  
7 what framework existed? Can you show me or point to me  
8 a framework that existed to demonstrate anything done or  
9 accomplished by the Governor with respect to the  
10 Governor's Neighborhood Recovery Initiative?

11 A. Well, the framework was set up. The pieces of  
12 it were there. They were being followed up on. The RFP  
13 was happening, that kind of thing. This is just  
14 educating the campaign that we are addressing the two  
15 number -- the No. 1 and No. 2 issues in the Chicagoland  
16 area, jobs and antiviolenence, and that this initiative  
17 will help us on that messaging. And that was simply  
18 educating the campaign. That's what this would do.

19 Just like we did for other constituencies.  
20 For downstate when we talked about the capital bill and  
21 roads and bridges and building new schools and building  
22 new university buildings and disaster relief and coal  
23 development and FutureGen. And just like we would do  
24 with suburbia and suburban women. What did we  
25 accomplish there? I mean, that's what the State does.

1 What the State does is there's accomplishments and  
2 there's things that happen. The campaign is trying to  
3 educate people in different constituencies on what the  
4 incumbent, in this case the Governor, has done in his  
5 leadership as Governor.

6 **Q. But he didn't do anything.**

7 A. That's how it's always worked.

8 **Q. Mr. Lavin, come on. I'm going to show you a**  
9 **document. I mean, things get accomplished. Things get**  
10 **done. There's ribbon cuttings left and right. And**  
11 **politicians want to take credit for things actually**  
12 **accomplished. But that's not what happened here. I'm**  
13 **showing you an e-mail from you, from your State**  
14 **computer, of September 2, so just three days earlier, on**  
15 **a Thursday.**

16 A. Sure.

17 **Q. All right? Would you be read that aloud,**  
18 **please?**

19 A. "We need to get someone to write up the  
20 Neighborhood Recovery Initiative and get a draft with  
21 components. Can Jason and Sohar do this? If they get  
22 materials by tomorrow, then they work on it over the  
23 weekend. Time is of the essence. We also need to meet  
24 with Warren tomorrow. Let me know. Thanks -- or  
25 tanks."



1 Q. Yeah, typo.

2 So this e-mail you're drafting to hurry up and  
3 get a framework going and over the weekend. You're  
4 telling me this was an accomplishment? Come on. This  
5 was something that was coming down the line. You were  
6 trying to capitalize on something that may happen.  
7 Hurry up, guys. Get it done. And now you're going to  
8 sell it as something to get votes out in the communities  
9 that you needed, on your campaign time, with your  
10 campaign hat on, to vote, to get out. Isn't that  
11 correct, sir?

12 A. No, that is correct, sir.

13 Q. How could that possibly not be correct?

14 A. Because we had looked at this program. We had  
15 a framework set up. It still needed -- some of it  
16 needed to be written up. We knew we were going to do  
17 the program because the epidemic of violence, the  
18 Killing Season in Chicago, was happening. And this was  
19 the No. 1 issue in the Chicago area, and so we had to  
20 get a program up and running and do it. And we were  
21 doing it and the messages that would be from it were  
22 jobs and antiviolence.

23 Q. Who is Mark Harris?

24 A. Mark Harris is a Deputy Chief of Staff in the  
25 Governor's office.

1 Q. Who is Joey Mack?

2 A. He is my assistant -- He was my assistant in  
3 the Governor's office.

4 Q. So this e-mail of September 2 at, looks like,  
5 8:40 p.m. to -- on a Thursday night, pretty late  
6 Thursday night, says, "We need to get someone to write  
7 up the Neighborhood Recovery Initiative." So if there  
8 was a draft, sir, it looks like you're asking someone to  
9 write it up again -- oh, and hold on -- and get a draft  
10 with components. What are you saying in that sentence?

11 A. There were different components to the  
12 program, and we needed to tie it all together.

13 Q. Okay. "Can Jason and Sohar do this?" Who is  
14 Jason?

15 A. Jason and Sohar work in the Governor's office.

16 Q. Who is Jason?

17 A. He was -- I don't know what his title was. He  
18 was a policy analyst.

19 Q. So you're asking a policy analyst. And is  
20 Sohar a policy analyst too?

21 A. Yes.

22 Q. Were they working for IVPA?

23 A. They were working in the Governor's office.

24 Q. So that's a no. They weren't working for  
25 IVPA.

1 A. Correct.

2 Q. I don't see Barbara Shaw copied on this. I  
3 thought she was working on this framework. I thought  
4 she and her board at the IVPA had the framework or were  
5 developing a framework. This sure looks like you're  
6 asking someone to draft it now on September 2, doesn't  
7 it?

8 A. She had -- As far as I knew, she had the  
9 framework, the four components, mentoring plus jobs, the  
10 reentry, school-based counseling. As far as I knew,  
11 that came from IVPA.

12 Q. So is this something totally different? Is  
13 this a different neighborhood initiative?

14 A. No. It's pulling all the pieces together.  
15 There were different pieces, not just IVPA. There was  
16 an economic development piece to it.

17 Q. Okay. But again, Warren is not copied on  
18 this. Barbara is not copied on this. No one is copied  
19 on this. This looks like this is you to a couple of  
20 policy analysts.

21 A. Sure. They would be working with those  
22 agencies to get the information.

23 Q. Okay. Back to your campaign e-mail, please.  
24 The last sentence of this first paragraph, "The  
25 Governor's Neighborhood Recovery Initiative will also

1 help on the jobs and antiviolenence messages."

2 A. Right.

3 Q. This was an accomplishment of the Governor  
4 that already happened in three days, between the 2nd and  
5 the 5th?

6 A. No. This was a program that was going to be  
7 announced. It was going to happen, and it would be an  
8 accomplishment of the Governor. It would help with the  
9 jobs and antiviolenence messages.

10 Q. Okay.

11 A. The No. 1 issues in the Chicagoland area and  
12 the Governor as the Governor of the State of Illinois  
13 was addressing those issues because there needed to be  
14 leadership on these issues, and he was doing that.

15 Q. Did you have a conversation with the Governor  
16 at any time between September 2 and September 5 about  
17 your e-mail that you're looking at and/or the  
18 campaign-related e-mail to the recipients of that  
19 document?

20 A. No, I did not.

21 Q. Because yesterday, again, from the four people  
22 that testified, no one really took ownership of the  
23 program in its inception. Malcolm Weems seemed to be  
24 confused over what budget year we were talking about and  
25 how it was to be financed. Great for a budget guy.

1 Ms. Shaw was absolutely dedicated to the documents and  
2 the whole theory behind prevention and finally dealing  
3 with violence prevention. But what was -- And

4 Mr. Ocasio, I'm surprised he knew what room he was in.

5 But this is going on not in a vacuum, right,  
6 Mr. Lavin? Put your campaign hat on. Again, this is  
7 going on with a pending election a mere two months --  
8 well, this is less than two months away. You were --  
9 you wanted this to move along, and your memo of  
10 September 2 wants a weekend draft because you wanted to  
11 get these messages out to look like something was  
12 happening even if it wasn't happening yet. Isn't that  
13 right?

14 A. No, that is not. We wanted to get this done  
15 because there was a -- there was a violence epidemic in  
16 the City of Chicago. There was a great recession and  
17 there were no jobs, and so we wanted to get this program  
18 up and running as quickly as possible.

19 Q. Absolutely.

20 A. Killing Season Chicago. That's what was  
21 happening. There was murders every day, two homicides  
22 every day between Memorial Day and Labor Day.

23 Q. Can you hold that up one more time, please?

24 Because I don't think the cameras got enough pictures.  
25 But I don't remember seeing any e-mails or anything from

1    **your -- with your name on it about that I'm sure very**  
2    **profound and heart-wrenching --**

3           A.    No.  This came later.  This woman did this and  
4    this came out later, but it gives context to what was  
5    happening in the City of Chicago at that time.  I live  
6    in the City of Chicago.  I raise a family in the City of  
7    Chicago.  Every night there was on the news the  
8    homicides, shootings.  Every morning in the newspaper,  
9    homicides, shootings.

10           **Q.    Today too.**

11           A.    My wife reminds me she told me we should call  
12    out the National Guard.  So that's how parents and  
13    mothers were thinking about what was happening in the  
14    City of Chicago, this particular what we're calling  
15    Killing Season Chicago, what was happening that summer  
16    in Chicago.  And so something needed to be done and  
17    needed to be done quickly, and that's what was  
18    happening.

19                   And I was very careful, Representative, to  
20    keep what I do on State business and State time away  
21    from campaign time.  I did give this e-mail about an  
22    accomplishment that we -- an accomplishment that we had  
23    or was coming very soon, would be announced very soon.  
24    I don't know what they ever did with this.  I don't know  
25    if it was ever used because I wasn't on the campaign,

1 and I didn't do the campaign messaging and writing of  
2 commercials and all that. I didn't do that. I didn't  
3 do the campaign.

4 **Q. You didn't. So this was strict policy and**  
5 **gave it to the campaign and called it an accomplishment**  
6 **a month before the thing was rolled out.**

7 A. This was a program and this would help with  
8 messaging on jobs and antiviolenence.

9 **Q. Of course, it helped with messaging.**  
10 **Messaging to come about a program that had not yet been**  
11 **rolled out, announced or done one thing because you**  
12 **wanted to energize a base, just as this e-mail says,**  
13 **sir. This was all about getting people to the polls on**  
14 **or before November 4. Isn't that right?**

15 A. That is incorrect.

16 **Q. How is there any other reasonable reading of**  
17 **this memo, this e-mail?**

18 A. As I said before, elections are referendums on  
19 the incumbent and have they shown leadership, do they  
20 have accomplishments, what have they done for my towns  
21 and communities. This was a program that was going to  
22 be coming out and it was going to happen.

23 SENATOR RAOUL: Can we just answer questions  
24 uninterrupted? I'm having trouble following. There's  
25 been multiple questions where the witness was

1 interrupted in the midst of answering the question.

2 REPRESENTATIVE MAUTINO: And actually the  
3 court reporter is also giving me signals down there. So  
4 please.

5 SENATOR MARTINEZ: We are going to be here all day.  
6 Take it easy.

7 REPRESENTATIVE SANDACK: Senator, I'm asking a  
8 question. I'm getting colloquy and narrative back.  
9 Yes, you're right. Sometimes I interrupt because the  
10 colloquy will make us be here all day. I will try and  
11 ask shorter questions, and I would be really  
12 appreciative if you answered only what I asked. Okay?

13 MR. LAVIN: I will answer the questions the best I  
14 can, Representative.

15 REPRESENTATIVE SANDACK: Fantastic.

16 REPRESENTATIVE MAUTINO: Proceed.

17 BY REPRESENTATIVE SANDACK:

18 **Q. Was this an accomplishment on September 5 in**  
19 **this memo?**

20 A. This was an accomplishment that the decision  
21 had been made we were going to move forward with the  
22 program that addressed jobs and antiviolenace.

23 **Q. So it was an accomplishment.**

24 A. It was about to be an accomplishment.

25 **Q. And because you were interested, not in an**



1 official way, of making sure the base got out,  
2 particularly in the African-American community. This is  
3 just, hey, this is coming down the line, right?

4 A. Representative, campaigns -- elections are  
5 referendums on the leadership of the incumbent, in this  
6 case the Governor. And what does the Governor do in a  
7 campaign? The campaign is about you have different  
8 constituencies and you have different accomplishments  
9 that you had during your time as Governor. And so  
10 campaigns are about talking to your constituencies and  
11 letting them know what you've done, how you've shown  
12 leadership.

13 Q. Have you seen the board minutes of the IVPA of  
14 September 30, 2010?

15 A. I have not.

16 Q. I'm going to read to you the second sentence  
17 of the last paragraph and ask for your reaction.  
18 "Malcolm explained that the Governor's office is  
19 committed to allocating some of the funds for this  
20 initiative immediately and will allocate the rest after  
21 the election." Any reaction to that statement?

22 A. No, because I don't know the context of that  
23 statement. I don't know what was happening with the  
24 meeting. I believe this was discussed yesterday with  
25 Barbara Shaw and Malcolm, and I believe -- my

1 understanding is it was clarified. But I was not at  
2 that meeting and I don't know the context of it.

3 **Q. Were you listening to yesterday's testimony or**  
4 **not?**

5 A. I was not listening.

6 **Q. Then how do you know it was brought up or**  
7 **clarified?**

8 A. I had people, you know, summarize some of the  
9 things that happened at the --

10 **Q. Who?**

11 A. My lawyer.

12 **Q. Other than your lawyer. Anyone else? You**  
13 **said people. Anyone else?**

14 A. My lawyer.

15 **Q. Oh, okay. Did you talk to the Governor at all**  
16 **about your testimony today?**

17 A. No, I did not.

18 **Q. When was the last time you talked to**  
19 **Governor Quinn?**

20 A. I saw him on the streets several weeks ago and  
21 just said hello.

22 **Q. Any conversations about your testimony before**  
23 **the Legislative Audit Commission with respect to the**  
24 **Neighborhood Recovery Initiative?**

25 A. With the Governor?

1 Q. Yes.

2 A. No.

3 Q. I'm going to move to the selection or the  
4 rollout of NRI. Representative Reboletti talked about  
5 the neighborhoods selected, and you said I think twice  
6 that it was based on crime statistics.

7 A. That was my recollection.

8 Q. Had you ever seen the crime statistics?

9 A. No, not that I recall.

10 Q. I think you said you read the audit or you saw  
11 a part of the audit. You know that some communities  
12 within the Chicago -- the City of Chicago that have high  
13 crime statistics were excluded or were not part of NRI.  
14 Do you know why?

15 A. I don't know why.

16 Q. Do you know how it was that aldermen were  
17 selected? I know everyone wants to be close to the  
18 community. But how was it that RFPs didn't get --  
19 weren't really used for the selection of lead agencies  
20 but, rather, aldermen and aldermanic suggestions were  
21 utilized to determine lead agencies?

22 A. There was an RFP process that the IVPA did.

23 Q. Right.

24 A. And that's what they did to come to their  
25 selections.

1           **Q. Do you think that was a request for proposal**  
2 **that went out to the market for bids?**

3           A. There was an RFP process that the IVPA did.

4           **Q. Okay. What's your understanding of what that**  
5 **RFP process really was?**

6           A. That they sent out an RFP to various community  
7 groups, and they got responses back and they vetted them  
8 and reviewed them.

9           **Q. Do you understand what the aldermen -- what**  
10 **the role of aldermen was with respect to picking lead**  
11 **agencies for disbursement of NRI funds and actually**  
12 **acting as fiscal agent?**

13          A. I'm sorry. Say that again?

14          **Q. What was the role to your understanding of**  
15 **Chicago aldermen with respect to finding out or**  
16 **determining lead agencies for NRI?**

17          A. As I said before, my recollection was there  
18 were going to be recommendations from the aldermen and  
19 the faith-based community. Then there would be an RFP  
20 process, and through that RFP process there would be  
21 community organizations chosen to be the lead agencies  
22 in the communities.

23          **Q. And do you know how many times the suggested**  
24 **lead agency was the same -- I'm sorry, how many times**  
25 **the ultimate lead agency was the same as the suggested**

1 **lead agencies from the aldermen?**

2 A. I don't. I know I read something from the  
3 audit, but that's -- other than that, I don't know.

4 **Q. Did you play any role in how this program was**  
5 **to be administered and managed?**

6 A. What do you mean? I mean, I was there for  
7 the --

8 **Q. Responsibilities.**

9 A. I was there for the initial framework and  
10 setting it up. But once the program was up and running,  
11 I did not have a role. I mean, as Chief of Staff, you  
12 know, there were things that came up on budget issues.  
13 There may have been, you know, an issue where I might do  
14 some issue resolution; but I did not have a big role. I  
15 mean, I was as Chief of Staff, you know, managing many  
16 things that we were doing: the tax increase, the  
17 workers' comp reform, the unemployment insurance reform,  
18 Medicaid reform, collective bargaining negotiations. I  
19 had a hundred other things I was doing.

20 **Q. Those sound like accomplishments, not things**  
21 **that were inchoate, that you could brag about on the**  
22 **campaign trail versus things that were yet to come. I**  
23 **suspect that may have been --**

24 A. I don't know if he is bragging about them on  
25 the campaign trail at this time.

1 Q. He's not?

2 A. He should be.

3 Q. Who did Barbara Shaw report to?

4 A. Her board chairs.

5 Q. Okay. Who was her supervisor?

6 A. Her board. She is hired by her board.

7 Q. Did she have any responsibility to report to  
8 the Governor's office in any way, shape or form?

9 A. She worked with Toni Irving. Toni was the  
10 Deputy Chief of Staff. And, you know, issues that might  
11 come up, she would work with Toni, issues that related  
12 to the Governor's office or needed Governor's office  
13 help.

14 Q. There's been obviously some conversation in  
15 this process about the effectiveness and you in your  
16 opening comments said -- and we heard from others -- we  
17 don't really know if it saved one life. Certainly  
18 that's a wonderful thing. It got people working.  
19 That's a wonderful thing. But there was -- because  
20 these are tax dollars. There was some end game to look  
21 into the propriety and effectiveness of spending  
22 \$55 million of taxpayer dollars, not just getting it on  
23 the street and calling it an accomplishment. But it  
24 also wasn't really an accomplishment because that's --  
25 you want to use best practices.

1                   **What involvement did you have with respect to**  
2 **measuring the propriety of this foretold accomplishment?**

3           A.    I had no role in that.  I mean, there was a  
4 time when the General Assembly was going to cut the  
5 budget of the IVPA.  This would have been a couple years  
6 later.  And it came to my attention, you know, What are  
7 we going to do?  I said, Well, first of all, we have  
8 been doing this for a year and a half or two years or  
9 whatever it was.  What's worked?  What hasn't?  And  
10 based on that, you can say, okay, we've got to cut our  
11 budget.  That didn't work.  Let's cut that out.  That  
12 worked.  Let's keep doing it.  And I told that and they  
13 went back and -- someone else came back -- and I didn't  
14 look at the analysis; I wasn't shown the analysis -- and  
15 said these are the things that worked and these are the  
16 things that didn't.  And then the budget got cut and I  
17 think at that point I think it got sent to CJIA or  
18 something.  I don't know if that's the right timing, but  
19 I think that was the time.

20           **Q.    What document are you referring to as to what**  
21 **worked and what didn't work?**

22           A.    Like I said, I never saw a document.  I asked  
23 them to go back if the budget was going to be cut, you  
24 know, what worked and what didn't work.  I at that point  
25 assumed they had some measurement or analysis of what

1 was working and what wasn't and how it worked. And I  
2 asked them to go back and look at that to say, okay, if  
3 we are going to cut the budget, this wasn't working;  
4 this was working. So do this; don't do this.

5 **Q. And you said you don't remember seeing**  
6 **anything. Who did you talk to about it?**

7 A. I assumed that they were -- had some tracking  
8 measurements of all of this.

9 **Q. But the framework, as you say, of NRI was**  
10 **being talked about or drafted. Are you aware of any**  
11 **measurements that were supposed to occur pursuant to the**  
12 **program's rollout or mission?**

13 A. I was not aware of any specific measurements.  
14 I guess I just assumed they would set up measurements.

15 **Q. Because obviously it's in the audit. There**  
16 **was intention to have some measurables and a result or**  
17 **analysis from the University of Illinois at Chicago. Do**  
18 **you remember anything about that?**

19 A. I do not. I was not involved in that. I saw  
20 it was in the audit.

21 **Q. So if I'm understanding it, you were involved**  
22 **in the initial framework and then this is a program. We**  
23 **will look at it come budget time.**

24 A. Yeah, that's what I just said. I mean, as  
25 Chief of Staff, it would come up periodically when the



1 budget time came around, you know. Maybe -- and I don't  
2 recall specifics -- there might have been an issue that  
3 had to be resolved and it might make it up to me and I  
4 would participate in that. But other than that, no. I  
5 mean, this was a program -- an important program, but it  
6 was in the big picture -- You know, we started out 2011  
7 in the new term with a \$10 billion deficit, a tax  
8 increase that needed to happen, Medicaid program.

9 **Q. Workers comp, unemployment.**

10 A. There was a lot of big issues affecting the  
11 fiscal status of the State, and that was my focus  
12 because that was the Governor's focus.

13 **Q. Have you had any conversations with the**  
14 **Governor at any time about propriety of NRI?**

15 A. What does propriety mean?

16 **Q. If it worked.**

17 A. You know, I don't recall specific  
18 conversations. I'm sure at the point in time when it  
19 was moved to CJIA and then the General Assembly chose to  
20 abolish the IVPA and the Governor signed the bill, I'm  
21 sure at some point I had a conversation with him about  
22 the program.

23 **Q. Well, the Governor has been quoted in many**  
24 **media outlets as saying when he learned about the**  
25 **problems with NRI, he shut it down. You were Chief of**

1     **Staff then, right?**

2           A.     Well, the program -- my understanding is the  
3     program got shut down this past budget year.

4           **Q.     That's my understanding sort of too, but**  
5     **that's a different concept.   The Governor has been**  
6     **reported as saying he shut it down I think in 2012.**

7           A.     You know, you have to talk to him.   I don't  
8     know.   I know that --

9           **Q.     You were Chief of Staff, right?**

10          A.     I know that the IVPA was abolished, and maybe  
11     that's what he's referring to.   And that happened I  
12     think in the veto session of 2012; and he signed the  
13     bill I think sometime in January, if I recall correctly.

14          **Q.     You know there was a House resolution -- my**  
15     **colleague David Reis was the sponsor -- calling for the**  
16     **performance audit of this program.   You were Chief of**  
17     **Staff at that time.   Did you have an opinion about the**  
18     **request for a performance audit over the NRI program?**

19          A.     You know, having been at DCEO and know that  
20     there's performance audits and having been behind one  
21     that didn't go so well even though we had a professional  
22     disagreement on some of that, you know, performance  
23     audits often are difficult.

24          **Q.     Earlier I was struck by something you said**  
25     **about the emergency nature of the killing season, the**

1 violent epidemic. When did that not become an emergency  
2 anymore?

3 A. You know, I don't know. I mean, there's still  
4 a lot of killings.

5 Q. It's happening right now, right?

6 A. I think the murder homicide rate is down  
7 but -- you know.

8 Q. Well, the reason I ask is because everyone  
9 talks about the emergent circumstances in August -- or  
10 July, August, September of 2010 and this need to act  
11 quickly. And there's plenty of documents to show this  
12 was done quickly, but it had nothing to do with the  
13 election. So when did the emergency circumstances seem  
14 to go away? Because I don't see a piece of paper after  
15 November on this program that says this is an emergency  
16 still.

17 A. After November when?

18 Q. 4 of 2010.

19 A. You don't see a -- I'm not following your  
20 question.

21 Q. The concept of this being an emergency -- I  
22 mean, you have seen the audit, right? This wasn't a  
23 well-run program from -- well-intended, yes.  
24 Aspirationally, yes. Operationally, there were a lot of  
25 problems and the audit points them out; and if you want

1 to go through them, we can go through them.

2 Every person that sat in your chair,  
3 Mr. Lavin, has said basically you're saying, look it,  
4 this is a big deal. We've got to do something. We will  
5 worry about the paperwork later. We will make things  
6 tie together neatly later. It didn't happen. So I'm  
7 asking you when it became less of an emergency so that  
8 we finally address -- When do we finally address the  
9 programmatic problems of NRI?

10 A. Well, first of all, as I said in my opening  
11 statement, I was not aware of the significant problems  
12 that were there as far as the grant administration and  
13 grant monitoring. I was simply not aware of them. So  
14 from that perspective, I don't know if that answers your  
15 question or partially answers your question. But I was  
16 not aware of that.

17 And then I would -- Let me just continue on.  
18 At some point in the spring session of 2012, the General  
19 Assembly decided to move the budget from IVPA to CJIA.  
20 So, you know, I don't know why that was. I mean, but  
21 there continued to be a need for the program. There  
22 continued to be the need for a program that addresses  
23 antiviolence or violence issues and jobs. So, you  
24 know ...

25 Q. To your point, I think there were some media

1 reports. CNN did a rather interesting report on some of  
2 the programmatic problems, some of the problems on the  
3 ground with NRI. So that may have had something to do  
4 with the General Assembly's actions. You didn't have  
5 any knowledge about the operational problems. Whose  
6 fault is NRI and its operational failures?

7 A. Well, you know, I think that -- as I said, I  
8 was not aware of the significant issues. Sometimes you  
9 see reports such as CNN and they hone in on one small  
10 problem -- or one problem in a bigger program. So I was  
11 not aware that there was problems beyond that, but I  
12 think that -- and if I had been aware of the significant  
13 problems, I probably would have done something  
14 different. I think that there's enough responsibility  
15 to go around. I think IDPA --

16 Q. Did you have any?

17 A. Pardon?

18 Q. Do you accept any? You said three times, I  
19 didn't know any of this was going on. Should you have  
20 known? You were Chief Operating Officer.

21 A. I was Chief of Staff at that time.

22 Q. Oh. Even more.

23 A. Yeah.

24 Q. Sorry.

25 A. Well, you know, in the respect that I was

1 Chief of Staff, I guess I do have some responsibility  
2 along with the Governor because ultimately it is. But  
3 if you're not aware of the problems, it's hard to do  
4 anything about them.

5 **Q. But if you're wearing blinders and not paying**  
6 **attention, that's self-imposed, right? So doesn't --**

7 A. Representative, I'm not wearing blinders. I  
8 had a lot of duties as the Chief of Staff. You want me  
9 to go through the list again?

10 **Q. I don't want to hear the accomplishments**  
11 **again.**

12 A. Okay. We had a lot of things in pension  
13 reform. I forgot pension reform.

14 **Q. Yeah.**

15 A. We spent two years fighting to get pension  
16 reform. That was another thing. That took up a lot of  
17 time --

18 **Q. Yeah.**

19 A. -- you know, Representative. Not to mention I  
20 have a family, a wife, three kids. I've got a lot of  
21 things going on. So --

22 **Q. You're a busy guy.**

23 A. As Chief of Staff, you're tugged in a thousand  
24 different directions and you have a thousand different  
25 priorities and you have to manage that. And if you're

1 not aware of a problem -- You know, it's not like you go  
2 looking for problems because you already got enough  
3 problems that are on your plate as it is.

4 **Q. For the majority of NRI funds in its first**  
5 **year, in the fiscal year 2011, where did that money come**  
6 **from?**

7 A. Initially?

8 **Q. Yes.**

9 A. Well, the General Assembly gave the Governor a  
10 lump sum budget; and some of that money was used from  
11 the lump sum budget.

12 **Q. Whose idea was it to use money from the**  
13 **discretionary funds of the Governor essentially?**

14 A. You say discretionary funds of the Governor,  
15 but the General Assembly gives the Governor a lump sum.

16 **Q. Right.**

17 A. Because the General Assembly at the time,  
18 there was a \$10 billion deficit, there was a need for a  
19 tax increase; and the General Assembly didn't want to  
20 make the decisions on where cuts would happen and how it  
21 would be spent. So they gave the Governor a lump sum  
22 budget.

23 **Q. Representative Reboletti asked you how the**  
24 **program went from 20 million to 50 million. But I think**  
25 **you said your recollection was it was always a**

1     **\$50 million endeavor?**

2           A.    No.  I said it went from 20 to 30 million on  
3   the piece that pertains to this audit.

4           **Q.    The antiviolence problem.**

5           A.    Then there was another piece that was an  
6   economic development piece with small business loans and  
7   micro loans and job training.  That money came from  
8   DCEO.  I'm not sure exactly what the rest of the 20  
9   million was made up of.  I think most it was from DCEO  
10   and Economic Development.  There might have been a small  
11   piece in IDOT.  I don't know if Safety Networks was  
12   counted in that 50 million or not.  I just don't know.  
13   But the piece for the audit, it went from 20 to 30  
14   million.

15          **Q.    Whose idea was it to go from 20 to 30?**

16          A.    I think when we heard we had the ability to go  
17   to 30 million, we thought we should do that because it  
18   will help more communities.

19          **Q.    Who told you -- or from where did the  
20   information come that we have another 10 million; we  
21   have 30 million?**

22          A.    The budget office.

23          **Q.    Mr. Vaught or Mr. Weems?**

24          A.    Dave Vaught or Malcolm Weems.  I don't  
25   remember who, but it came from the budget office.



1           Q.    There's been -- In the audit it's been  
2 developed/proven that there's been -- there was no  
3 documentation to support, you said, the crime  
4 statistics. But there was no documentation developed in  
5 this matter and our continuing review of the audit to  
6 show the source of how communities were picked and how  
7 others were not. Look at that now. Is that best  
8 practices just to say we have crime stats and then go  
9 from there?

10           A.    Well, I'm telling you what my recollection is.  
11 I think Barbara Shaw testified yesterday exactly what  
12 happened in that area; and I would leave it to her how  
13 that happened.

14           Q.    There were -- Did you hear any complaints as  
15 Chief Operating Officer at that time from communities  
16 that felt like they had a violence problem -- a  
17 prevailing violence problem but they were off the list  
18 of NRI?

19           A.    I don't recall specifics. There may have been  
20 some complaints, but I don't recall specifics.

21           Q.    I think you did testify when Representative  
22 Reboletti was questioning about some south suburban  
23 communities that went to the Governor?

24           A.    Yes.

25           Q.    Were you part of those discussions?

1           A.    I was not part of the discussions when they  
2    came to the Governor.  When it came to us can we add  
3    three more communities in the south suburbs, I was in  
4    that meeting when that was discussed and said that yes,  
5    we can add those based on crime statistics.

6           **Q.    We talked a little about the lead agencies and**  
7    **the RFPs.  And you're right, there were RFPs; but they**  
8    **weren't competitively bid.  Is that best practices not**  
9    **to have RFPs actually be competitively bid?**

10          A.    I don't know.

11          **Q.    If it was determined that the RFPs only went**  
12    **to agencies recommended by Chicago aldermen, would that**  
13    **be best practices to you?**

14          A.    I don't know.  You're asking me to speculate.  
15    My recollection was what I mentioned before.

16          **Q.    If it came to me that the Governor's office**  
17    **made the selections, not the IVPA or Miss Shaw, would**  
18    **that be in your mind a good use of IVPA or Miss Shaw's**  
19    **professional discretion?**

20          A.    I'm not going to speculate.

21          **Q.    Did you have anything to do with selecting the**  
22    **lead agencies under NRI?**

23          A.    I did not.

24          **Q.    Do you know who did?**

25          A.    It was based on crime statistics and whatever

1 else Barbara Shaw said yesterday and it was the IVPA.

2 Q. With respect to the documentation of the lead  
3 agencies and the subagencies, are you aware of any  
4 contractual problems with those groups with respect to  
5 the use -- to the acceptance and use of state tax dollar  
6 money?

7 A. I'm not aware.

8 Q. Were you ever interested in following up with  
9 Miss Shaw regarding the implementation and the  
10 administration of NRI after the inception, after the  
11 announcement? Did you check in with her as to how the  
12 program was actually running?

13 A. I had very little contact with Miss Shaw.

14 Q. So after it was out the door, your involvement  
15 with her and this program --

16 A. Well, in December, a couple months later, I  
17 was appointed Chief of Staff. My duties significantly  
18 grew. And as I mentioned -- I won't go through the list  
19 all again -- there were a lot of big issues the State  
20 was dealing with to get the fiscal shape of the State  
21 back in good standing.

22 Q. You mentioned at least three instances that  
23 the Governor's office was a collegial, flat  
24 organization. So your change from Chief Operating  
25 Officer to Chief of Staff, you're still working with the

1 same people though, right?

2 A. There were some new people that came in after  
3 the election.

4 Q. But you were still working with Malcolm Weems,  
5 Toni Irving, Andy Ross.

6 A. Still working with Toni Irving. Still working  
7 with Andy Ross. Malcolm, I worked with him. He was the  
8 budget office and then eventually became director of  
9 CMS. And I wouldn't have a lot of contact on a regular  
10 basis with agency directors. I would have some contact  
11 with Malcolm just because it's his agency that does the  
12 collective bargaining and things like that.

13 Q. I asked the other witnesses yesterday kind of  
14 a conclusory question. You read the audit or at least  
15 you perused the audit. Do you have any disagreements  
16 with the Auditor General and the audit itself with  
17 respect to its findings?

18 A. Well, I mean, I was not involved in the  
19 day-to-day operations of this program. So it would be  
20 hard for me to opine on everything in the audit because  
21 I just wasn't involved in that level of detail or at  
22 that level of specificity. My main -- And this isn't  
23 necessarily the Auditor General. I just think that it  
24 has not been out there the good this program has done;  
25 that over 14,000 people were -- did benefit from this.

1 That is in the audit. That's where I got that number  
2 from. But I think there should be more attention paid  
3 to the good things that came out of this and the success  
4 that came out of this because violence isn't going away,  
5 and we need to continue to fight violence. And so we  
6 should be looking at the good things that came out of it  
7 and try to build upon that.

8 **Q. I think you testified earlier that you thought**  
9 **it was the right decision to shut down this program.**

10 A. I don't think I testified to that.

11 **Q. Oh, you didn't in your opening statement?**

12 A. No. I said that "Subsequent actions taken by  
13 the Governor and General Assembly to abolish the  
14 authority and the program as well as to tighten the way  
15 grants are monitored and conflicts of interest are  
16 addressed will go a long way to prevent problems like  
17 this in the future."

18 So sure. I mean, a lot of stuff that's  
19 happened, the legislation that's passed, that will go a  
20 long way to prevent problems like this in the future.  
21 It doesn't mean we shouldn't be addressing violence  
22 issues and addressing them in a long-term way. Not, you  
23 know, going against the root causes. The best end to a  
24 violence problem is a job, right? So we should be  
25 looking at how can we help more people get jobs. And so

1 I think that we should be looking at the good things  
2 that this program did to help people get jobs, prepare  
3 themselves for jobs, you know, keep families stable when  
4 violence happens. That's what part of the school-based  
5 counseling and the parent mentoring and all that was  
6 about so that if something happens to a family and  
7 there's a victim, that family needs counseling. That  
8 family needs help. Otherwise, the family disintegrates.  
9 Somebody loses a job or economically, whatever, and that  
10 causes problems.

11 So I think all the good things that came out  
12 of this program or that were part of this program, we  
13 should be looking at that and continuing to try and do  
14 that. Put State resources towards it. I mean, this is  
15 a big issue still with the City of Chicago and other  
16 parts of the State.

17 **Q. Would you characterize it as in a state of**  
18 **emergency now? We see every day in the Sun Times,**  
19 **Tribune that there's killings going on, in certain**  
20 **neighborhoods particularly, usually economically**  
21 **disadvantaged communities where jobs --**

22 A. I think it's still a big issue, yes.

23 **Q. Is it an emergency to you? Should the**  
24 **Governor right now be doing something towards it, not**  
25 **like NRI?**

1 A. Well --

2 Q. In a two-month timeframe?

3 A. We had 40 state troopers help the Chicago  
4 police.

5 Q. Well, we got a month still. Maybe a new  
6 program can be put together.

7 The last question, Mr. Lavin: Who was  
8 ultimately responsible for NRI? Who was the person  
9 that -- The successes you mentioned that aren't  
10 necessarily within this audit and the challenges and  
11 failures that are in the audit, who owns this audit?

12 A. Who owns the audit? Well, as I said, I think  
13 there's some responsibility to go around. I think that  
14 the IVPA was a board -- a separate board in and of  
15 itself created by State statute. They ran the program.  
16 They were running it day to day. So I think a lot of  
17 responsibility goes there. But, as I said, I think  
18 there's some responsibility to go all around.

19 Q. IVPA as a board had a day-to-day  
20 responsibility?

21 A. Well, the staff at IVPA; and then they  
22 reported to the board. They were hired by the board.

23 Q. Thank you, Mr. Lavin.

24 REPRESENTATIVE MAUTINO: Further questions?

25 Representative Crespo.

1 REPRESENTATIVE CRESPO: Thank you.

2 EXAMINATION

3 BY REPRESENTATIVE CRESPO:

4 Q. Mr. Lavin, how are you?

5 A. Good. How are you doing?

6 Q. You know, it's funny. I always say when I see  
7 people outside of Springfield, they look happier and  
8 healthier. So ...

9 A. You're dragging me back in.

10 Q. Maybe because you left State government. I'm  
11 not sure. But you look great.

12 A. Thank you.

13 Q. So listen. I'm trying to make sense of what's  
14 going on these past few days. We spent close to  
15 12 hours talking to some witnesses. And I understand  
16 what's going on here. There's an attempt to connect the  
17 dots to show that there was an ulterior motive behind  
18 the NRI. As of right now, I'm not convinced there is.  
19 Maybe there is. And I'm not sure this committee is  
20 going to be able to do that. I know the Feds are  
21 looking into the program. Attorneys are looking into  
22 the program. I think they will let us know. And when  
23 that happens, if that's the case, then that's fine.

24 So what I heard yesterday, we had some good  
25 testimony; and I heard that there was the need out there



1 in Chicago and the community. We heard from Mr. Weems a  
2 very compelling story about how his dad died, and we  
3 heard from Billy Ocasio who lives in Chicago. He's  
4 concerned about his kids. We have heard from some of  
5 the members here on the Audit Commission that this is a  
6 real issue. And for many of us, we might have  
7 experienced that, might not.

8 But what I heard yesterday was -- put things  
9 in perspective for me that as we read about these  
10 things, when we hear people talk about what they are  
11 going through, I can see how they look at these things.  
12 I get that. And I also understand that the  
13 administration wants to respond to that, as they should.  
14 And I think there were good intentions, and I think they  
15 brought in good subject matter experts in to deal with  
16 the issue.

17 But then there's the whole perspective -- and  
18 I'm hearing this back and forth -- about  
19 accomplishments. Well, you know, as Chair of the  
20 Appropriations Committee of the House that serves as  
21 someone who works closely with the Auditor, I fail to  
22 see the accomplishments. However, if I were to put  
23 myself in Mr. Weems' shoes or Billy Ocasio or some of  
24 the folks who live in the city, I think they would say,  
25 hey, there was an accomplishment there. So it's a

1 matter of perspective or matter of opinion. Don't you  
2 agree?

3 A. Absolutely. As I said, over 14,000 people  
4 were helped. I live in the City of Chicago. I raise my  
5 kids here, and it's concerning when you see every night  
6 on the TV homicides and shootings. I don't live in some  
7 of those neighborhoods that were in it, but it doesn't  
8 mean it can't happen and doesn't mean as it is in the  
9 city of Chicago a couple communities over. You know,  
10 that's where things are happening.

11 Q. And so as frustrated as I get when I see  
12 dollars being used to invest in things that are not  
13 working, again, I can see where people feel, Wait a  
14 second. It's more than dollars. How much is a life  
15 worth? I get that. And I think that that's one of the  
16 issues here, and I'm hoping that this Commission will  
17 learn from the testimony and have a better understanding  
18 of some of the concerns and things that people are going  
19 through.

20 But herein lies the problem for me. We also  
21 have responsibilities to taxpayers; and I have to go  
22 back to Hoffman Estates and Schaumburg to my district  
23 folks and say, Fred, \$50 million? What came out of  
24 that? I'm not sure they are going to understand me. So  
25 I think that goes to the problem that we are talking

1 about money that was not spent wisely. And I'm going  
2 to show you -- point you to an e-mail that Jerry  
3 Stermer -- I think you submitted this e-mail, Mr. Lavin?  
4 It's dated January 27th. It's a Thursday. From Jerry  
5 Stermer to David Vaught, Jack Lavin, Lindsay Hansen  
6 Anderson and the subject matter is budget decisions.  
7 And I want to point to the second -- to the last page,  
8 second page, and this is what Jerry Stermer was saying  
9 in the e-mail. "They and many others will also start  
10 talking." Again, the topic here is budget issues.  
11 "They and many others will start talking immediately  
12 about the Neighborhood Recovery as being funded by  
13 dramatic reductions in existing programs that are  
14 clearly accountable and successful. As you know, I am  
15 not at all persuaded that any of the ideas in  
16 Neighborhood Recovery have any evidence to show they  
17 achieved their goals."

18 One of the things I mentioned to Mr. Weems  
19 yesterday is that this is a game. There is only so much  
20 money out there. So to take money to invest in a  
21 program that based on the audit did not work, it was at  
22 the expense of something else; and I think Jerry Stermer  
23 is saying that as well.

24 Let me also read part of the audit, and this  
25 is the audit on page 29 -- sorry, page 30. Because I

1 understand when you implement something, there's some  
2 growing pains. You go through that process. Let me  
3 just read these to you because I really think this was  
4 just more oversight. I said yesterday gross  
5 mismanagement. I'm going to go back to gross  
6 mismanagement. And there is a part of the audit report  
7 that says: Telpochcalli Community Education Project,  
8 which is a not-for-profit that delivers services to the  
9 Latino community. And they stated that another  
10 challenge faced with the program was MEE or MEE  
11 Productions was inability to provide Spanish material.  
12 MEE Productions was not prepared to work in the Latino  
13 community. None of the MEE Productions material was  
14 Spanish or addressed Latino-related issues.

15 There's one on the Black United Fund of  
16 Illinois. And they state that the overhead project cost  
17 box on the second page of the budget, so each of the NRI  
18 project components was extremely frustrating due to the  
19 absence of written instructions and/or guidelines. Some  
20 of the information provided by IVPA staff during the  
21 budget preparation and (inaudible) process was incorrect  
22 and/or inconsistent.

23 Proviso Council community actions, they  
24 stated: As of 6-20-11 we have not received outreach  
25 materials. This was eight days after the contract began

1 and 72 days before the end of the contract.

2 Association Housing of Chicago. Plan for  
3 service delivery had been challenging due to the  
4 changing timeline for the start of the program and the  
5 NRI IVPA program design.

6 So let me ask you: Based on your academic  
7 background and professional experience, what do you have  
8 to say about Jerry Stermer's e-mail? And this was like  
9 a year before the program ended. Obviously that was out  
10 there. I'm not sure what Jerry's title was at the time,  
11 but I know he's very close to the Governor's  
12 administration and he has vast experience with different  
13 not-for-profits.

14 A. Sure.

15 Q. And I tie that in with what I just read which  
16 really goes to oversight. This is not mismanagement.  
17 This is just like, come on. You're going to deal with  
18 Latino not-for-profit. The first thing you're going to  
19 ask any provider, any person coming in, Can you do this  
20 in Spanish?

21 A. Right.

22 Q. So again, I know they are trying to connect  
23 the dots to see if there is an ulterior motive out  
24 there. I think this program was grossly mismanaged.  
25 But I need to also point out this is not the only

1 program in this administration -- the previous  
2 administrations, this State government has a problem  
3 with RFPs. They have a problem with all these grants  
4 that were put out there. That's why we passed the Grant  
5 Accountability and Transparency Act this past year. I  
6 think that's going to address a lot of these issues that  
7 we are discussing today in addition to the  
8 recommendations from the Auditor General.

9 But in your professional opinion based on that  
10 e-mail that you received from Jerry Stermer, based on  
11 what I just read from the audit report, would you agree  
12 with me that this was grossly mismanaged?

13 A. I don't think that I can say whether it was  
14 gross mismanagement. Clearly there were a lot of  
15 problems in the audit. The Auditor General pointed them  
16 out. I think some of the issues you pointed out are  
17 significant issues, but I keep going back to over 14,000  
18 people were helped. And so I can't say it's grossly  
19 mismanagement because I think over 14,000 people were  
20 helped. I think there were obviously issues and there  
21 were problems. You pointed out some of them. The audit  
22 points out others. But I think over 14,000 people were  
23 helped by this program, and that's multiplied by the  
24 families of each of those people that were helped.

25 Q. I do believe, Mr. Lavin, in your opening

1    **remarks you did state there were a lot of problems. I**  
2    **take that to mean that we are saying the same thing. It**  
3    **might be a matter of semantics. But I think, again,**  
4    **this program was really mismanaged. And, again, it's**  
5    **not only you. We have had other programs in the State**  
6    **where we have encountered the same thing. And I'm**  
7    **really interested because of your background and your**  
8    **experience with DCEO and the grant-making process and**  
9    **University of Chicago and your MBA.**

10        A.    Yeah. At DCEO, early in my tenure there, we  
11    passed the Corporate Accountability Act through the  
12    legislature which holds any company who got a business  
13    incentive their feet to the fire that they have to  
14    create the jobs or the money would go back.

15                A couple years later, I created the chief  
16    accountability officer position within DCEO so they  
17    could look at these grants that weren't business  
18    incentives but other grants and have an office within  
19    the agency that looked at these types of problems. So  
20    yes, I think my background does address these issues.

21                You used the word grossly. I didn't like the  
22    word grossly. Do I think there were management  
23    problems? Absolutely.

24        **Q.    I think you and I are going to end up the same**  
25    **way I did with Mr. Weems. He objected to the gross**

1     **mismanagement, so he agreed to mismanagement.**

2             **Let me ask you this: How do we go back to our**  
3     **constituents or taxpayers of Illinois and explain to**  
4     **them, you know, there's a lot of -- there are millions**  
5     **of dollars. There is some pressure points out there**  
6     **that we need to address. They are probably going to**  
7     **feel the same way Jerry Stermer did that, you know, he's**  
8     **not convinced that this is a well-run program,**  
9     **especially when you consider that it comes at the**  
10    **expense of other programs that have demonstrated over**  
11    **and over again to produce good results. What do we tell**  
12    **those people?**

13            A. Well, first of all, Jerry's e-mail is about  
14    two or three months after the program started up. So  
15    I'm not sure at that point he could opine on the  
16    effectiveness of the program. He has a history of  
17    working in not-for-profits, so he can opine about that.

18            What do we tell our constituents? I think we  
19    tell our constituents that over 14,000 people were  
20    assisted by this program. There were problems with the  
21    program. The program is now no longer in existence.  
22    New State statutes were passed based on the audit of  
23    this program that will hopefully improve in the future  
24    the accountability that there is for these grants so  
25    that in the future we will never eliminate all the



1 problems but that we can prevent some of these problems  
2 in the future.

3 Q. Okay. Sir, thank you again.

4 REPRESENTATIVE MAUTINO: Next questions will be  
5 Senator Raoul followed by Representative Rita.

6 Senator Raoul.

7 EXAMINATION

8 BY SENATOR RAOUL:

9 Q. Thank you, Mr. Lavin. I'm going to thank you  
10 as I thanked the other witnesses for the fact that you  
11 come in here and subject yourself to questioning and in  
12 some cases badgering, which is unfortunate. And I'm  
13 going to ask questions, and I'm going to allow you to  
14 answer the questions since I'm not out for a witch hunt.

15 First off, some mention was made earlier about  
16 you being familiar with the audit process and you kind  
17 of jokingly said that you had some professional  
18 disagreements. But you're accustomed to the fact that a  
19 lot of different programs in State agencies go under  
20 audit and often there are findings that -- where there  
21 are deficiencies. But do we in those cases say, well,  
22 then because there's findings -- in your case you were  
23 head of DCEO -- findings against DCEO, that everything  
24 that DCEO is doing is bad and we ought to get rid of  
25 DCEO?

1           A.    Well, first of all, I've never seen an audit  
2   that doesn't have some problems because our Auditor  
3   General does a great job.

4           In fact, the audit I was referring to with the  
5   Auditor General had to do with some of our job training  
6   programs several years ago and how we define a job  
7   created or retained when we do job training. And we had  
8   a professional disagreement, but we essentially changed  
9   our measurements in job training and how we measure  
10  effectiveness in job training and I think it improved  
11  our program.

12           So you're correct. Just because there is a  
13  finding in an audit doesn't mean the whole program is  
14  bad. I look at audits -- and I have always looked at it  
15  when Auditor General Holland looked at DCEO -- as it's  
16  an outside person looking in and finding ways that you  
17  can improve what you're doing.

18           **Q.    Absolutely. And mention was made to -- of**  
19  **Jerry Stermer, and you're familiar with Jerry Stermer's**  
20  **background. He used to be head of, I think, the Voices**  
21  **for Illinois Children, which is a major non-for-profit**  
22  **that has a stellar reputation. But there's a variety of**  
23  **non-for-profits throughout the State that are recipients**  
24  **of both State grants and local grants as well as money**  
25  **from the foundation community, and they do work in a**

1     **variety of different ways.**

2                   **I'm sure as head of DCEO you engage a variety**  
3     **of different groups with diversity in terms of their**  
4     **capacity to serve. Can you talk about -- just generally**  
5     **about your experience with dealing with some of those**  
6     **not-for-profits and the varying differences and need for**  
7     **capacity building from different groups?**

8           A.     Sure. You always have different groups with  
9     different capacity, and often back at DCEO sometimes we  
10    would try to bring in new groups who maybe hadn't gotten  
11    grants in the past because we think they would bring  
12    fresh ideas and new ideas; and sometimes they would need  
13    a little extra help on how to set up the grant process  
14    and the monitoring and doing quarterly reports. So we  
15    would try to work with those agencies because then we  
16    got a more diversified group of not-for-profits coming  
17    forward, and you might get new ideas and creative ideas  
18    to accomplish whatever program that you were working  
19    with at the time. So we would try to work with  
20    different ones, and some maybe needed a little more help  
21    than others as far as quarterly reports and grant  
22    monitoring and those kinds of things.

23           **Q. I've kind of had this kind of side**  
24     **conversation with the Auditor General and with others,**  
25     **and I think one of the greatest things that this audit**

1 highlights is the desperate need for capacity building  
2 with some non-for-profits that are well attended and do  
3 good work particularly. And they are more concentrated  
4 in poor communities of the ones that have less  
5 personnel, may not have an accountant on staff or  
6 compliance personnel on staff. But does that mean that  
7 we reject all of these organizations and the work that  
8 they do because they're on the frontline in the  
9 community?

10 A. Absolutely not. We have to work with those  
11 communities. And, like you said, they don't always have  
12 all the resources to have that capacity. But they are  
13 on the front lines, and they understand what's happening  
14 on the front lines. And so we need to figure out a way  
15 to bring them along because they are going to help us  
16 address the problems and the issues in those  
17 communities, and it's especially true in urban areas  
18 that this is an issue.

19 Q. I sort of -- I serve on a couple of boards in  
20 my private sector experience, and I serve as kind of an  
21 outside general counsel to a not-for-profit educational  
22 institution. And so I sit through reports of audits,  
23 and in my experience audits don't tend to be a great  
24 cheerleading experience. You know, what you tend to  
25 feel great about when you get an audit is that they

1 don't say much wrong about what you're doing; but they  
2 don't generally applaud what good you are doing. Is  
3 that your experience?

4 A. Generally I would say audits don't applaud you  
5 for the good things that happen. They are focussing on  
6 the problems and the areas you need to improve. So  
7 generally that's how they tend to focus and be.

8 Q. So might you say that when people -- In the  
9 questioning from my friend Representative Crespo, there  
10 was a conclusion that this money was spent and nothing  
11 came out of it; that there were problems highlighted.  
12 Can you conclude that nothing came out of this  
13 investment -- that was an investment as you said -- in  
14 response to the violence that was happening in the  
15 communities in the Chicago area?

16 A. Absolutely. You can't say that nothing  
17 happened. I mean, as I said, over 14,000 people were  
18 helped by this program. And that's 14,000 people --  
19 Like I said, I don't know if you can measure a life  
20 saved or that. But I think if 14,000 people are helped,  
21 I think you can count on that good things happened. And  
22 is it perfect? No. We're dealing with an area of  
23 violence in communities where there's a lot of violence.  
24 Nothing is perfect. But helping over 14,000 people I  
25 think is something that should be built upon.

1 Q. I want to talk about politics because there  
2 tends to be a thought that you don't talk about policy  
3 when you're engaged in politics. I guess you're  
4 supposed to be talking about how much your watch costs  
5 or what kind of van you drive or, to be fair, your lawn  
6 mower.

7 But is it -- On the way here I was listening  
8 to a black talk radio, and they were talking about an  
9 upcoming debate. And they were saying, well, we want to  
10 know in the Governor's case what he's doing, what he has  
11 done and what he plans to do and in the challenger's  
12 case what he plans to do.

13 Now, much has been made of an e-mail that you  
14 sent on a Sunday from -- I heard your testimony from  
15 your home, from your personal computer and your personal  
16 e-mail address talking about the NRI initiative in  
17 response to communicating to the African-American  
18 community. Whether the NRI was something of the past,  
19 something that was in the process of being planned or  
20 something that was going to come into the future but  
21 that was part of an incumbent Governor's plan, is there  
22 something wrong about talking about that in a campaign  
23 contest or suggesting that it shouldn't be talked about  
24 in a campaign context?

25 A. Well, I don't think so. I mean, as I said,

1 these elections are referendums on incumbents. So  
2 people/constituencies want to know what have you done  
3 for my town, my community, how have you shown  
4 leadership. And in this case this was one of the top,  
5 if not -- this was the top issue. Antiviolence and jobs  
6 are the top issues in Chicagoland, particularly in the  
7 African-American community in 2010. And so this was  
8 something as a leader -- as a State government leader  
9 the Governor was addressing. And that's what campaigns  
10 do. They go out and they talk to various constituencies  
11 and talk about what is the Governor doing, how is he  
12 leading, how is he thinking about your community and  
13 helping you? And that's simply what that e-mail was  
14 about.

15 **Q. Now, all of us up here as members of the**  
16 **Commission, we've all been engaged in campaigning. And**  
17 **when we were running for office, we have to certainly do**  
18 **petitions; and I like engaging myself in circulating**  
19 **petitions because it gives me an opportunity to engage**  
20 **my constituency. And often what I get when I engage in**  
21 **constituency is sometimes I get, Oh, you only come**  
22 **around when it's time for you to get elected. You're**  
23 **not doing anything about this, that or the other. And**  
24 **in recent years it's been, What are you doing about jobs**  
25 **and what are you doing about the crime? What are you**

1     doing about our babies dying? And I imagine that an  
2     incumbent Governor in the process of retail politics, of  
3     engaging various constituencies, one of which is the  
4     African-American community, another of which is the  
5     Latino community, which those respective communities  
6     have high rates of crime and low rates of employment,  
7     that was probably something that the Governor was  
8     hearing about more than usual because it was, in fact, a  
9     campaign year in 2010.

10           And yesterday I went through some of the  
11     details and Officer Wortham being shot, young kids being  
12     shot and killed. I read through about maybe a fifth of  
13     the different headlines that were coming about at the  
14     time. Is it unusual for an incumbent Governor or  
15     incumbent State senator who is hearing about that with  
16     the higher intensity because they are engaging the  
17     community a little bit more intensely to want to do  
18     something about that or want to do something about it  
19     immediately?

20           A. Absolutely. I think that's what leadership is  
21     all about.

22           Q. Does the Governor stop being Governor because  
23     it's campaign season?

24           A. No. He's Governor 24/7, 365 days a year.

25           Q. I'm not going to go on. You know, I think I



1 have kind of made the point. But you did say you live  
2 in the City of Chicago, right?

3 A. I do.

4 Q. And you've been around the various communities  
5 of the City of Chicago, and I think you get a different  
6 perspective on the real underlying issue when you've  
7 been there and when you've spoken to some of the -- I  
8 got one last question because you did say there was  
9 input that was received from the faith-based community  
10 as well as aldermen. Why was input sought from the  
11 faith-based community and aldermen?

12 A. Well, I think you look at who's on the front  
13 lines. When you watch the news at night and you see  
14 somebody's been picked among a shooting or murder or  
15 homicide, who did you see? You see the minister  
16 standing next to the family comforting them. You see  
17 the aldermen standing there. That's because they are on  
18 the front lines of what's happening in their community  
19 and the violence. They know where the violence is  
20 coming from. They know the community organizations and  
21 who's out there on the front lines trying to battle  
22 every day to control the violence in their community.  
23 And so those are the two groups that really are there on  
24 the front lines. If you're trying to do something  
25 that's grass roots from the bottom up, that's who you go

1 to to try and get those recommendations and find out who  
2 can really make a difference in our community.

3 **Q. Last two questions, and you alluded to it**  
4 **earlier. Was the NRI policy mentioned -- violence**  
5 **prevention policy the only initiative that you may have**  
6 **communicated to the campaign side about what the**  
7 **Governor was doing? I'm not talking about just for the**  
8 **black community or the Latino community. For the entire**  
9 **state. Did you ever have occasion to communicate to**  
10 **anybody on the campaign side about anything else?**

11 A. Well, we had a program called Put Illinois to  
12 Work; and it employed tens of thousands of people at  
13 times during the great recession. And, you know, that  
14 was a program that was talked about in the fall of 2010.  
15 And that was a key initiative of the Governor on the  
16 State side, but it was an accomplishment that on the  
17 campaign side they needed to understand and put in their  
18 messaging. That's an example.

19 **Q. And it's not wrong for an elected official to**  
20 **talk on the campaign side about what they're doing on**  
21 **the State side, is it?**

22 A. I don't know how you can't. That's what  
23 campaigns are about. You go out and talk about the  
24 leadership that you have provided and accomplishments  
25 that you had over the last four years or three years or

1 what have you. That's what you need to do. You need to  
2 talk to the people. People on a day-to-day basis aren't  
3 always paying attention to what we're doing in  
4 government, and so that's part of what campaigns are to  
5 let people know what you have done and how you have  
6 helped them in their community.

7 **Q. In fact, members of this Commission talk about**  
8 **this process on the campaign side. They send out**  
9 **e-mails talking about the Audit Commission with links to**  
10 **their campaign accounts.**

11 A. I'm not aware of that, but I will believe what  
12 you say.

13 **Q. Thank you for your testimony.**

14 A. Thank you.

15 REPRESENTATIVE MAUTINO: Further questions?

16 Representative Rita.

17 EXAMINATION

18 BY REPRESENTATIVE RITA:

19 **Q. Mr. Lavin.**

20 A. Representative Rita.

21 **Q. We have sat for over 12 hours of testimony and**  
22 **listened to the same questions after questions about the**  
23 **need -- or what was the need, what was the priority of**  
24 **this program.**

25 In Barb Shaw's opening statement, she read a

1 statement and said, "The Neighborhood Recovery  
2 Initiative was a serious and comprehensive violence  
3 prevention program addressing a serious problem in  
4 Chicago area communities. Kids were dying. In 2010,  
5 nearly 700 children were shot and 66 of them died." She  
6 referenced also a Chicago community -- that Chicago  
7 communities had just come through a summer of horrific  
8 violence including the video beating, a death -- the  
9 video beating to death a Fenger High School student.  
10 That happened in the Roseland community, which I  
11 represent.

12           There was another article. And I don't know  
13 the exact date when that happened, whether it was  
14 June -- May, June, July. But there was an article in  
15 July 2010 in the Tribune. The headline read  
16 "13-year-old Killed Execution-Type Shooting," which  
17 happened at 115th and Perry, which was down the street  
18 from this beating. And in that article it said that the  
19 boy's name that was shot, Robert, was the fourth teen  
20 shot in the area in a week in the Roseland neighborhood.  
21 15-year-old was shot Tuesday. 17-year-old shot Monday.  
22 14-year-old shot Sunday.

23           Is this part of what -- when you were saying  
24 there was a serious problem, maybe an epidemic, when you  
25 were referencing that?

1           A.    Absolutely.  This was what was in the news  
2  every day.  You know, the Governor who cares about  
3  people and we know what he's done for our fallen  
4  soldiers, well, he met with some of the parents of these  
5  children with violence and he met with the wives of the  
6  slain police officers and he met with the ministers who  
7  deal with this every day.  I mean, if all that doesn't  
8  motivate you to do something and take some leadership,  
9  I'm not sure what will.

10           Q.    So in another part of that article, which I  
11  was going to get to, it said, "A neighbor" -- Earlier  
12  they said they didn't want to be identified for  
13  retaliation.  "A neighbor who said they watched the  
14  horror as a gun man pumped bullet after bullet into that  
15  13-year-old boy who was already down on the street later  
16  found it was 22 bullet holes in that young man."  Would  
17  that be the connection that you mentioned that the  
18  Roseland ministers came out to meet and discuss this?  
19  Could this be all part of what was going on?

20           A.    I think that is all part of what was going on,  
21  and that's what was happening in the summer of 2010.

22           Q.    I also represent the south suburbs, and  
23  reference to the south suburbs have been mentioned that  
24  all of a sudden they come out of the sky.  Would it be  
25  safe to say that the south suburbs is basically in

1 proximity to the Roseland community?

2 A. Yes, it is.

3 Q. And would it be safe to say that the ministers  
4 and elected officials when you are sort of intertwined  
5 and put together or come together in groups?

6 A. Yes.

7 Q. And in some of them communities, now that you  
8 said the south suburbs, it's made up of a number of  
9 cities. It's not just one. It's sort of a geographic  
10 area. Would you say that some of these communities in  
11 the south suburbs are going through some of the same  
12 communities that were going on in Chicago?

13 A. Yes.

14 Q. Because they had a list here. I don't know  
15 where we got this list. And they were outlining violent  
16 crimes. And that's not just limited to shootings, I  
17 would imagine. I would imagine violent crimes is a  
18 number of different type of crimes. And within a  
19 six-year period -- and Roseland is on here -- 7,054.  
20 And it goes down with all these thousands and thousands.

21 They don't have highlighted which communities  
22 are areas in the south suburbs; but I would assume, and  
23 me representing and knowing the community and working  
24 with the faith-based organizations and the elected  
25 officials in the communities out in the south suburbs,

1 there's probably some numbers that are higher than some  
2 of the communities that are on this list here, or very,  
3 very close. Is that what some of the meetings and  
4 coming together of putting this program together and the  
5 need for this program?

6 A. That's all part of the need, Representative.

7 Q. And what I find troubling is that we are going  
8 question after question after question and what's the  
9 need, what's the urgency. But when you listen to what I  
10 just read, it's pretty horrifying as a witness that's  
11 living on a block watching a 13-year-old boy getting  
12 shot. I think there is a need for violence prevention.

13 Whether the audit findings -- And this is  
14 supposed to be an audit committee. We are not looking  
15 at what can we change for future grants. The questions  
16 aren't being asked what may have maybe been an  
17 unintended consequence that happened working with some  
18 local community groups, and that's where we don't have a  
19 focus. We just keep going to the same question after  
20 the same question after the same question.

21 Thank you.

22 A. Thank you.

23 REPRESENTATIVE MAUTINO: At this time I need to  
24 also add to the roll Representative Rita and Senator  
25 Raoul.

1           We are going to go to -- continue on the line  
2 of questions. But just very briefly, as I've watched  
3 through the process of the audit -- And I've read the  
4 audit, and I've read the e-mails and they are endless.  
5 I have gone through the structure. And although I have  
6 not read every one -- we have got some new ones I'm  
7 looking through -- in a lot of those what I have seen  
8 from additional testimony, from additional e-mails, they  
9 support the Audit General did a pretty good job. They  
10 support the 19 findings.

11           Members are very, very passionate on this  
12 issue and on the issue of violence and the need. The  
13 audit itself does not show the good things, but audits  
14 are not designed for that. It is to show the  
15 deficiencies that we can try and correct. In this there  
16 are a number, and at the end I will have some questions  
17 for you when we get to those; but if we can kind of  
18 focus in on those.

19           The needs for the program are great. I have  
20 an odd way of doing things. So as opposed to reading  
21 these -- or while reading these, I actually went to  
22 these programs and they are still in existence. I went  
23 to the Instituto -- Say that for me. The Instituto  
24 of -- the Latin institute where 485 kids who had dropped  
25 out of school graduated and started in this program,



1 which is actually the size of one of my high schools,  
2 just to give you a little perspective there. I went and  
3 sat in with the mentors over on Laramie -- I stand out  
4 on Laramie -- and walked down and talked to some of the  
5 people who hired some of the kids. So, I mean, those  
6 programs are out there and you get an idea of what the  
7 needs are. So those are there.

8           Where we're focussing today very simply is the  
9 dollars, the accounting processes, the follow-through in  
10 management was poor in this. I've seen -- I've read 500  
11 audits. I have been here -- I could be the senior  
12 member because I have been around for a while. I've  
13 seen a thousand of these assemblies. This was very bad  
14 because a lot of money, a big program, was placed into  
15 an agency with a comprehensive structure, pieces here  
16 and there. Maybe at best it should have been at that  
17 where you have grant monitoring.

18           So I want to kind of focus back in a little  
19 bit on the audit. I understand the need. It is there.  
20 As I said, I sat with the mentors. I actually signed  
21 up. I walked around and talked to employers who hired  
22 the kids. Some did a good job; some didn't. I watched  
23 the mentors actually sit and talk to kids about showing  
24 up to work on time, being dressed right, look you in the  
25 eyes when you talk to someone. So, I mean, those are

1 kind of life skills --

2 MR. LAVIN: Sure.

3 REPRESENTATIVE MAUTINO: -- that maybe we don't  
4 have as classes at Spring Valley.

5 So with that, I would kind of like to draw  
6 everybody back in to where we're at. The programs are  
7 there. They are dated. Everybody knows the need.  
8 Management style is kind of what we're here for.

9 With that, we are going to go to Senator  
10 Martinez.

11 SENATOR MARTINEZ: Thank you.

12 REPRESENTATIVE MAUTINO: And then we are going to  
13 take a little break for the court reporter who probably  
14 needs a break.

15 SENATOR MARTINEZ: Thank you.

16 I'm going to be short. First and foremost, I  
17 just want to be on record on a comment that my good  
18 colleague former senator, but now he's a rep, made about  
19 Mr. Ocasio not being in the room. I'm very offended by  
20 the fact that you would make a comment of that nature  
21 especially because you know what? As you might not know  
22 Mr. Ocasio, he was my former alderman. He's been  
23 someone who for the past 30 years has dedicated his  
24 time, his life to my community. And I just felt that  
25 that comment was a little bit out of line as far as he

1 wasn't even in the room. He was in the room. He was  
2 asked the questions. So I just would like to make sure  
3 that people respect -- every witness that has come in  
4 front of us should be respected, and I don't think that  
5 Mr. Ocasio should be any less respected. So I just want  
6 to put that comment on record.

7           Second of all, I just want to just -- And I  
8 know we talked about this, Chairman, about that we are  
9 trying to bring everything back. But, you know, for the  
10 past -- yesterday, today already, we are talking about  
11 the same thing, same questions over and over. Who  
12 really came up with the NRI? You know, and I think --  
13 I'm just -- based on what I have heard over and over, it  
14 was a combination of folks coming together, which I  
15 think everyone in this room, my colleagues, know we are  
16 trying to put together a strategy. Let it be in your  
17 community. Let it be in a township, in one of the  
18 cities, downstate. People come together and talk about  
19 what is around them, what are the resources that are  
20 there. It's not any different.

21           When you talk about the Violence Prevention  
22 Authority and you look at their track record, their  
23 track record over time, when you talk about that they  
24 have been able to create over 3300 jobs, that you have  
25 been able to engage 1100 parents, when you talk about

1 155 community providers that were funded, when you talk  
2 about 51 youth served, when you talk about 9800 people  
3 trained on family violence prevention issues, about  
4 18,000 youth reached by a program, we're talking about  
5 programs that really do work, that are out there. But  
6 somehow when it comes to the black and brown community,  
7 that doesn't seem to be an issue for anyone else.

8           You know what? We deal with it especially in  
9 the city, in the city where we see every single day  
10 something going on. But not too much attention and  
11 resources are put into the black and brown communities.  
12 That's why many of us -- our caucuses have to fight to  
13 make sure that it's very across the board when it comes  
14 to the budget and making sure that those dollars are  
15 coming back into our community. Maybe this violence  
16 wouldn't be going on and maybe 20 years ago we started  
17 investing in the black and brown neighborhoods.

18           So you know what? I have to say this because,  
19 you know, when you talk about what happened in those two  
20 years that the Neighborhood Recovery Initiative was put  
21 in place, you know, yes, like any program, like every  
22 finding that I've sat through the last almost 12 years  
23 being on the Audit Commission, we have findings over and  
24 over and over on every agency that's out there.  
25 Sometimes I hear the repeated ones every single time

1 that agency comes back that they have repeated audit  
2 findings that they have not taken care of. I get that  
3 because sometimes paperwork and everything that has to  
4 do with an audit, I can understand that sometimes it's  
5 just not that easy. We have a program that we put in  
6 place hastily and we can agree because we're trying to  
7 deal with an issue of violence in our community,  
8 violence that wasn't affecting other people outside  
9 Chicago as much as it was affecting our neighborhoods.

10 So, you know, when you talk about, yeah, the  
11 findings, the findings are things that we learn from and  
12 we are continuing to learn from. You know what? I  
13 talked about this yesterday about the education going  
14 back to our non-for-profits, our community-based  
15 organizations, about making sure that the State, you  
16 know, when they audit, they audit. There's no doubt --  
17 and you have to be careful because you've got to make  
18 sure that you comply with everything -- we've got to do  
19 a better education on that.

20 When you talk about a two-year program, while  
21 I've seen audits that have been in place for the past  
22 ten years where findings are still going on and they  
23 have been members of this -- You know what? Point this  
24 out. You know, continue to just harp on how -- And I  
25 know that, Jack, you sat in some of these meetings where

1 people who had the expertise like the Violence  
2 Prevention Authority. When you talk about sitting down  
3 with ministers and aldermen about what was going on in  
4 their communities, we took action. Yes, it was hastily  
5 implemented. You know, maybe some processes were not  
6 going on. But at the same time, something had to be  
7 addressed and the Governor was trying to do that.

8 We still have -- I have here a chronological  
9 order of back in 2009, 2009, already we were talking  
10 about public safety and situations going on in our  
11 community with violence. Back in 2009. Based on this.  
12 You know, we talk about September 24, 2009 where this  
13 young student was beaten and murdered. That was in  
14 2009. And that kept escalating until February of 2010  
15 when there was a drive-by shooting. March 15th, a man  
16 shot in the Roseland community. March 20th, another  
17 resident. Residents hold vigils. There was a lot going  
18 on. They were trying to make sure that the world saw  
19 there was a problem with Chicago, and the Governor  
20 reacted to it as quickly as he could before and even  
21 after the election. Whether he would have won or not,  
22 the responsibility of the violence prevention program  
23 was to make sure we can address it because they had the  
24 expertise, the data, because not only was just one  
25 Barbara Shaw in the room. You had people from DHS,

1 DCFS. The Commission that was put there were people who  
2 experienced it. Who more than them to give -- you know,  
3 to give really fruit to a project, at least to a -- to  
4 address the situation that was going on.

5 So to say who was responsible for the NRI, it  
6 was a combination of many people that have been part of  
7 working towards solutions and addressing the issue. It  
8 was just not one person. It was everybody coming  
9 together. And we can't say that Jack did or  
10 Governor Quinn did or Jerry Stermer did it or whoever.  
11 There was a combination of people that had been working  
12 on violence prevention programs for the longest time;  
13 and they were sitting in the room trying to put together  
14 a plan to address the issue, the critical issue.

15 Ladies and gentlemen, when we're talking about  
16 critical issues, we're talking about from 2010 to the  
17 present time. And I'm going to give you this number. I  
18 don't know if people really know what this number really  
19 is. We're talking about 19 -- Here. Again, from  
20 January 10th -- January 1st of 2010 till today, till  
21 today, we have had 9,851 shootings. I don't know if  
22 this is what everybody else says is just another  
23 community social issue. It is not. It is an issue that  
24 we through a very maybe quick program that we're trying  
25 to put in place to address it to the fact that we have

1 an audit that was done that is pointing out our  
2 deficiencies. That's what they are there to do, to make  
3 us do a better job.

4 To shut down a program that right now we're  
5 going to have to find, you know, other ways and budget  
6 funding to continue to address an issue that as of last  
7 weekend we still had 23 shootings in the community,  
8 again. And I just want to make sure that -- I have to  
9 say this because we just keep going around and around  
10 the same questions. You know, who did this? Who did  
11 that? People sat down together and came up with a plan.  
12 I just don't know what part they are not understanding.

13 And, finally, one thing that I did learn from  
14 these hearings, you know, I'm going to stop writing  
15 e-mails for sure. I will end on that note.

16 REPRESENTATIVE MAUTINO: Chairman Barickman for a  
17 final comment, and then we are going to take a short  
18 break.

19 SENATOR BARICKMAN: You know, and I just want to  
20 keep this in context before the bathroom break, which I  
21 presume will be shortly and then we will go into some  
22 questions. I don't think -- You know, there's a lot of  
23 discussion about the violence that exists in Chicago;  
24 and hopefully we address the violence that exists  
25 throughout the State of Illinois. That's an important



1 thing that we need to remember here is that -- and I  
2 think Mr. Lavin made the point in his opening  
3 comments -- that there is a mechanism for Chicago  
4 through the CPD, through the Mayor's office. And we are  
5 a statewide body that is to address statewide issues.  
6 That would also include the City of Chicago along with  
7 others.

8 I just want to reiterate what I said  
9 yesterday -- I'm sure I will get into it a little bit  
10 later -- that I'm not questioning the merit of violence  
11 prevention initiatives. We're here because we're faced  
12 with what has been called a scathing audit of not only  
13 the management of this program but the planning of it.  
14 Members of this panel were not Republicans. Democrats  
15 have called this the worst audit that they have seen in  
16 the history of the legislature.

17 There's an important function here that if we  
18 as a body want to talk about the ways in which we combat  
19 violence, whether in Chicago or elsewhere in this state,  
20 that we learn from the failure that existed here. And  
21 the way we will learn is to understand how these  
22 decisions came about and make sure we fix them.

23 So with all due respect to the commentary  
24 about violence, I understand that. No one is  
25 questioning the needs. What we're trying to focus on in

1 the audit is how do you repair the damage that's been  
2 done through this failed program of the Governor's. It  
3 was meant to address what has been characterized as an  
4 emergency but was clearly a failure.

5 And so with that -- you know, I want to  
6 acknowledge our break; but I thought it's important to  
7 acknowledge that before we did. So thanks.

8 REPRESENTATIVE MAUTINO: And with that we will take  
9 a break for 15 minutes and we will return. When we  
10 return, we have final questions from Chairman Barickman  
11 and Senator Brady. So we will be at ease for  
12 15 minutes.

13 (A short break was had.)

14 REPRESENTATIVE MAUTINO: The hour of 12:18 having  
15 arrived, I call the Audit Commission back to order. The  
16 line of questioning of our witness before us is Jack  
17 Lavin, and to continue with questioning is Chairman  
18 Barickman.

19 SENATOR BARICKMAN: Thank you, Mr. Chairman. And  
20 thank you, Mr. Lavin, for being with us today.

21 Mr. Chairman, just a housekeeping matter  
22 before we proceed. Just so the other members know, I'm  
23 of the understanding now that we've received both  
24 yesterday and today sounds like some 200 e-mails serving  
25 our next witness in response to the subpoena,

1 Ms. Irving. Can we get a status of those?

2 REPRESENTATIVE MAUTINO: I was just going to  
3 suggest that. I'd like to ask our Executive Director  
4 Jane Stricklin to give us a status on the e-mails that  
5 were received yesterday and find out if those are  
6 available and online and if the four caucuses all have  
7 them.

8 MS. STRICKLIN: We received some e-mails last night  
9 from Dr. Irving. Those are not online yet and we're  
10 working on those. We received about 25 pages, mostly  
11 documents, this morning from Dr. Irving. Those -- I  
12 believe if they are not online this minute, they will be  
13 in the next few minutes. Other than that, everything  
14 else is online that we've received.

15 SENATOR BRADY: Can we receive a hard copy?

16 REPRESENTATIVE MAUTINO: Yes. All four staffs have  
17 received hard copy.

18 All right. Housekeeping finished.

19 Senator Barickman.

20 EXAMINATION

21 BY MR. BARICKMAN:

22 **Q. Over the last 24 hours there has been an**  
23 **abundant amount of discussion about politics, the**  
24 **importance of the issue, of the antiviolenace measures**  
25 **and beyond. You will remember again from the Audit**

1 Commission's perspective, we landed here out of an  
2 abundance of cooperation among the political parties as  
3 a result of an audit of this troubled failed program.

4 Back in FY '12 I think there was an agreement  
5 of the legislature in the budget to reduce the funding  
6 for this program. I think that was a result of the  
7 concerns that many legislators had at the time about the  
8 program. I think you look to ultimately the vote we  
9 took on whether or not to perform this audit was a  
10 significant bipartisan roll call on that matter. I was  
11 in the House at the time. I believe there were 100 yes  
12 votes out of 118 in favor of Representative Reis's  
13 motion to perform this audit.

14 And so with all due respect to the violence  
15 that existed, and arguably continues to exist throughout  
16 this state, none of the data that has been continually  
17 alluded to, whether it's been the witness at the moment,  
18 members, witnesses yesterday -- You know, Auditor  
19 General, I don't think your audit in any way measured  
20 the rates of violent crime at the time this program was  
21 audited. There's nothing in the audit regarding crime  
22 rates or the audit doesn't draw a conclusion on whether  
23 or not this program was necessary in any way, does it?

24 Auditor General HOLLAND: No.

25 BY SENATOR BARICKMAN:

1           Q.    So just to keep us together on focus here of  
2 what we are talking about, it's the audit findings,  
3 which I believe have troubled everyone who has read  
4 them. It was a struggle to get here. We had to  
5 subpoena witnesses. But along that way, you know, we  
6 took votes. Every vote, generally we all agreed on  
7 them. And so here we are. And so again, just to clear  
8 the air a bit about all that's been said from both sides  
9 about why we're here, it's important to remember some of  
10 this.

11                   At significance yesterday from the witnesses,  
12 we heard about the necessity of this program; and  
13 there's something that I'm not -- that's confusing as  
14 someone who has listened to hours of testimony yesterday  
15 and listened to yours today, Mr. Lavin. You suggested  
16 that this was an emergency. And again, we talked about  
17 all the things that were happening then that I think are  
18 troubling to every member of this panel. But what  
19 doesn't make sense to me is that if there was such an  
20 emergency -- You know, you think about what Barbara Shaw  
21 told us. You told us that you told IDPA and/or Barb  
22 Shaw implement this program to address this emergency.  
23 But Barb Shaw told us yesterday, her quote, this was not  
24 go out and stop the shooting. That's not what this  
25 program was. She says this was prevention services,

1 reach young children, to reduce risk, kids on track.  
2 And she went at length -- and I know you weren't here --  
3 but she went at length of what the intended effect of  
4 this program was to be. And I'm not here to question it  
5 at all.

6 The question I have is: How was this an  
7 emergency response when the person charged with  
8 implementing the program admits herself that if you  
9 wanted to stop the shooting in the streets today, then  
10 I'm not the one to do it because I'm focussed on  
11 tomorrow, which arguably -- not even arguably -- which  
12 is a very credible goal.

13 Added to that is this hastily implemented  
14 nature that the auditors have pointed us at. Riddled  
15 throughout the audit is their assessment that this  
16 thing, this new program, was hurriedly rushed. And the  
17 arguments presented yesterday and by you today is that  
18 we wanted to -- this was an emergency. We wanted to do  
19 something about it now. But again, the program director  
20 says, That's not what I was charged to do. I was  
21 charged to work on this issue for the future. How do I  
22 resolve that?

23 A. Well, I'm certainly not an expert at all this  
24 relative to Barbara Shaw and her years of experience.  
25 But at the time, you know, my view was get this thing up

1 and running as quickly as possible and start seeing  
2 results. And you know, yes, it is a long-term process.  
3 But I would think as soon as the program starts running,  
4 you're going to start seeing results. People are going  
5 to see hope. You're going to have programs where you  
6 get youth off the street. You get them into the  
7 mentoring programs. Representative Mautino mentioned  
8 some of those programs where there was immediate  
9 results. 485 kids get their high school degree. They  
10 have mentoring.

11 To me, those results can happen immediately.  
12 I mean, I'm not sure what Barbara Shaw is saying, what  
13 results she's talking about taking long-term. But, to  
14 me, as soon as you see programs like that, you're going  
15 to see immediate results.

16 **Q. But again, you know, that's not your world but**  
17 **that's hers. Yesterday what we heard from her is no**  
18 **immediate results. In fact, there was significant**  
19 **discussion yesterday about the fact that there were no**  
20 **efforts to measure the results because she didn't think**  
21 **that any assessment of them would be useful because the**  
22 **program was too new.**

23 So I'm trying to understand, though -- You  
24 know, so this was a solution to an emergency problem  
25 that the person who was tasked with doing it knew that

1    **it was not going to have the desired result that**  
2    **evidently the Governor's Office wanted to have, which**  
3    **was an immediate effect.**

4           A.   Well, the Governor's Office wanted an  
5    immediate and a long-term effect.  And, you know, I sat  
6    in a couple meetings with Barbara.  I don't remember her  
7    ever saying it in the words that you just said it.  I  
8    was not hear yesterday, so I don't know the context of  
9    everything that she was saying.  I would think -- I  
10   don't want to put words in her mouth -- Barbara would  
11   agree if you start a mentoring program up with 485 kids  
12   and help them get a high school degree, you're going to  
13   see some results immediately.  Some results are going to  
14   be longer term.  Some are going to be immediate.

15               From my viewpoint at the time, the sooner we  
16   got this up and running, the sooner we were having  
17   reentry programs, mentoring programs, parent mentoring  
18   and all that, you're going to see results.  Some of it  
19   at the beginning may be hope that just the Governor  
20   cares about us and he's coming to our community to help  
21   us.  Somebody's here so that, you know, a 13-year-old  
22   boy doesn't get shot 22 times on the street.  And he was  
23   not the intended target, but he was killed.  And so the  
24   people in that community want to see some hope and they  
25   want to see that something is happening so that they can



1 feel safe walking out in their community.

2 To me, those things happen immediately when  
3 the program starts up. Some of the things may take a  
4 longer term. Absolutely. The whole thing is you aren't  
5 just out there with four police arresting them, throwing  
6 them in a jail cell. Does that get some short-term  
7 results? It will, but it will get you a lot of  
8 long-term problems.

9 So my view is -- I'm not an expert -- Barbara  
10 never said that stuff when we were talking about it.  
11 There is going to be short-term and long-term. So  
12 that's how I would have viewed it. The sooner we got it  
13 up and running, the sooner we would start seeing  
14 results.

15 **Q. But some of those results are hope. I mean,**  
16 **hope is a good thing.**

17 A. Well --

18 **Q. It's a good thing to have.**

19 A. Hope is part of it. If you have a program and  
20 you're mentoring 50 youths, are you going to see a  
21 result? Yeah, I think you're going to see a result from  
22 day 1 and day 2 and day 3. Does it accumulate? Does it  
23 get more? Yeah.

24 School-based counseling. If a student just  
25 witnessed a shooting and needs to get school-based

1 counseling because then that's going to prevent them  
2 from going out and doing some even violence to somebody  
3 else, does that have an immediate result? That's an  
4 immediate result.

5 Is helping someone train for a job or get a  
6 job, a little bit longer term? Yeah, that's a little  
7 bit longer term. That may take a little bit more time.  
8 You may not get everybody a job right away.

9 So I do think there's short-term results, more  
10 than just hope. Hope is part of it. And there's  
11 long-term results.

12 **Q. To the extent there's long-term results and**  
13 **there's not, the Governor's answer to this audit I**  
14 **believe is that he shut down the program, the agency.**  
15 **So to the extent this was designed, whether it be for**  
16 **hope or for quantifiable results, the end result here is**  
17 **that this Governor's solution to this audit is to shut**  
18 **down the program.**

19 It's interesting that for all the discussion  
20 that there has been about the fact that this may have  
21 just been limited to bad management, I don't think  
22 anyone was fired over this. I don't think any employees  
23 were told you really did a bad job and you need to go.  
24 What happened is the entire program, the statewide  
25 solutions to preventing violence throughout the State of

1 Illinois, is disbanded because of arguably this audit?

2 So again, to all the characterizations that  
3 this audit is limited to some bad management, I think  
4 someone yesterday said, well, we could have done better.  
5 Come on. I mean, this thing is brutal, so brutal that  
6 the Governor shut down the very solution that this State  
7 adopted 20 years ago to prevent violence. My dialect.

8 I want to talk through some of what you  
9 addressed early on, and I appreciate your willingness to  
10 be with us for several hours here today. But I think to  
11 refresh kind of some of our memory, you talked about  
12 both in your opening comments and in response to  
13 questions your involvement and the Governor's  
14 involvement in the creation of this program.

15 And maybe the start of -- let's sort this  
16 piece out, and it comes from your opening statement. In  
17 your opening statement, you said that this framework --  
18 I presume this is the framework that you suggested  
19 was -- I'm not sure. I'm confused. You said, "This  
20 framework was recommended by the Governor's Antiviolence  
21 Commission who also told the Governor that action needed  
22 to be taken immediately without delay." Is that  
23 accurate that this came -- that this NRI program was a  
24 result of the Antiviolence Commission?

25 A. No. But they did write a letter to the

1 Governor at some point saying please take action  
2 urgently.

3 **Q. But this is your opening statement that I**  
4 **presume you wrote and prepared?**

5 A. But I didn't say they started it. I said that  
6 they wrote a letter recommending the Governor move  
7 forward and take actions.

8 **Q. Well, you actually said, "This framework was**  
9 **recommended by the Governor's Antiviolence Commission."**

10 A. Yeah. After the framework was developed, they  
11 wrote a letter to the Governor urging him to take  
12 immediate action. And my recollection of the letter is  
13 they also said move forward with a framework, with this  
14 framework.

15 **Q. Okay. The decisions again about the creation**  
16 **of this program early on, it was an idea (inaudible) NRI**  
17 **at some point. But you have placed in your earlier**  
18 **testimony a lot of responsibility on Miss Shaw for**  
19 **moving forward with this program. What was your role or**  
20 **the -- Let me even back up. Someone developed the**  
21 **notion that the aldermen ought to be involved in the**  
22 **selection of communities and providers. Where did that**  
23 **come from?**

24 A. As I said before, it came from a meeting in  
25 the Governor's Office, people talking about a framework

1 and what we should do and how we should build it.

2 Q. But did it come from the Governor or the  
3 Governor's senior staff members who are not violence  
4 prevention experts or did it come out of a decision that  
5 the Violence Prevention Authority itself had made? In  
6 other words, all right, we are going to do this program,  
7 put tens of millions of dollars through it. We are  
8 going to try to combat violence at a local level in the  
9 communities. Choose the aldermen. Where did that come  
10 from?

11 A. I don't recall specifics except that there was  
12 a group of us meeting and we felt the need to have the  
13 people on the front lines, both the local elected  
14 officials and the faith-based community, be part of  
15 this. And part of the reason for that is this was kind  
16 of a grass roots effort; and in order for a grass roots  
17 effort to work, you have to have the people on the front  
18 lines part of it and buy into it. And so that was the  
19 thinking behind doing that.

20 SENATOR BARICKMAN: Auditor General Holland, I  
21 think the involvement of the aldermen is discussed  
22 within your audit findings; and I wonder if we couldn't  
23 have you or your team members refresh us on what the  
24 audit found about the role of the aldermen in the  
25 selection process.

1 Auditor General HOLLAND: Jim, you want to come up?

2 While they are coming up, I would like to  
3 deviate just for one second on a statement that was made  
4 earlier and has been made several times. It's unrelated  
5 to this audit, but it is something that it's important  
6 and needs to be clarified; and that is somebody made the  
7 statement that all audits have findings. That's not  
8 true. Many audits do not have any findings. And I will  
9 tell you that that is a tribute to the many hard-working  
10 men and women in State government who don't get the  
11 accolades they probably deserve when there are no  
12 findings. There are no hearings for agencies that have  
13 no findings. But I'm here to tell you that there are  
14 many people in State government who work very hard, who  
15 perform without a lot of fanfare. And for them I would  
16 say, You know what? To all of you who are out there, I  
17 recognize the hard work. I think many people here do  
18 also. But unfortunately, the cameras don't roll when  
19 there are discussions about frailties in government --  
20 or the successes in government.

21 So anyhow, with that, Mike, you want to talk  
22 about how our discussions --

23 Senator Barickman, do you have a specific  
24 question?

25 SENATOR BARICKMAN: I'd like to -- Again, let's

1 come back to the audit and let's come back to the audit  
2 and refresh us on what your findings -- You guys -- You  
3 and your team have spent significant amounts of your  
4 lives on this -- ultimately on this document, the  
5 recommendations that were made. And I'd like you just  
6 to talk to us about your experiences, what you found in  
7 regards to how these aldermen were chosen to be  
8 involved, selected and what their role was in the  
9 selection process.

10 Auditor General HOLLAND: Mike, before you do that,  
11 I want to make sure you understand that go to our  
12 recommendations and that will be a good place to  
13 understand what the problem was. The recommendation was  
14 a real simple recommendation. It was not complex. It  
15 said, "The Illinois Criminal Justice Authority should  
16 ensure the decisions regarding the NRI program are  
17 adequately documented." Why did we say that? That's a  
18 requirement of the State Records Act.

19 Now, there are two ways to resolve these  
20 problems. No. 1, we can repeal the State Records Act  
21 or, No. 2, the agency could accept the recommendation  
22 and move forward. And that's what they did. They said  
23 we agreed. But our -- we didn't quarrel with Chicago  
24 aldermen. We quarreled with good documents.

25 Mike.

1 MR. MAZIARZ: Okay. The first step in this before  
2 you would get the aldermen involved would be the  
3 selection of the communities. As we discussed  
4 yesterday, the Violence Prevention Authority, Barbara  
5 Shaw, informed us that they utilized that DHS study. I  
6 believe Mr. Lavin talked about the crime statistics this  
7 morning.

8 As I stated yesterday, we never got any kind  
9 of analysis on that. We looked through boxes at DHS.  
10 We asked DHS staff. We reviewed DHS e-mail accounts for  
11 the document. We couldn't find anything. We also asked  
12 Barbara Shaw and IVPA once the south suburbs were added,  
13 and it's not -- You know, as Representative Rita talked  
14 about, the idea that -- you know, crime rates there are  
15 bad too. But from a documentation standpoint, did they  
16 have something to show that the communities that they  
17 were providing there also had those similar crimes rates  
18 and poverty rates and everything that she was mentioning  
19 the DHS study had. And we had nothing on that. So we  
20 go with the list. Then that gets us to the next step in  
21 the planning process is the selection of the lead  
22 agencies in each of the 23 communities.

23 During our conversations, and starting on  
24 page 34 in the audit where we lay out what we found  
25 through the documentation that was available and through



1 the testimony that we got from IVPA officials, many of  
2 these came from documentation that was contained in the  
3 Barbara Shaw e-mail account that we looked at during the  
4 course of the audit after she had turned in her  
5 retirement papers and left State service.

6 So on page 35, we lay out both arguments on  
7 page 35. Some people have suggested that the aldermen  
8 selected the communities and some others say that they  
9 recommended somebody as a lead agency. Okay? That is  
10 what we found. And in Exhibit 210 on page 35, we put  
11 quotes in from documentation that we gathered during the  
12 audit. On page 358, like I said, both sides of the  
13 argument. Some people are saying in the very last point  
14 that for an alderman from the North Lawndale community I  
15 have designated Better Boys as the lead agency for the  
16 North Lawndale's Neighborhood Recovery Initiative.

17 We were looking for documentation to support  
18 that. Because then as they got this list, as it has  
19 been pointed out during the two days of testimony, an  
20 RFP did go out, an RFP that had criteria for scoring;  
21 but that RFP only went to certain agencies. It was the  
22 list of lead agencies, whether they be recommended or  
23 selected by the aldermen. The responses to those came  
24 in and they -- the scoring was a problem as we noted in  
25 the audit.

1 BY SENATOR BARICKMAN:

2 Q. So, Mr. Lavin, let's talk about some of these  
3 things that we've identified. First of all, this DHS  
4 analysis, evidently this is the grand mystery of this  
5 audit. Where's the analysis? Did you ever see this?  
6 Is this a document? Do you have any recollection?

7 A. I don't recall seeing that document.

8 Q. But you think it existed?

9 A. I don't know. I mean, I was told this is  
10 based on crime statistics. That's all I was told. I  
11 was never shown a study or anything like that. It was  
12 never said -- I shouldn't say never. I don't remember  
13 them saying this was a study done at DHS, just that this  
14 is based on crime statistics.

15 Q. But "this" -- when you're saying this is based  
16 on crime statistics, "this" is referring to a list of  
17 communities --

18 A. Correct.

19 Q. -- based on some statistics?

20 A. Correct.

21 Q. Okay. So you never saw the list. But  
22 evidently --

23 A. Study.

24 Q. The study. Okay. But that is the basis for  
25 the communities that were selected, right?

1           A.    Crime statistics.  I don't recall anyone  
2   saying it was this study or that study, just that this  
3   is based on crime statistics.

4           **Q.    Okay.  And I understand from the Auditor's**  
5   **perspective and from our perspective why this is**  
6   **concerning because out of the gate the methodology in**  
7   **which we are going to implement this program is based on**  
8   **something that today we have no record of.**

9           MR. MAZIARZ:  Exactly.  I'm sure that -- as the  
10   analysis that we did later on because HR 1110 asked us  
11   to determine whether Chicago communities with similar  
12   violence rates were excluded from the list.  We had to  
13   do some type of analysis because no type of analysis was  
14   presented to us.  So that's what we utilized was the  
15   crime statistics from the Chicago Police Department.

16          SENATOR BARICKMAN:  And so what did that tell us?

17          MR. MAZIARZ:  Well, as we state on page 73, that's  
18   the list of the -- based on violence rates.  While  
19   Miss Shaw said that the DHS analysis took into account  
20   poverty rates and so forth, without that document we  
21   wouldn't know.  We wouldn't know if these were the 23  
22   agencies that were more deserving than any other.  And  
23   the Safety Networks program was created back under the  
24   Blajojevich administration.

25                        So we examined the violence rates in Chicago

1 between 2005 and 2010, and there were a number of  
2 communities based on definitions from the Chicago Police  
3 Department that weren't some of the most violent  
4 communities.

5 Auditor General HOLLAND: Let me point out that it  
6 was not for lack of effort in this. We would have been  
7 very happy to rely upon whatever the data was in the  
8 Department of Human Services analysis. That was from  
9 where this sprang forth. It was somewhere -- some study  
10 out there, and that's the origin of this. It wasn't  
11 there. So we went to what we thought was a pretty  
12 reliable, good source, the Chicago Police Department, to  
13 give us that information -- give us the information.

14 BY SENATOR BARICKMAN:

15 Q. So, Mr. Lavin, in all of the -- There's been  
16 all this discussion about all these planning meetings  
17 that occurred, whether in the summer of 2010 or the fall  
18 of 2010. But everyone that's appeared before us has  
19 said to us that there were all -- there were many, many  
20 communications, whether they were phone calls or  
21 e-mails, whether they were meetings, that all the senior  
22 appointed officials were at. Barb Shaw, the expert on  
23 all of this, was at some of these meetings. You were at  
24 some of them. But the -- Tell me. Did anyone in any of  
25 those meetings that were designed to talk about this

1 brand-new State program, designed to address an  
2 emergency, did anyone ask the question of, Once we  
3 develop this, are we going to put the money and the  
4 resources into the communities that need them the most,  
5 or was that question just skipped?

6 A. Well, I mean, as I've said, I don't think the  
7 question was skipped because from my recollection we  
8 were basing it on crime statistics. And so, you know, I  
9 didn't question it further than that because that was  
10 what was, you know, presented to me.

11 Q. Right. The troubling part of this is that we  
12 get the same response from every witness that's here,  
13 which is there was some analysis somewhere that showed  
14 us something of which none of us remember what it was,  
15 how it was based or could produce the document that  
16 exists -- that supposedly existed that was created back  
17 under Blajojevich.

18 A. I'm not sure that everything you just said is  
19 quite right because Barbara Shaw said there was a study  
20 and that's what she based it on.

21 Now, the fact that you can't find it, I can't  
22 answer that because I don't -- I don't know. That's a  
23 question for Barbara Shaw, right?

24 Q. Oh, yeah. We asked her. It's the mystery  
25 study and ultimately the mystery list.

1           **At some point the decision was made to add the**  
2           **south suburbs into the program. From -- I guess to come**  
3           **back to the audit here, the audit found what about this**  
4           **decision? How was it made?**

5           MR. MAZIARZ: I believe that Barbara told us that  
6           after they developed the framework for the 20 -- what  
7           eventually was the 20 Chicago area communities, that the  
8           south suburbs approached the Governor's Office; and it  
9           ended up being three south suburb areas that were  
10          included as communities: Thornton Township, Rich  
11          township, Berlin Township. And they were kind of  
12          splitting somebody up too out there. But there were  
13          during the first two years of the program three south  
14          suburbs.

15          SENATOR BARICKMAN: And Barb Shaw yesterday  
16          suggested she was told -- I mean, just to your point, I  
17          think Barbara reiterated that at some point she was told  
18          that the south suburbs should be added to the mix.

19          MR. MAZIARZ: Sure.

20          BY SENATOR BARICKMAN:

21           **Q. So, Mr. Lavin, do you remember the context of**  
22           **how the south suburbs came to be added to the NRI**  
23           **program?**

24           A. I don't remember the full context, but I think  
25           a request was made to the Governor. But my recollection

1 is then that there was supposed to be a look at the  
2 crime statistics there; and I think I said this earlier  
3 that, you know, do they meet the requirements.

4 SENATOR BARICKMAN: Right. And Barb Shaw talked I  
5 think a bit about this yesterday, and I think -- And  
6 somebody shake their head yes or no if I remember this  
7 correctly. But I think Miss Shaw said after I was --  
8 I'm going to paraphrase greatly. But she said, you  
9 know, the Governor's Office said add the south suburbs.  
10 I looked. The south suburbs qualified and so they were  
11 added. Does that sound right to what you heard either  
12 yesterday or in your review?

13 MR. MAZIARZ: No. That's what I heard in the  
14 review during the audit process. She looked at it to  
15 see if they qualified. Our problem with that is that  
16 she's comparing that to what? She's comparing it to the  
17 report -- excuse me, the study that they couldn't  
18 produce to determine how the other 20 were selected. So  
19 that was a problem for us.

20 SENATOR BARICKMAN: Right. So kind of expanding on  
21 that, so there's a list that no one has today; and the  
22 list says here's who qualified. I don't know how big  
23 that list is. It could be a hundred communities for all  
24 I know.

25 Auditor General HOLLAND: We don't know. It's a

1 document that's not been produced. We can't speculate  
2 on what is or is not.

3 MR. MAZIARZ: The list of communities that were  
4 Safety Networks communities, as we talked about  
5 yesterday, there were -- the list had about 20 -- I  
6 think it had 20 communities in Chicago on it. As we  
7 talked about yesterday, some of those while they were  
8 identified in this study that we've never seen, not all  
9 of those communities were funded for Safety Networks.  
10 And so then during the same time that NRI rolled out,  
11 these other communities had a chance to get Safety  
12 Networks funding also.

13 SENATOR BARICKMAN: Right. And the list included  
14 communities outside of Chicago that were identified as  
15 highly violent communities, communities with high levels  
16 of violence.

17 MR. MAZIARZ: Sure, around the state. Decatur was  
18 in it. Senator Manar asked about it yesterday.  
19 East St. Louis was in it. I believe Peoria was on the  
20 list.

21 BY SENATOR BARICKMAN:

22 Q. And so to -- I think we are trying to get to  
23 so what is the criteria of whether a community was  
24 selected and while there are -- there has been assertion  
25 after assertion that the Governor's Office relied on the



1     **Safety Networks--identified communities, clearly all of**  
2     **those communities did not benefit from NRI. So there**  
3     **was a decision made and the decision made appears not to**  
4     **have come from Barb Shaw but from the Governor's Office**  
5     **about the communities that qualified that actually**  
6     **received the funding, and I'm trying to understand how**  
7     **that decision was made.**

8                     **Mr. Lavin?**

9             A.     I'm not sure what you just said. I'm going to  
10     give you back my recollection that I've said time and  
11     time again. It was based on crime statistics. I don't  
12     recall ever looking at a list and saying you're in,  
13     you're out or anything like that. It was the crime  
14     statistics and here's a list. That's my recollection.

15             **Q. All right. So no one said you're in/you're**  
16     **out, but that is what happened.**

17             A.     I don't know because you're talking about a  
18     study that I never saw. So, I mean, you know, you're  
19     asking me questions that you asked Barbara Shaw; and  
20     she's the one that would know these details, and she  
21     gave you an answer.

22             **Q. Her answer, though, is that the decision from**  
23     **the communities that should be funded came from the**  
24     **Governor's Office. Add the south suburbs to the mix**  
25     **came from the Governor's Office.**

1 MR. MOORE: I disagree with that. She said that  
2 she was told the Chicagoland area plus the south  
3 suburbs, and then she looked at a map and she  
4 determined --

5 SENATOR BARICKMAN: They qualified.

6 MR. MOORE: Well, she talked about a map and  
7 sometimes there were lines on the map and they had to --  
8 And she didn't say that came from the Governor's Office.  
9 She said she did that.

10 SENATOR BARICKMAN: She said there was a list of  
11 communities that qualified, and she determined -- when  
12 the Governor's Office said they wanted to add the south  
13 suburbs, she decided -- she drew the conclusion that  
14 they qualified. The Governor's Office chose for some  
15 reason not to fund other communities that apparently  
16 qualified. Do you know why that was -- that decision  
17 was made?

18 MR. MOORE: She said -- That's not -- She said the  
19 Governor's Office did not tell her not to include  
20 anybody. She said she went to maps and she decided and  
21 she had this DHS list.

22 SENATOR BARICKMAN: She actually made requests of  
23 the Governor's Office to consider communities that  
24 evidently were approved on the list: East St. Louis,  
25 Peoria, Rockford and otherwise. The Governor's

1 Office -- We don't know the response. All we know is  
2 what the audit said, which is they didn't get any  
3 funding. So that was a decision that went up. Barb  
4 Shaw said, Here is a qualifying community, Peoria. I  
5 live near Peoria.

6 So the decision went up to the Governor's  
7 Office, What about Peoria? What's the answer? I mean,  
8 the answer is they didn't get funding. But why were  
9 they excluded?

10 BY THE WITNESS:

11 A. I think we've gone over this. The focus at  
12 the time was based on the violence happening in the  
13 Chicagoland area. And so at that time that was the  
14 focus because of the Killing Season. The homicides were  
15 happening, the shootings that were happening. And it  
16 was in the Chicagoland area that it was so egregious at  
17 the time, and so that's where the violence epidemic was  
18 and that's what we focussed on.

19 **Q. We talked about the lead agency selection, and**  
20 **there's this unresolved question of whether the aldermen**  
21 **made selections or recommendations. What's your**  
22 **understanding of the aldermen's role?**

23 A. As I said before, my recollection on this was  
24 that we were going to get recommendations both from  
25 local elected officials and the faith-based community;

1 and then there would be an RFP process to decide who  
2 would get it.

3 Q. Did someone -- There were evidently meetings  
4 with aldermen, certain aldermen. Again, the audit I  
5 think looked to that point. We don't know -- We know  
6 there were a series of meetings, some of which certain  
7 aldermen attended. Some clergy members attended. But  
8 we don't know -- We don't have any idea as to who was  
9 invited to or present at any of those meetings.

10 MR. MAZIARZ: We asked right at the beginning of  
11 the audit. And as far as the aldermen at the meeting,  
12 we asked if there were any meeting minutes. We were  
13 told no. We asked if there was any sign-in sheet to  
14 determine who had participated. We were told no; that  
15 that didn't -- by our audit liaison at IVPA that that  
16 didn't exist. That was back on September the 12th, 2012  
17 when we asked this initially.

18 We did finally get an actual sign-in sheet  
19 from the aldermen at that first meeting on I believe it  
20 was September the 3rd. We didn't get it until January  
21 the 5th of 2014. So they did find the list and there  
22 were aldermen listed on there, not a lot of them. But  
23 then the documentation from Barbara's e-mail account  
24 shows they did reach out to additional aldermen who had  
25 not been able to make the meeting on 9-3.

1           SENATOR BARICKMAN: So Were all the Chicago City  
2 aldermen invited in?

3           MR. MAZIARZ: No, I don't believe so.

4 BY SENATOR BARICKMAN:

5           Q. So again -- And look at the optics of this,  
6 Mr. Lavin. It just looks like there was a set of  
7 arbitrary decisions made by those who were implementing  
8 this program. I mean, do you have any idea how the  
9 aldermen were chosen to become involved in this?

10          A. Well, first of all, you say the word  
11 arbitrary. We've been back and forth on this. There  
12 was a study, something, that they worked off of to  
13 identify the communities based on crime statistics; and  
14 that's my recollection. Barbara added a couple other  
15 things. So it's not arbitrary. So I --

16          Q. Well, it is arbitrary because we are dealing  
17 with an audit that deals with hard facts, documents,  
18 testimony, interviews. I mean, the auditors talk to  
19 people and these are their conclusions. I think  
20 their -- I don't want to speak for them. But while you  
21 and others have said, look, we used something. We're  
22 here in an audit that deals with facts, not  
23 recollections true or false. And we just don't have  
24 any. So the optics are poor, and the optics suggest  
25 that there was some arbitrary process because we don't

1 have any evidence to the contrary.

2 A. Okay. And I'm disagreeing with you.

3 Q. That's the way it works, right?

4 A. Right. So ...

5 Q. How were the aldermen chosen?

6 A. I was not involved in organizing those  
7 meetings.

8 Q. Who was?

9 A. You know, I don't know exactly who was. I  
10 think Barbara Shaw was one. I think Malcolm Weems was  
11 one. I'm not sure who else. But I was not involved in  
12 organizing those meetings.

13 Q. Someone along the way said, Let's get the  
14 aldermen involved and specifically certain ones. I  
15 mean, there were aldermen who were excluded from this  
16 process who raised complaints about being excluded. So  
17 again, the optics to all those who stood to potentially  
18 benefit from this, I think if you weren't a recipient,  
19 it left a bad taste in your mouth is probably an  
20 understatement. But we don't know how those aldermen  
21 were chosen. We just know eventually there were some  
22 meetings with them.

23 MR. MOORE: I have to -- There was testimony  
24 yesterday from Barbara that she worked with a map, and  
25 that's how the aldermen were chosen. That's what she

1 said.

2 BY SENATOR BARICKMAN:

3 Q. So the aldermen made either recommendations or  
4 selections of certain agencies. Those agencies then  
5 received a request for proposal to provide the services  
6 which are part of the NRI program. Was that process --  
7 In all these planning meetings, was that process  
8 discussed in any of the meetings that you were in?

9 A. As I said before, the process by my  
10 recollection from recommendations from the aldermen, the  
11 recommendations from the faith-based community, you have  
12 a number of recommendations of different agencies; and  
13 there would be an RFP process where the IDPA would  
14 evaluate them and vet them and come to a selection.

15 Q. And so the decision on which agency to choose  
16 to provide the service, that was a decision of whom, the  
17 Governor's Office or the IVPA?

18 A. IVPA.

19 SENATOR BARICKMAN: I guess back to our auditors.  
20 I mean, is that consistent with your findings?

21 MR. MAZIARZ: Our work papers in the audit address  
22 the idea that once the aldermen provided whether you  
23 call it recommendation or selection and then there were  
24 a number of Barb Shaw e-mails where you went into the  
25 same verbiage, you know, we have selected coming from

1 aldermen to Barbara. And our understanding was that the  
2 RFP went out to only those agencies.

3 And there were, as stated on page 35, on  
4 September the 13th of 2010 apparently some other  
5 organizations wanted in on the program and submitted  
6 a -- they got a copy of the lead agency profile sheet  
7 and sent that to IVPA. IVPA notified them on September  
8 the 13th that, "The aldermen in your community chose a  
9 different lead organization to be the lead applicant.  
10 Your attendance at the September 16th lead agency  
11 meeting is not required. Please do not attend this  
12 meeting as it is just for the lead applicants."

13 So that's our understanding is that there was  
14 input from the aldermen, and then the RFPs were sent out  
15 by IVPA to these selected agencies.

16 SENATOR BARICKMAN: So what's wrong with that?

17 MR. MAZIARZ: Well, from our perspective, we look  
18 at the idea that it looks -- with the RFP it looks kind  
19 of like a competitive process when you have the criteria  
20 and scoring; but you're only sending it out for scoring  
21 from one of the agencies.

22 Barbara mentioned yesterday that they did vet  
23 and eliminated three of the recommendations for the  
24 leads. I don't remember that being the vetting of the  
25 scoring of the RFPs though. I believe that was more in



1 line with, as she mentioned, a chamber of commerce who  
2 was only a \$50,000 a year organization was recommended  
3 and actually couldn't perform the program. There was a  
4 spinoff of a church in East Garfield Park. Again, a  
5 small organization that had never run anything like  
6 that. And then there's documentation to show, well,  
7 okay, we will utilize the church that it spun off from  
8 even though both of them were in the same building. So,  
9 I mean, it wasn't like they went through an additional  
10 vetting process in that case. But we didn't see where  
11 the numbers were evaluated.

12 SENATOR BARICKMAN: So I'm thinking through this  
13 vetting process. I mean, that's -- the concerns that  
14 you just raised are quite different than the  
15 reassurances that I've heard from witnesses over the  
16 last day and a half that IVPA was the best place to  
17 house these activities, the Violence Prevention  
18 Initiatives, because everyone had confidence in their  
19 ability to administer this NRI program. I've heard that  
20 repeatedly throughout the last day and a half; but I  
21 think what I'm hearing from you is while those might be  
22 the opinions that people have, the results of the audit  
23 suggest a very failed and flawed selection process for  
24 the agencies.

25 Auditor General HOLLAND: Well --

1           SENATOR BARICKMAN: And maybe let me take one  
2 further step. And it's your recommendation that we do  
3 not choose the agencies which provide services like this  
4 in the manner that was used here.

5           Auditor General HOLLAND: Yeah. Our recommendation  
6 about the process is that it should be documented. How  
7 do you reach these conclusions? It was an awkward  
8 process. There's no question about that. That's safe  
9 to say. But how do you reach these decisions pursuant  
10 to the State Records Act? You've got to kind of -- Each  
11 of these directors need to keep some type of records as  
12 to how they make these decisions as government transfers  
13 from one person to the next.

14           So, for instance, Jack Cutrone is now in  
15 charge of this. Jack Lavin is not. It's Jack Cutrone.  
16 He is the guy that will be addressing these findings and  
17 accepting these recommendations.

18           SENATOR BARICKMAN: Right. But if -- Here's the  
19 concern. The concern is that if the Governor's  
20 Office -- Look, whoever the Governor is, in any year  
21 moving forward, the question is whether or not -- And I  
22 don't think I heard many, if any, suggestions that what  
23 Barb Shaw was trying to do at IVPA was anything less  
24 than deliver the services that she is spending a  
25 lifetime on.

1           And so Mr. Cutrone -- Here's my concern is  
2 Mr. Cutrone may have all of the best of intentions in  
3 doing whatever any Governor asks him to do. But what  
4 happens when the Governor's Office interjects themselves  
5 into these processes?

6           And I think what we're drawing here is that --  
7 what I'm drawing here is that that is what happened; and  
8 the result was in the case of IVPA, Barb Shaw's  
9 intentions, a flawed result. Terribly.

10          Auditor General HOLLAND: As I discussed with  
11 Representative Reis last night, this audit did not  
12 address any activities of the office of the Governor  
13 because we were not asked to do that. That was not one  
14 of our determinations.

15          Now, we've done that in the past. We've had  
16 determinations that said go look at the office of the  
17 Governor. We did that in the I-Save Rx program and the  
18 Flu Vaccine program, of which some of you may remember I  
19 testified at an impeachment hearing about those. But  
20 this audit didn't ask us to go to this level. Okay?  
21 And I think you need to keep in context of what we were  
22 asked to do and what we did.

23          MR. MAZIARZ: As Mr. Holland said, our  
24 recommendations -- We were there to conduct an audit.  
25 We weren't there to conduct -- to determine a

1 determination as to was it proper or not proper use? As  
2 we recommended, to help the process going forward that  
3 you document your decisions; and when you're going to  
4 send out an RFP, that you follow scoring award criteria,  
5 basic auditing findings that we have. So ...

6 BY SENATOR BARICKMAN:

7 Q. Mr. Lavin, I mean, how do you explain the  
8 fact -- I mean, we look at 23 lead agencies. How do you  
9 explain that the selection of the 23 lead agencies that  
10 we looked at, the selection of them was made before the  
11 October 8th RFP deadline?

12 A. I was not involved in the RFP process.

13 Q. It just happened.

14 A. I was not involved in the RFP process.

15 Q. Was the Governor's Office involved? Were  
16 others involved in determining which agencies were  
17 selected?

18 A. My recollection is what I told you before.

19 The decision was done by the IVPA.

20 Q. So -- And again, we've heard these suggestions  
21 from many of the witnesses over the last day and a half.  
22 All the decisions were made by the IVPA. No one  
23 remembers anything different from that. And we talked  
24 about this yesterday, what happened at Proviso Leyden.  
25 I don't know if you remember that set of circumstances

1 but -- And this was January of 2011. I mean, this is  
2 immediately after this program was created.

3 Barb Shaw evidently received a telephone call  
4 from Representative Yarbrough about Maywood wanting to  
5 know what's going on from IVPA's perspective.

6 Evidently, Representative Yarbrough had significant  
7 comments about Proviso Leyden not being effective in  
8 Maywood and beyond. She further said that she doesn't  
9 hold Proviso Leyden in high regard. And Barb Shaw  
10 evidently communicated with Dr. Irving who then  
11 evidently pulled you into the loop somehow.

12 But Dr. Irving said -- contrary to everything  
13 that we've heard over the last day and a half,  
14 Dr. Irving said we intervened here because of the  
15 concerns that are coming out of the community right  
16 after the selection hearing. And what Dr. Irving  
17 evidently communicates to you is that Barb Shaw reviewed  
18 the Proviso Leyden proposal and found them the most  
19 qualified.

20 Now, that's what I think we would hope to  
21 find, right? The agency makes a decision, most  
22 qualified, and that's who's going to deliver the  
23 service. But the Village of Maywood wanted to exclude  
24 them from the grant. And what Dr. Irving communicates  
25 to you is -- underlying this is that the Proviso Leyden

1 person is running against the village person for mayor,  
2 and then she concludes our intervention -- and I have to  
3 presume she means the Governor's Office intervention --  
4 is to have them split the work even though Proviso  
5 Leyden is deemed better.

6 And so again, while we heard suggestion after  
7 suggestion over the last day and a half and all the  
8 decisions made on where the money goes, who administers  
9 the grants and the expertise of IVPA, the evidence says  
10 a different story than what we've heard. The evidence  
11 says the Governor's Office did get involved, clearly  
12 involved, and made decisions that would appear to be not  
13 in the best interest of two people. One is the  
14 taxpayers who are paying for this program, and the other  
15 is the community members who are relying on it. And for  
16 all of the heartfelt desire in many people to have a  
17 program that combats violence, you have to wonder what  
18 their intentions were when they decided not to have the  
19 money going to the most needed communities and not being  
20 used by the most qualified providers.

21 How do -- What do you say to that?

22 A. I don't recall the situation. I don't  
23 remember the situation. So I don't know the context of  
24 it. So I don't really have much to say about it.

25 Q. Does it frustrate you that that might happen?

1           A.    I don't know the context of the situation, so  
2 I'm not going to speculate.

3           Q.    Would it frustrate you as someone who wants to  
4 address this issue that was so prevalent in 2010 that  
5 something had to be done about it, that what was done  
6 was to give money to some providers who were not the  
7 most qualified at preventing the violence that evidently  
8 was occurring?

9           A.    You're asking me to speculate on the situation  
10 between Maywood and Proviso Leyden, and I don't know  
11 what the context of this situation was. I can't really  
12 comment on it.

13          Q.    I think what we're seeing is instance after  
14 instance here through this audit of these arbitrary  
15 decisions -- you may not agree with that word and that's  
16 fair -- but these arbitrary decisions that really  
17 diminish the repeated suggestions that this was all  
18 about addressing an emergency that was existing on the  
19 streets of Chicago. If there was an emergency, I think  
20 that we'd identify where the highest need was and that  
21 we'd identify those who are in those communities best  
22 capable of providing them the violence prevention  
23 service that's needed there and fund them with the  
24 resources to do what they evidently do best.

25                   And what's troubling to me is to hear in

1 response to the evidence -- not the emotional pleas to  
2 want to do something but the evidence of what happened  
3 here is that for all of the heartfelt desire to do  
4 something meaningful, the actual decisions that were  
5 made did not fully equip those who could have helped.  
6 And the response to this is, I don't remember. I don't  
7 recall.

8 And so, to me -- I will wrap up here,  
9 Representative Mautino.

10 REPRESENTATIVE MAUTINO: I would appreciate it.

11 SENATOR BARICKMAN: To me, the failure here -- And  
12 again, we can talk about, you know, there's a great  
13 concern among taxpayers that we be prudent with their  
14 dollars, spend them wisely. There's the Governor and  
15 the legislature. And we all recognize the financial  
16 situation that this state is in, both today and back in  
17 2010 when this program was initiated. This program  
18 spent a huge amount of money in a time when we had  
19 millions of dollars in unpaid bills. And for all of the  
20 emergency that existed, it appears the administration  
21 interjected itself into the decision-making process  
22 where to send the money; and the public needs to have  
23 faith in those who are making those decisions.

24 I don't think this helps increase the faith  
25 Illinois people have in their public officials and their



1 administration of their taxpayer dollars in something  
2 that's really been -- You know, we will talk about all  
3 that's learned from this audit. But I will tell you  
4 personally to me, one of the things that's been learned  
5 here is the incredible frustration that members in some  
6 of these very (inaudible) communities in Chicago, some  
7 of the frustration those community members have at the  
8 Quinn administration for their decision making on this  
9 program because they felt excluded for whatever reason.

10 We evidently are going to conclude this  
11 hearing today -- depending on what our next two  
12 witnesses tell us, I think we are unfortunately going to  
13 conclude with unanswered questions about how all these  
14 decisions were made. And for the people who rely on  
15 these programs because they are living in a highly  
16 violent neighborhood, I think that creates a frustration  
17 in our government; and it really brings a personal  
18 meaning to the repeated suggestions that this program is  
19 an absolute failure. It's a failure to taxpayers, and  
20 it's a failure to the people in the communities who are  
21 relying on their public officials to do something  
22 meaningful about combatting violence on their streets.

23 And for all the criticisms of some of the  
24 agencies who have appeared to have done a poor job in  
25 this program of delivering the service, I think we all

1 know that there are many, many, many good providers that  
2 exist all around our state, including in Chicago, that  
3 do wonderful things in our communities. And  
4 unfortunately, as a result of this failed program, their  
5 integrity is now questioned. They're reading about  
6 these failed agencies, whether it's management, not  
7 filling out time sheets and various other management  
8 types of things or just blatant abuse, those agencies  
9 who took State dollars and didn't deliver any services.  
10 What does that say to the good human service providers  
11 that are out there knocking on our door every single day  
12 asking for more money? What does it say to them when  
13 they go to work doing great work in their community and  
14 their community members read about a peer organization  
15 of theirs that is doing so poorly? It makes them have  
16 to do -- defend their work all the more.

17 And so for us to perform this audit, I think  
18 part of the reason that we do it is to try to restore  
19 the integrity to some of those good agencies that exist  
20 to make sure that they're not the recipient of the  
21 knee-jerk reaction that can come from a failure like  
22 this. We already know one of the knee-jerk reactions.  
23 Governor Quinn disbanded the very agency that is tasked  
24 with preventing violence all around this state.

25 And again, as a lawmaker, to read this audit,

1 to pour over the thousands of documents that exist, to  
2 look at the interviews that the auditors performed and  
3 the great work that they've done here, I would simply  
4 tell you that as a lawmaker who's very involved in  
5 reviewing all that has become the NRI audit, I am one  
6 who is incredibly disappointed that this is an outcome  
7 of my State government. Thank you.

8 REPRESENTATIVE MAUTINO: We have a final question.  
9 It will be Senator Brady. Then actually I will have one  
10 or two questions for you. So I will be the final. And  
11 then we are going to take a break and send notice to  
12 Dr. Irving.

13 SENATOR BRADY: Thank you.

14 EXAMINATION

15 BY SENATOR BRADY:

16 **Q. Mr. Lavin, in yesterday's testimony there**  
17 **was -- with Miss Shaw there was some confusion; and you**  
18 **seemed to have cut to the chase. Although I think one**  
19 **of the difficulties in dealing with this is that**  
20 **continued confusion and that was, Who was in charge?**  
21 **You made it pretty clear and I think you believe that**  
22 **ultimately the accountable individuals for the findings**  
23 **in this audit should be the Illinois Violence Protection**  
24 **Authority board of directors. Is that right?**

25 A. For the administration and monitoring of the

1 program and the work operation of the program, I think  
2 the majority of the findings are about that, of  
3 monitoring quarterly reports and annual reports and all  
4 that. So yes, that was the job of the Violence  
5 Prevention Authority.

6 **Q. Ultimately, you would say it's the board's**  
7 **responsibility that that organization would be in**  
8 **compliance.**

9 A. I think it's the Violence Prevention  
10 Authority. I guess that would include the staff and the  
11 board.

12 **Q. But the board is the governing body.**

13 A. The board is the governing body.

14 SENATOR BRADY: I guess the frustration of trying  
15 to get to who was in charge and who is accountable,  
16 Mr. Lavin has indicated, although Miss Shaw was --  
17 differed somewhat in this, that the board of directors  
18 of the Illinois Violence Prevention Authority that were  
19 ultimately responsible for making sure that this  
20 organization was controlled NRI did it in a way that  
21 complied with statutes, rules and regulations and  
22 evidence. Would your office agree with that; that the  
23 ultimate responsibility lies with the board members?

24 Auditor General HOLLAND: Certainly the board  
25 members would have responsibility, yes.

1 BY SENATOR BRADY:

2 Q. I guess part of the confusion -- If that's the  
3 case -- And you probably can explain this, but Miss Shaw  
4 was clearly conflicted yesterday about that. At one  
5 point she said some things were subject in her opinion  
6 to the Attorney General, and in some cases they were  
7 subject to you or the direction she was given from the  
8 Governor's Office. Can you sense why she would be  
9 frustrated and not knowing where to take her direction?

10 A. I can't speculate how Miss Shaw thinks.

11 Q. But there was clearly a great deal of input  
12 from the Attorney General's office and the Governor's  
13 administration that superseded the board's activities.

14 A. I don't know if I would agree with that. I  
15 certainly said earlier I think there's some  
16 responsibility that goes to a lot of different people,  
17 and I didn't say solely this is IVPA. If you want to  
18 talk about the administration of the grants and the  
19 follow-up, which is a lot of what the findings are here,  
20 a lot of the problems are the quarterly reports and the  
21 annual reports. Yes, that was the Violence Prevention  
22 Authority's -- that was part of their operational  
23 duties.

24 Q. And part of our responsibility, okay, is to  
25 hold accountable those people who abuse/neglect rules,

1 violations and so forth and prevent that from carrying  
2 further.

3 One of the things I'm learning here is that if  
4 this board is going to have that authority, they  
5 probably should have taken charge; and it doesn't appear  
6 to me based on these e-mails that they did. In fact, it  
7 seems most of it came from the Governor's Office. And I  
8 think one of the problems we have here is we're going to  
9 have that board. It shouldn't allow the Governor's  
10 Office to have such a significant role in this.

11 Would you agree with that or should the  
12 Governor's Office be able to trump their --

13 A. I think the IVPA is an independent authority  
14 with their own board. When the program was up and  
15 running, they had responsibility for the grants, for the  
16 follow-up on the grants, to make sure the grantees were  
17 performing, to make sure they were doing the quarterly  
18 reports and the annual reports.

19 Now, did they have enough staff? Did they  
20 staff up quickly enough? I mean, that's a question.  
21 But that's all the responsibility of the IVPA to do that  
22 duty. And so from that perspective, yes, that was their  
23 duty and that's part of the problem.

24 Q. Let me just talk a little bit about the issue  
25 here. I think we all realize -- And I know myself, I've

1    been in many areas in the state and understand how to  
2    some people there's nothing more challenging in their  
3    lives than crime that's going on on the streets and how  
4    important initiatives by government and organizations  
5    and others to eliminate and make our streets safe. It's  
6    probably the most important thing, particularly to some  
7    people.

8                   And I also would like to say -- and I think  
9    someone else brought this up -- we also expect that a  
10   Governor would use their office and the powers  
11   associated with that office to direct their agenda,  
12   political or otherwise. I think we understand that as  
13   long as that is done within the requirements of State  
14   government, not violating things like these findings and  
15   other things.

16                   We have one Governor who is in jail who tried  
17   to use his office particularly when it came to a Senate  
18   appointment for his own political benefit, and we know  
19   that's wrong. And when we read those things, we lose  
20   valuable resources.

21                   You know, one of the arguments that's been  
22   made earlier is that if we would have followed the right  
23   rules and regulations, maybe -- not maybe, but we might  
24   have gotten a bigger bang for our buck. You do the  
25   math. It's about 35, \$37,000 per person that this

1 helps; and I think we have to do that.

2           And I think that leads to another reason why  
3 we're here. I believe this is probably the biggest  
4 reason we're here, and that is the fact that the  
5 Illinois General Assembly abdicated its authority in the  
6 budgetary process something that you were handed with in  
7 a lump sum budget. Because I can't think of another way  
8 in which a Governor could create such a large program in  
9 and of themselves, whether it be through the IVP board.

10           I think, frankly, was it not for that neglect  
11 on the part of the General Assembly in passing a lump  
12 sum budget, we wouldn't be here. I really don't think  
13 we'd be here.

14           Would you agree with that?

15           A. I think the lump sum budget gave the  
16 flexibility to do this program. That's correct.

17           Q. Do you think that's right though? Do you  
18 think it's right that the legislature would remove  
19 itself from its constitutional rights and give a  
20 Governor -- I mean, it just seems to me that whether  
21 this program was abused or not -- or not the program --  
22 whether this authority was abused or not, it leads to  
23 the ability of the people -- You know, I hate to think  
24 of Governor Blajojevich having a lump sum budget and  
25 what he would have done. But don't you think that if we



1 are going to try to rectify and prevent future problems,  
2 that one of the things this body ought to do is use this  
3 learning experience to call on the General Assembly  
4 never to do that again?

5 A. Well, I don't think the General Assembly has  
6 done it again.

7 Q. That wasn't my question.

8 A. You're asking my opinion of --

9 Q. We're opinion makers who have to take that  
10 back. You were in the trenches of this.

11 A. I think that the General Assembly should do  
12 what their job is, which is to appropriate money.

13 Q. And you would say that we misdealt with that  
14 in this case?

15 A. I am not going to say that. I think the  
16 General Assembly made their decision, and this is  
17 what -- and it had a lump sum; and the State had an  
18 experience of what that means. And I don't think the  
19 General Assembly has done it again.

20 Q. The other reason we are here is because of  
21 that we've got these 19 findings and, frankly, many  
22 hours have been spent on this Commission. I used to  
23 think we'd never have an audit worse than the Power  
24 Commission, and I think this one has superseded that.

25 What would -- Everything that was found in

1 this audit -- Everything that was found in this audit is  
2 common knowledge to the people who operate government.  
3 I mean, Miss Shaw has dealt with the State government  
4 and audits for almost everybody else involved. But yet,  
5 they saw fit to turn the other way and expedite a  
6 program and created such neglect leading to these  
7 findings. You have studied it. You were at the helm  
8 and the trenches of this. What did we do to prevent  
9 that from happening? What do you think we should be  
10 doing so that people don't abuse this authority in such  
11 ways that you have to deal with 19 findings?

12 A. Well, I think that you've done some of that  
13 already. You passed legislation about how grants are  
14 monitored, conflicts of interest. I think that goes a  
15 long way towards doing that. I think I said before DCEO  
16 had a chief accountability officer. I think that's  
17 someone independent from programming that's looking at  
18 what's going on. Those are -- The legislation you had,  
19 what we did at DCEO, I think those are good ideas.

20 Q. I guess, lastly, while I was sitting here --  
21 and, again, many hours I have spent on this  
22 Commission -- this is the first time I've seen, that I  
23 can recall, people accompanied by legal counsel. Can I  
24 ask you what compelled you to bring legal counsel to  
25 this hearing?

1           A.   Well, I don't think we've had subpoenaed  
2 witnesses before.

3           **Q.   So it's simply the subpoena -- We probably**  
4 **wouldn't have subpoenaed you except for I think**  
5 **Miss Shaw said she would only come if subpoenaed.  It's**  
6 **the subpoena that -- I mean, all the subpoena did is**  
7 **compel you to be here.  What is it about this audit that**  
8 **would make someone think they needed legal counsel?**

9           A.   Any time I think someone gets subpoenaed,  
10 everybody says go get legal counsel.  So that's what I  
11 did.

12          **Q.   I guess the other thing is:  Can you share**  
13 **with us any insight as to why there's two federal and**  
14 **one county investigation -- criminal investigation going**  
15 **on?**

16          A.   You need to ask them.

17          **Q.   You have nothing you can share with us about**  
18 **that?**

19          A.   I can't speculate what they are doing.

20          **Q.   I mean, are they on a witch hunt?**

21          A.   I just said I can't speculate what they're  
22 doing.

23          **Q.   Thank you.**

24          REPRESENTATIVE MAUTINO:  Mr. Brady, have you  
25 finished your comments?

1 SENATOR BRADY: (Nodding.)

2 REPRESENTATIVE MAUTINO: Okay. I know you have  
3 been here quite a while. We appreciate you answering  
4 the questions along many lines.

5 As I said earlier, the e-mails and everything  
6 that we've seen here I think show what a great job the  
7 Auditor General actually does. These audits do play a  
8 big part in what we do. They are important in the  
9 management and proper structure and the ability for that  
10 transparency. We are looking at an audit four years  
11 back. It has had some good results. It has had some  
12 bad results.

13 Specifically in the requested documents before  
14 us, this is the performance audit on management  
15 functions which definitely needed improvement and since  
16 then have changed. I believe the Criminal Justice  
17 Information Authority has accepted all of these  
18 findings. There have been some law changes. I wouldn't  
19 go as far to say -- I would say I've heard grossly  
20 negligent, failed, as far as keeping track of the  
21 transactions, the things that we need to protect our  
22 people. There was a failure in mismanagement. There  
23 was a failure in planning. There was a failure in  
24 implementation. And going forward, we would hope those  
25 have been and will be continually corrected. That's the

1 goal and the structure of what we do.

2 To the programs that are out there, they  
3 continue through other agencies. And so there is an  
4 option statewide and should be and should always be.  
5 That is my belief. That is the belief of every member  
6 of this Commission. The violence that's out there  
7 has -- it's still there and it's going to take time to  
8 go through it. I saw it in the Latino institute. I  
9 went to some of the after-school programs, which in my  
10 area might be used to help someone with math and  
11 science; and it is here too. But in talking to the  
12 instructor, it's also because you want the 12-year-old  
13 baby not to get rolled into a gang. So you give them a  
14 little bit of time after school. You know, think about  
15 a 12-year-old in Spring Valley in that context. I get  
16 why they want those programs, why they need those  
17 programs.

18 So those will continue in our urban areas. It  
19 should. The documentation going forward should be  
20 corrected and done a lot better. I've seen many, many  
21 audits. I've seen things with 50 or 100 findings that  
22 are out there, but these deal with decision-making  
23 transactions. And going forward I hope the Criminal  
24 Justice Information Authority does that correctly and  
25 properly because the programs are very much needed.

1 I thank you for coming in and joining with us  
2 today. We will have Dr. Irving joining with us. We are  
3 going to take about a 20-minute break. Mr. Barickman  
4 has been so kind as to provide lunch for all members and  
5 staff here today, which is, in fact -- Yes, I actually  
6 took your credit card from your wallet. You may not  
7 know that, but we do say thanks. Take about a  
8 half-an-hour break.

9 Mr. Lavin, thank you for coming in, sir.  
10 Thank you for joining us. We are at ease for half an  
11 hour.

12 (A short break was had.)

13 REPRESENTATIVE MAUTINO: The hour of 2:34 having  
14 arrived, I call the Audit Commission back to order. Our  
15 next witness is Dr. Toni Irving, former Senior Advisor  
16 and Deputy Chief of Staff to Governor Quinn. Please  
17 join us at the table.

18 Dr. Irving, we have our proceedings today  
19 reported with a court reporter. So would you please  
20 introduce yourself and spell your name and also your  
21 attorney, if he would introduce himself and spell his  
22 name for the purposes of our reporter.

23 DR. TONI IRVING: My name is Toni Irving.

24 REPRESENTATIVE MAUTINO: Turn your mike on.

25 DR. TONI IRVING: Dr. Toni Irving, T O N I,

1 I R V I N G; and my attorney is Jonathan King,  
2 J O N A T H A N, K I N G.

3 REPRESENTATIVE MAUTINO: Thank you very much,  
4 Dr. Irving. Would you raise your right hand?

5 (Witness sworn.)

6 REPRESENTATIVE MAUTINO: Thank you very much.  
7 Welcome to the Audit Commission. Thank you for joining  
8 with us today. Would you like to make an opening  
9 statement?

10 DR. TONI IRVING: My name is Dr. Toni Irving. I  
11 understand that as a result of my prior position as  
12 Deputy Chief of Staff to Governor Pat Quinn I have been  
13 asked to come to this Commission's hearing to testify,  
14 and I am happy to answer any questions about NRI.

15 REPRESENTATIVE MAUTINO: Thank you very much. Our  
16 first questioner will be Representative Sandack.

17 WHEREUPON:

18 DR. TONI IRVING,  
19 called as a witness herein, having been first duly  
20 sworn, was examined and testified as follows:

21 EXAMINATION

22 BY REPRESENTATIVE SANDACK:

23 Q. Good afternoon, Doctor.

24 A. Good afternoon.

25 Q. We had a variety of people come and sit, and

1 there's been some ambiguities. Maybe you can help us.

2 Who came up with the concept of the NRI program?

3 A. Barbara Shaw.

4 Q. It was her idea?

5 A. She was asked to put together a violence  
6 prevention program, and the violence prevention program  
7 that she put together is the one that's known now as  
8 NRI.

9 Q. Did you have any involvement in the  
10 construction of the NRI program?

11 A. I did not.

12 Q. I'm looking at I think it's a May 8th, 2014  
13 Sun Times article, and I'm just going to read you the  
14 second paragraph: "Irving acknowledged in an interview  
15 she helped come up with the ideas for the program which  
16 is now under investigation by Federal and Cook County  
17 prosecutors."

18 Do you remember this article in the Sun Times?

19 A. I remember that there were a bunch of articles  
20 around that time, yes.

21 Q. And what I just read, is that incorrect then  
22 given your prior testimony?

23 A. There has been a lot of incorrect articles  
24 since May 7th.

25 Q. So I'm going to focus on this one. The



1 information in this article is just not correct?

2 A. The sentence you just read is not correct. I  
3 don't know the rest of the article.

4 Q. And to put it to a finer point and then I'll  
5 move on, you had nothing to do with the origination of  
6 the NRI program?

7 A. The NRI program was created by Barbara Shaw,  
8 and I did not have any input into its creation.

9 Q. Do you know of anyone from the Governor's  
10 Office that had any input into its creation?

11 A. I do not. I can't speak to that.

12 Q. I'm looking at a memo dated May 11, 2012 by  
13 some folks with the Auditor General's office. And I  
14 think you sat down with some of the investigators and  
15 answered questions and I think tendered documents; isn't  
16 that correct?

17 A. Correct.

18 Q. One of the questions was: Did the Governor's  
19 Office direct what target communities were to receive  
20 funds for NRI? Do you remember that question being  
21 asked of you?

22 A. I don't remember the specific questions that  
23 were asked of me when I sat down with the Auditor.

24 Q. Let me ask you then: Do you remember if the  
25 Governor's Office had any involvement in determining

1     **which communities would receive NRI monies?**

2           A.    You know, I saw a list of the communities that  
3     were being focussed on a few days before there was a  
4     meeting -- a larger meeting about it; but I don't know  
5     who compiled that list.

6           Q.    Okay. I'm going read to you what at least the  
7     auditors took away from your discussion: The Governor's  
8     Office had some input on the selection of the  
9     communities. The communities that were the most violent  
10    were the ones selected. On a scale of from 1 to 10  
11    regarding violence in the communities, only 9s and 10s  
12    were selected. 7s were not.

13                   Does that sound like the words you gave to the  
14    auditors?

15           A.    I don't remember those words, no.

16           Q.    Irrespective of whether you remember those  
17    words, having just heard me read them, is that a correct  
18    rendition at least of your recollection of the  
19    Governor's Office involvement in selecting communities  
20    to receive NRI monies?

21           A.    I don't know who selected the communities to  
22    receive the NRI money. I only saw the list of selected  
23    communities once they were already determined.

24           Q.    So it wasn't your idea. You saw a list after  
25    it was already determined.

1 A. Correct.

2 Q. And you don't know who determined that list.

3 A. I do not.

4 Q. Did you hear about any metrics or any support  
5 information for the selection of those communities?

6 A. Since the audit has been going on -- or this  
7 hearing, rather, I've heard people say that they got it  
8 from the Department of Human Services; but that's just  
9 what I heard that was said yesterday.

10 Q. Fair enough. Go back in time to  
11 August/September of 2010. At that time had you heard of  
12 any of the criterion utilized for the selection of  
13 communities for funds to NRI?

14 A. I did not.

15 Q. And you had obviously no role in that then?

16 A. No, not in the NRI development.

17 Q. So you had nothing to do with the inception or  
18 the communities being picked. Let's talk about the  
19 aldermen and the role of aldermen in either selection of  
20 lead agencies or whatever involvement aldermen had.

21 What was your knowledge back in  
22 August/September 2010, October 2010, with respect to the  
23 role of aldermen in the appointment lead agencies for  
24 NRI monies?

25 A. So I know that there was a meeting that was

1 held where aldermen were invited to hear about this new  
2 program; and I don't know how many aldermen were  
3 invited, but I would imagine that they were the  
4 aldermen -- My impression is that they were the aldermen  
5 that were from the communities that were on the list.  
6 And they were told that they would -- I sat in on this  
7 meeting, and the aldermen were told that they should  
8 recommend organizations that -- and following a certain  
9 criteria. And I don't remember what the criteria was,  
10 but I'm pretty sure it was listed in one of the handouts  
11 and that the handouts are part of the package of  
12 information you guys were given.

13 **Q. Dr. Irving, the meeting you were reciting --**  
14 **we're talking about right now -- who ran that meeting;**  
15 **do you know?**

16 A. Both Barbara Shaw and Malcolm Weems.

17 **Q. And did you -- Other than being there, was**  
18 **there any active participation by you in that meeting?**

19 A. I did not. But the agenda for that meeting is  
20 also in the packet of materials that you all received.

21 **Q. So we talked about the inception of NRI, the**  
22 **selection of communities, the participation of aldermen.**  
23 **What happened next as far as your involvement with**  
24 **respect to NRI?**

25 A. After this meeting that took place?

1 Q. Yes, ma'am.

2 A. I don't know the sequence of events, but I  
3 know that there was also another meeting that was held  
4 similar to the aldermen meeting but with ministers; and  
5 they were told the same thing, to make recommendations.  
6 And then I note that in early October there was a press  
7 conference at King College, I believe, in Englewood to  
8 talk about --

9 Q. Were you at that press conference?

10 A. I was at that press conference.

11 Q. Did you participate with respect to that press  
12 conference?

13 A. I did not.

14 Q. So using that as kind of a stop period, have  
15 you pretty much told me your personal involvement with  
16 NRI up and through that October press conference?

17 A. With NRI, yes.

18 Q. From --

19 A. That I remember.

20 Q. That you can recall.

21 Before that press conference and using that as  
22 a stop gate, had you had any conversations with the  
23 Governor about the NRI program?

24 A. I had conversations with the Governor about  
25 violence prevention and the need for violence prevention

1 programming, but that was not that specific program. It  
2 was prior to that program being formed.

3 **Q. So your conversations were about a need to**  
4 **help quell violence and perhaps address the violence**  
5 **problem, but it wasn't with respect to NRI?**

6 A. So I want to expound because I feel like I'm  
7 not getting the clear question. The beginning of all of  
8 this for me was when Robert Freeman was shot 22 times in  
9 Roseland, and the Governor and Reverend Jesse Jackson  
10 and Reverend Senator Meeks and a bunch of other  
11 ministers all took a tour of that area. And then there  
12 was a meeting afterwards in a church basement there at  
13 which point the ministers all requested that the  
14 Governor call a, quote-unquote, state of emergency.

15 And so in the aftermath of that meeting, the  
16 Governor asked me to come up with some sort of a plan  
17 that would be reflective of what the ministers were  
18 asking for to address the youth violence in the city.  
19 And subsequent to that, myself, Gloria Materre and  
20 Sharron Matthews met with a group of ministers as well  
21 as some Chicago police officers and some other people  
22 toward discussions of what we should put together.

23 **Q. Okay. But that's outside the parameters of**  
24 **what I think I heard you say earlier, what Miss Shaw was**  
25 **doing with respect to the Neighborhood Recovery**

1 Initiative.

2 A. Correct.

3 Q. So did you ever come up with a plan separate  
4 and apart from NRI?

5 A. So Sharron sent some recommendations that were  
6 in toward the end of August. But apparently Barbara was  
7 also creating recommendations, and the recommendations  
8 that were selected were the ones that became NRI.

9 Q. Earlier this morning and this afternoon, Jack  
10 Lavin was testifying and there were a couple of  
11 documents we saw. But I was struck by a couple things  
12 he said. He said the Governor's Office was a very  
13 collegial place and was flat as far as organizationally,  
14 meaning there was a lot of back and forth with people.  
15 He mentioned you and others as being part of that  
16 Governor's Office team, for lack of a better term.

17 Were you ever asked by Mr. Lavin to come up  
18 with a violence prevention plan?

19 A. No. I was asked by the Governor to come up  
20 with a violence prevention plan.

21 Q. Do you know if Mr. Lavin ever asked other  
22 members of the Governor's Office to come up with a  
23 framework for violence prevention or the NRI program?

24 A. I was not aware.

25 Q. You obviously were involved in talking with

1 members of Mr. Holland's staff from the Auditor  
2 General's staff. Have you read the audit report?

3 A. I have not.

4 Q. Do you know any of the findings?

5 A. I heard something about 40 percent. I can't  
6 remember the details, so I can't say. I don't know.

7 Q. I should have gone back and asked you this,  
8 Doctor. Have you any involvement with the  
9 implementation or administration of the Neighborhood  
10 Recovery Initiative?

11 A. I did not.

12 Q. Do you know who did?

13 A. Barbara Shaw and her staff.

14 Q. And who did Barbara Shaw report to; do you  
15 know?

16 A. She had a board and there were co-chairs, and  
17 the co-chairs of her board were the Director of the  
18 Department of Public Health and the Attorney General.

19 Q. Do you know if Barbara Shaw had any  
20 communications with the Governor's Office during the  
21 implementation and operational aspects of NRI?

22 A. Certainly.

23 Q. Did she ever interact with you?

24 A. There were a lot of e-mails that would go back  
25 and forth and that I would be also on.



1 Q. Doctor, you moved on. You're now with I think  
2 the City of Chicago.

3 A. No. I'm with a private organization.

4 Q. Were you with the City at any time?

5 A. Never.

6 Q. All right. Maybe I'm under some  
7 misapprehension. I was told -- and you can quickly  
8 disabuse me of this -- that a quasi NRI model, maybe  
9 yours/maybe not, is being utilized by the City of  
10 Chicago to try and prevent violence obviously with the  
11 City. Am I mistaken or is that not accurate  
12 information?

13 A. I can't speak to what the City is doing. I'm  
14 not sure. But I run a foundation called Get in Chicago  
15 that does focus on violence prevention, but it's all  
16 privately funded. It's a private separate entity.

17 Q. Did you take any of the framework or, I guess,  
18 components of NRI with respect to what you're doing  
19 privately?

20 A. I did not. But many of the components of NRI  
21 are components of a public health approach to violence  
22 prevention, and so they are universal components.

23 Q. Just a couple more questions and thank you for  
24 your time. We got some documents two nights ago and  
25 last night from your attorney. Pardon the bruskeness of

1 **this. Do we have everything now that's responsive to**  
2 **our subpoena?**

3 A. So I believe -- So what you received yesterday  
4 were documents that came back from the Governor's  
5 Office.

6 **Q. Okay. They did not come from Mr. King?**

7 A. They came from the Governor's Office to  
8 Mr. King and then from Mr. King to you.

9 REPRESENTATIVE SANDACK: Okay. And I might ask  
10 you, Mr. King, because it's been a little circuitous and  
11 it's been a little unusual. I'm not casting any --

12 MR. KING: Swear me in. I'm happy to answer.

13 REPRESENTATIVE SANDACK: I can't swear you in. You  
14 have a duty under -- You're a licensed attorney. Do we  
15 have everything?

16 MR. KING: I believe we do. The documents that  
17 Dr. Irving is referring to are to my understanding --

18 REPRESENTATIVE SANDACK: Push the button.

19 MR. KING: Sure. I believe the documents were  
20 originally part of a subset that the Governor's Office  
21 had asserted a privilege on. In the course of  
22 reviewing -- preparing a privilege log to apparently  
23 discussions with this Commission, I think some were  
24 deemed not privileged. Those are the documents that  
25 were produced.



1 REPRESENTATIVE MAUTINO: Going once. Going twice.

2 (No response.)

3 REPRESENTATIVE MAUTINO: Dr. Irving, you should  
4 pick up a lottery ticket today. Thank you for coming  
5 and joining with us. And we appreciate your testimony,  
6 the documents and any other documents. Have you  
7 produced all the documents that you intend to produce at  
8 this time?

9 DR. TONI IRVING: Yes.

10 REPRESENTATIVE MAUTINO: Okay. With that, seeing  
11 no further questions, you are dismissed.

12 DR. TONI IRVING: I brought lunch.

13 REPRESENTATIVE MAUTINO: And actually Senator  
14 Barickman bought lunch. So if there is not enough  
15 there, there's some in the back.

16 We will be at ease until the next witness  
17 arrives.

18 (A short break was had.)

19 REPRESENTATIVE MAUTINO: At the hour of 3:22 having  
20 arrived, our court reporter is ready to go. We will --  
21 Okay. 3:23. Welcome, Mr. Oberweis.

22 The Audit Commission is back in order, and I  
23 would ask Andy Ross to join us at the table with his  
24 attorney. Andy Ross is the Former Deputy Chief of Staff  
25 to Governor Quinn in 2009 to February 2011 and former

1 Chief Operating Officer for the State of Illinois.

2 Welcome, Mr. Ross. Would you please for our  
3 court reporter state your name and spell your name as  
4 well as introducing your attorney?

5 MR. ROSS: Sure. My name is Andrew Ross,  
6 A N D R E W, R O S S.

7 MR. SALDINGER: And on behalf of Mr. Ross is  
8 Richard Saldinger, S A L D I N G E R.

9 REPRESENTATIVE MAUTINO: Thank you. Please raise  
10 your right hand to be sworn in.

11 (Witness sworn.)

12 REPRESENTATIVE MAUTINO: Thank you for joining with  
13 us today. Would you like to make an opening statement,  
14 sir?

15 MR. ROSS: No thanks.

16 REPRESENTATIVE MAUTINO: Okay. Mr. Ross has joined  
17 with us. And as we go into the performance audit about  
18 the State monies provided to the Illinois Violence  
19 Prevention Authority under the recovery initiative, we  
20 would now accept questions from members of the  
21 committee.

22 Senator Oberweis.

23 WHEREUPON:

24 ANDREW ROSS,  
25 called as a witness herein, having been first duly

1 sworn, was examined and testified as follows:

2 EXAMINATION

3 BY SENATOR OBERWEIS:

4 Q. Good afternoon, Mr. Ross. Thanks for joining  
5 us here today.

6 A. Thank you.

7 Q. I just have a few questions. Could we start  
8 to ask you to tell us a little bit more about your  
9 involvement with the NRI, how -- where it came from, how  
10 it got started. And you're the seventh person to answer  
11 this question.

12 A. I'm sorry. So --

13 Q. You're the seventh person to be asked that  
14 question.

15 A. So you want --

16 Q. I'd like your background on how NRI got  
17 started. Just as much as you might know about that.

18 A. I'm not exactly sure -- exactly how it came to  
19 pass.

20 Q. What's your first memory of the NRI?

21 A. You know, it's more than four years ago.  
22 Obviously preparing for my appearance here I reviewed  
23 some e-mails and stuff that was posted online. But one  
24 specific direct memory that I have of NRI, you know, I  
25 can't pinpoint one. You know, in terms of just -- in

1 terms of my specific duties related to the IVPA, I had  
2 nothing to do with the Illinois Violence Prevention  
3 Authority.

4 **Q. Let me back up for just a minute. Tell us**  
5 **your position at this time and in 2010-2011.**

6 A. Sure. I was the Deputy Chief of Staff in the  
7 Governor's Office; and I worked with a number of  
8 agencies and authorities including DCEO, IEPA, IDFPR,  
9 insurance, (inaudible, the ICC.

10 **Q. But you don't remember your involvement with**  
11 **the NRI?**

12 A. In terms of a specific --

13 **Q. Go ahead.**

14 A. There was a component under DCEO, you know, a  
15 micro loan program and a job training program that DCEO  
16 administered.

17 **Q. Can you give us an idea of when you first**  
18 **heard of the NRI?**

19 A. You know, I can't -- I can't give you an exact  
20 date.

21 **Q. I'm not asking for an exact date. Approximate**  
22 **would be fine.**

23 A. You know, reviewing e-mails that were posted,  
24 you know, online, you know, there was an e-mail traffic  
25 related to me I believe in early August.

1           **Q.    And can you tell us a little bit about those**  
2 **e-mails, what was discussed, what was involved?**

3           A.    You know, again, I don't have them all right  
4 in front of me.  But it was related to how the micro  
5 loan program and/or -- and the job training program were  
6 going to be described and implemented, you know, once  
7 the program was launched.

8           **Q.    Tell us a little bit about the micro loan**  
9 **program, if you will.**

10          A.    You know, they were federal funds that were  
11 used as part of a micro loan program.

12          **Q.    How did they become part of NRI?**

13          A.    You know, I think it was a -- it was the idea  
14 to try to do something to help foster economic growth  
15 and job creation; and this was a tool that DCEO had  
16 available to try to accomplish that.

17          **Q.    Did you coordinate or were you involved with**  
18 **the program itself?**

19          A.    I worked with DCEO.  I don't remember any  
20 specific conversations with Director Ribley, you know,  
21 about it.  But, you know -- It was more than four years  
22 ago.  But, you know, I would assume that I did have  
23 conversations with him about it.

24          **Q.    Can you tell us how Federal disaster monies**  
25 **like that could be a part of Governor Quinn's NRI**



1 **program?**

2 A. I believe Director Ribley addressed that issue  
3 yesterday.

4 **Q. I'm asking for your involvement.**

5 A. Right. But, you know, I believe that that --  
6 in order to use the funds, you know, the way that they  
7 were used, they had to approach the Federal government  
8 and get approval from the Federal government to do that.

9 **Q. Can any Federal monies be brought into a**  
10 **program like that at the wish of the Governor?**

11 A. I can't speak to that. I'm not sure.

12 **Q. Do you remember how these Federal monies?**

13 A. I wasn't involved in that, you know, in that  
14 process.

15 **Q. Do you know who was?**

16 A. It would be Director Ribley and his staff.

17 **Q. Okay. Could we distribute, whoever is doing**  
18 **this, the Sun Times article entitled "E-mails Show Quinn**  
19 **Aides Had Political Concerns Over NRI in 2011"?**

20 **Do you have it, Mr. Ross?**

21 A. Yes.

22 **Q. I'd like to direct your attention to a**  
23 **paragraph that I think is actually at the very bottom of**  
24 **the first page of the article. It says, "Ross's," or**  
25 **your, "e-mails show that you, Meister and Lavin, to**

1     **varying degrees, appeared to mobilize to buffer Quinn**  
2     **and Graham from any potential political fallout from a**  
3     **WBEZ-FM report in February of 2011 about a pair of NRI**  
4     **grants disbursed to organizations linked to the**  
5     **alderman."**

6             **Can you tell us a little bit more about what**  
7     **that's all about there?**

8             A.    I don't recall.

9             Q.    You don't recall.

10            A.    No.

11            Q.    Would it help if we pass out the e-mails?

12            A.    No. I produced the e-mails. But, you know,  
13     that was something that I just discovered. Again, it  
14     was more than four years ago; and I don't have any real  
15     recollection of that situation.

16            Q.    Okay. Can you tell us a little bit about  
17     **whether -- would it be unusual for a Governor to get**  
18     **involved in an aldermanic campaign?**

19            A.    I'm not going to speculate. I ...

20            Q.    I mean, you have a great deal of involvement.  
21     **You were the Chief Operating Officer?**

22            A.    No. I was -- I believe I was Deputy Chief of  
23     Staff at the time.

24            Q.    Deputy Chief of Staff.

25            A.    Yep.

1           **Q.    And you have no idea of how the Governor might**  
2 **get involved in -- Do you know that the Governor was**  
3 **involved in aldermanic campaigns?**

4           A.    I mean, that would be, you know, on the  
5 political side. I was on the State side. That was my  
6 focus.

7           **Q.    So you never got involved in the campaign side**  
8 **at all, ever?**

9           A.    I'm not saying that, but I'm saying that my  
10 focus was on doing my job. I oversaw-- I helped work  
11 with a lot of different agencies, worked on a lot of  
12 different issues every day.

13          **Q.    Does the name Alderman Graham ring any bells**  
14 **for you?**

15          A.    I've heard that name.

16          **Q.    Do you have any knowledge about how the**  
17 **Governor's office would have gotten involved with**  
18 **Alderman Graham's campaign?**

19          A.    No.

20          **Q.    Tell us, if you will, a little bit about the**  
21 **process for selecting NRI grants.**

22          A.    In terms of which program?

23          **Q.    Any that you'd like to discuss. How they were**  
24 **determined, where the money went.**

25          A.    Those were decisions that were made in terms

1 of what I was involved in -- Again, I had no involvement  
2 with the Illinois Violence Prevention Authority in terms  
3 of DCEO. Those were handled by the agency.

4 **Q. Well, who would it be that would have made the**  
5 **decisions?**

6 A. Director Ribley and his staff.

7 **Q. And you weren't involved at all?**

8 A. No.

9 **Q. Do you think that the situation that led to**  
10 **NRI could be described as an emergency or do you think**  
11 **it was just a program in need of help or how would you**  
12 **describe the situation prior to NRI?**

13 A. I mean, again, I could only speak to the DCEO  
14 component. And DCEO's mission, you know, every day is  
15 to try to help foster more economic development, more  
16 job creation. And certainly that was a top priority,  
17 and that was something that was certainly appropriate  
18 for the agency to get involved in.

19 **Q. Well, I guess my question is a little bit --**  
20 **it goes a little bit further than that. It seems that**  
21 **it was quite a rush to make this happen in a very short**  
22 **period of time, approximately 60 days; and I'm really**  
23 **asking you why there was that big of a hurry.**

24 A. You know, again, on the DCEO side, I think  
25 these were programs that were either already kind of

1 established or on their way to being established. I  
2 don't think -- Again, I was only involved on the DCEO  
3 side. I wouldn't call it a rush.

4 **Q. Well, we've had a lot of testimony that says**  
5 **this only started in approximately August; and yet it**  
6 **was funded in part by October, approximately 60 days**  
7 **later. Does that sound like kind of a rush for a new**  
8 **program with millions of dollars of funds being**  
9 **disbursed?**

10 A. Again, Senator, I think you have to look at  
11 where the pots of money were coming from. From DCEO,  
12 that was already in their budget. DCEO already, you  
13 know, had established job training programs; and DCEO  
14 was already establishing this micro loan program. So I  
15 don't see that being rushed, in my opinion.

16 **Q. I think that -- Thank you. I appreciate those**  
17 **comments. I think that -- Well, let me ask you another**  
18 **question then. Do you think the program creating jobs**  
19 **and job training handled through DCEO was well managed?**

20 A. I don't have any knowledge.

21 **Q. Have you seen the Auditor General's report?**

22 A. On the IVPA side?

23 **Q. On all of it.**

24 A. I haven't seen any Auditor General report on  
25 the DCEO component of NRI.

1           Q.    I guess what I'm struck with from spending a  
2   fair amount of time listening to concerns of people in  
3   the community is the importance of job opportunities for  
4   the people and that job opportunities were certainly one  
5   of the most important things that could be provided in  
6   order to reduce the violence in the community.  In a  
7   sense, they all worked together.  It wasn't just one  
8   side reducing violence.

9                   And I keep asking myself if we had had a  
10  well-managed plan, how many more jobs might have been  
11  created?  How many lives might have been saved if more  
12  jobs were created?  How many better loans could have  
13  been made that would have helped businesses to get  
14  established and keep kids out of gangs, keep kids out of  
15  trouble and away from violence?  Any thoughts on that?

16           A.    You know, again, I don't think -- or I've not  
17  seen a thorough analysis of both of these programs.  So,  
18  I mean, I think I would have to take -- see something  
19  like that before to comment on something like you're  
20  asking me.

21           Q.    Thank you.  I have nothing further at this  
22  time.

23           REPRESENTATIVE MAUTINO:  Representative Sandack for  
24  further questions.

25           REPRESENTATIVE SANDACK:  Thank you.

1 EXAMINATION

2 BY REPRESENTATIVE SANDACK:

3 Q. Good afternoon, Mr. Ross.

4 A. Good afternoon.

5 Q. Do you have the documents that your attorney  
6 provided to the LAC in front of you or accessible? It's  
7 a cover letter from your lawyer.

8 A. Right.

9 Q. What are these documents, these e-mails?

10 A. These were e-mails that, you know, I  
11 discovered in my personal e-mail, you know, related to  
12 NRI.

13 Q. Right. And they were responsive to the  
14 subpoena served upon you; isn't that correct?

15 A. Correct.

16 Q. And you tendered them to your lawyer. I  
17 assume at some point you read the --

18 A. Correct.

19 Q. -- in order to give them to your lawyer,  
20 correct?

21 A. Correct.

22 Q. Did you look at them before coming today?

23 A. Uh-huh.

24 Q. Okay. And did they refresh any recollection?  
25 You said three times it was four years ago.

1 A. Right.

2 Q. And I understand that's quite -- Four years is  
3 four years. But I want to be clear on something. They  
4 refreshed your recollection at some point, correct?

5 A. No. I mean, it's -- I do not -- I do not  
6 recall responding or getting this e-mail, I mean, even  
7 after looking at it. I mean, I got hundreds --  
8 thousands upon thousands of e-mails, you know, over a  
9 four-plus-year period. So no, I did not remember this  
10 specific instance.

11 Q. Well, thousands of e-mails over a four-year  
12 period of time; but you didn't produce thousands. You  
13 produced what you produced. And I asked if you reviewed  
14 them, but your testimony is it didn't refresh any  
15 recollections of your involvement in NRI?

16 A. In terms of this specific -- I mean, are you  
17 asking for this specific incident?

18 Q. Yes.

19 A. No. No, it did not.

20 Q. Let me ask you a general question first. Did  
21 the Governor's office have any involvement in choosing  
22 lead agencies for the NRI program?

23 A. I had nothing to do with that.

24 Q. Do you know the answer to my question or not?

25 A. No. No.



1 Q. Do you know if the Governor's office had any  
2 involvement in choosing subagencies for the NRI program?

3 A. I have no knowledge of that.

4 Q. Take a look at that document that's in front  
5 of you, sir. I think it's on the third page. The top  
6 will say "Andrew Ross."

7 A. Uh-huh.

8 Q. It's your e-mail, right?

9 A. Yep.

10 Q. Look -- Well, look at the first part. It's  
11 from Chris Meister, correct?

12 A. Uh-huh.

13 Q. It's sent to you, isn't it?

14 A. Yes.

15 Q. All right. Would you read this e-mail,  
16 please, that was sent to you?

17 A. The top part?

18 Q. The body of it, yes.

19 A. I'm sorry. Where did you want me to start?

20 Q. The very beginning of the document, the first  
21 e-mail.

22 A. Right. "Rob Baren on Don Harmon's staff put  
23 the statement together. Jack's addition was very  
24 valuable. The following local press attended.  
25 Hopefully this story will die. Austin Weekly, Austin

1 Voice, AustinTalks.org."

2 Q. All right. So this is to you. "Jack's  
3 addition" is Jack Lavin, correct?

4 A. Yes.

5 Q. Now, look down below, the second e-mail. This  
6 is to you, correct?

7 A. Correct.

8 Q. This e-mail was sent to you, isn't that right,  
9 Mr. Ross?

10 A. Correct, and to -- Right.

11 Q. And others?

12 A. Right.

13 Q. And it's the statement of Alderman Graham, is  
14 it not?

15 A. It appears to be, yes.

16 Q. So let's be clear. Jack Lavin was working on  
17 a statement for Alderman Graham; isn't that correct?

18 A. Well, I have no idea what Jack was or was not  
19 doing.

20 Q. What is your document -- What does the e-mail  
21 sent to you say?

22 A. Yeah, but I don't know -- You know, I can't  
23 testify as to what Jack did or did not do. I'm just  
24 looking at a piece of paper right now.

25 Q. And it's not refreshing any recollection

1     **whatsoever?**

2           A.    No.   No.

3           **Q.    Sir, did you get this e-mail?**

4           A.    More than four years ago, yes.

5           **Q.    Let's go through it.  "Statement of Alderman**  
6 **Graham.  In my roles as State Representative and**  
7 **Alderman, I have fought to meet the needs of my**  
8 **community as we battle to make our neighborhood safe."**  
9 **It says that, right?**

10          A.    Yes.

11          **Q.    What's the next line say?**

12          A.    "The Governor's Neighborhood Recovery Plan  
13 Collaborative Violence Prevention Grants targeted over  
14 20 metropolitan communities."

15          **Q.    All right.  And then go down to the fourth**  
16 **paragraph and read that, please.**

17          A.    "I recommended respected groups.  Respected  
18 groups applied.  And respected community action groups  
19 were chosen by the Governor's office."

20          **Q.    All right.  So is there anything in this -- I**  
21 **know you say you don't have a recollection.  But as you**  
22 **sit here right now testifying under oath, is there**  
23 **anything that you just read that you believe is wrong?**

24          A.    I was not part of that process at all.

25          **Q.    You got this e-mail.  It was sent to you.  Was**

1    **it sent to you by mistake? Is that what you're**  
2    **suggesting?**

3           A.    No. What I'm saying is that I was not part of  
4    the NRI component, you know, in regards to the IVPA. I  
5    had nothing to do with it.

6           **Q.    Let's try it this way. Why were you sent this**  
7    **e-mail? Do you recall that?**

8           A.    I have no idea.

9           **Q.    Was this a mistake? Did you respond saying,**  
10   **Hey, why am I getting this e-mail?**

11          A.    You would have to ask Chris. I don't know  
12    why.

13          **Q.    I'm asking what you did with it when you**  
14    **received it. Did you do anything with it?**

15          A.    I believe on -- I believe in one of them -- I  
16    believe I asked what would the alderman say, but that's  
17    basically all I did.

18          **Q.    Mr. Ross, why are you in the e-mail chain? It**  
19    **sounds like this is all one big mistake. And why are**  
20    **you in all of these e-mails?**

21          A.    I -- You would have to ask the person that  
22    sent me the e-mail.

23          **Q.    Well, I'm asking you because you worked for**  
24    **him at one time.**

25                   **Mr. Lavin sent you e-mails consistently. This**

1 is what this packet is. You produced it.

2 A. Actually this was an e-mail --

3 Q. Mr. Nuckels?

4 A. I'm sorry?

5 Q. Go on. I'm sorry.

6 A. Which e-mail are you referring to? I'm  
7 talking about this e-mail was initially sent to me from  
8 not Jack but from Chris Meister.

9 Q. Correct. But it references Mr. Lavin, does it  
10 not, and it also copied Mr. Lavin?

11 A. Right.

12 Q. In fact, it was sent to Mr. Lavin and to you  
13 jointly, correct?

14 A. Correct.

15 Q. Okay. So if Mr. Lavin would have a mistake  
16 about this or if this was something totally erroneous to  
17 him, one would assume he would speak up; and I'm asking  
18 you why you didn't if this is all foreign territory to  
19 you.

20 A. You know, again, you would have to ask him.

21 Q. I'm asking you because you're the recipient of  
22 this.

23 A. You know, again, I can't speak for him. You  
24 would have to ask him.

25 Q. The rest of these e-mails of which you're the

1 recipient, does any of this stuff ring a bell with you?

2 A. No.

3 Q. And I don't see any replies to you in any of  
4 these saying, Why am I on this e-mail chain? Why am I  
5 getting these e-mails? Did I miss that one?

6 A. No. I don't have any recollection.

7 Q. Mr. Ross, Senator Oberweis asked you some  
8 questions about the micro loan component, the DCEO  
9 component of NRI. Were you involved in any way, shape  
10 or form with communicating with HUD in order to get  
11 permission --

12 A. No.

13 Q. Let me finish my question, sir. Were you  
14 involved in any way, shape or form with communicating  
15 with HUD to get permission from the Federal government  
16 to use Federal dollars for this micro loan project under  
17 NRI?

18 A. No.

19 Q. Do you know who did get permission from HUD?

20 A. I don't know the specific individual at DCEO  
21 who did that.

22 Q. Let me ask you this way: What involvement did  
23 you have with the micro loan component, the DCEO  
24 component, of NRI?

25 A. I would say basically at the beginning I don't

1 recall a specific conversation with Warren or anyone  
2 else at DCEO about both programs. But, you know, I did  
3 work with the agency. So I think it would be fair to --  
4 it would be fair to assume that I would have some  
5 conversations with him about what they could potentially  
6 do in these areas. And reviewing the e-mails, obviously  
7 there was some traffic leading up to the announcement  
8 about how this would be described.

9 **Q. Do you remember anything else about this**  
10 **project?**

11 A. No.

12 **Q. Excuse me one second.**

13 A. Sure.

14 (Brief pause.)

15 BY REPRESENTATIVE SANDACK:

16 **Q. Mr. Ross, going back to the documents you**  
17 **produced responsive to the subpoena, if you could go to**  
18 **the fourth page. I think it's the fourth page. It**  
19 **starts with "via sent Blackberry by AT&T" and it's an**  
20 **e-mail.**

21 A. Mm-hmm. Yeah. Okay.

22 **Q. That e-mail is from you, is it not?**

23 A. Uh-huh.

24 **Q. I'm going to read it. It says, "He was**  
25 **there." Is that correct?**

1 A. Mm-hmm.

2 Q. All right. There's other e-mail responses  
3 that you have in this chain.

4 A. Right.

5 Q. Isn't that right?

6 A. Yeah. I think I said there was one other one.

7 Q. Let's find that one. It's actually two pages  
8 over.

9 A. Two pages?

10 Q. Yeah. And this e-mail was from you to Chris  
11 Meister, copies to Jack Lavin and Mica Matsoff; isn't  
12 that correct?

13 A. Uh-huh.

14 Q. Yes?

15 A. Yes.

16 Q. All right. It's regarding the Governor's  
17 Neighborhood Recovery Plan Collaborative Violence  
18 Prevention Grants. And it says, "How will the alderman  
19 respond to this if asked tomorrow? Thanks." Those are  
20 your words, right?

21 A. Yes.

22 Q. Okay. So you obviously had some involvement  
23 with Alderman Graham's press conference, press statement  
24 or press inquiries with respect to what she was involved  
25 with; isn't that correct?



1 A. Yeah. I mean, the e-mail says that.

2 Q. All right. So other than what's written  
3 here -- And again, you have no recollection of this,  
4 right? You're just reading it now?

5 A. No.

6 Q. Nothing further.

7 REPRESENTATIVE MAUTINO: Further questions?

8 (No response.)

9 REPRESENTATIVE MAUTINO: Seeing no further  
10 questions, Mr. Ross, thank you for appearing before us  
11 and you're dismissed.

12 MR. ROSS: Thank you so much.

13 REPRESENTATIVE MAUTINO: Do we have any further --  
14 I know that we left open the possibility of talking with  
15 Mr. Cutrone. I do not believe there's anyone seeking  
16 discussion of him.

17 So do we have any more witnesses to come  
18 before us, Miss Stricklin?

19 MS. STRICKLIN: No.

20 REPRESENTATIVE MAUTINO: To the audit itself,  
21 Senator Barickman and I have discussed where we go from  
22 here; and in the course of the -- We have now devoted  
23 about 40 hours of time to either witnesses or  
24 discussions on this issue itself, and what I'd like to  
25 do is ask Jason if he'd like to do any comments and just

1 kind of tell us what we're -- tell you what our next  
2 steps going forward are.

3 I thank you for -- everyone for their patience  
4 and work as we've gone through this process, and we will  
5 probably -- I don't know that we will need a motion.

6 Jason, why don't you go ahead and make some  
7 comments.

8 SENATOR BARICKMAN: Sure. Thanks, Mr. Chairman,  
9 and to the members for their tireless work over these  
10 long two days. I think it's safe to say that we have  
11 performed our duty as required by law and performed a  
12 very thorough vetting of what I believe is one of the  
13 most critical audits in the history of the Auditor  
14 General's office.

15 I think the Commission has had the opportunity  
16 to ask questions of Governor Quinn's top staff related  
17 to the creation and implementation of this failed NRI  
18 program, and I think the e-mails that have been produced  
19 as a result of the Commission's work have confirmed the  
20 Governor's governmental Chief of Staff is a campaign  
21 issue campaign advantage in /T-BG areas of the state  
22 ^ chk check ^ chk. But we continue to receive more  
23 e-mails. We received I believe some 200 over the last  
24 24 hours or 48 maybe. I don't know that we're confident  
25 as to what else may come in.

1           We had to take the extraordinary step of  
2   issuing subpoenas to get Quinn's top aides to compel  
3   them to appear and produce documents and answer  
4   questions regarding the audit. Through the audit and  
5   the subsequent testimony, the Commission has learned  
6   much about how this program was created in haste, how  
7   grants were rushed out to communities without a bidding  
8   process, how some violent communities received funding  
9   while others did not and many examples of how money was  
10   simply wasted. I think these revelations will help the  
11   legislature in their goal to make sure this kind of  
12   debacle and waste of taxpayer dollars doesn't happen  
13   again.

14           I think what's most frustrating, though, is  
15   that after all of these hours and hours of testimony,  
16   no one would take responsibility for the program. I  
17   mean, it came from somewhere. It was a creation of this  
18   program. None of the witnesses took responsibility for  
19   choosing which communities were chosen and received  
20   grants. No one took responsibility for determining  
21   which vendors were chosen. It's still unclear who was  
22   responsible for the critical decisions that led to the  
23   waste of some 55 million taxpayer dollars.

24           And the inconsistencies that were heard from  
25   the witnesses can't be missed. In over two days of

1 hearings, we had witnesses more at odds than anything.  
2 We still have fundamental questions about the audit that  
3 have gone unanswered, and I think we agree we need some  
4 time to digest this. We need to review the documents  
5 that have come in. We -- you know, hours and hours of  
6 testimony. I think we need to think about what we  
7 heard, the inconsistencies, and continue to do our due  
8 diligence.

9           It's our understanding that the Auditor  
10 General is working -- or we will have an opportunity to  
11 review the Auditor General's work on the third and  
12 fourth year of the NRI spending. That is an audit that  
13 I believe is in the works. And I think by agreement we  
14 are now working with the Auditor General on what will  
15 become a request to look at the DCEO piece of this and  
16 make sure that we have an audit of that so we know more  
17 about what occurred there.

18           So we will continue working to ensure that  
19 we're good stewards of public money and working to  
20 determine what remedies can be undertaken to prevent  
21 such a flagrant abuse of taxpayer dollars in Chicago and  
22 all around the city.

23           So I want to thank you, Mr. Chairman, for your  
24 work and your cooperation through this. Thank you.

25           REPRESENTATIVE MAUTINO: Thank you to the members

1 and the people who -- the staffs, especially through the  
2 course of this process. It began back in April and May  
3 and has been very divisive. In some areas Chairman  
4 Barickman and I did not always agree on many of the  
5 issues.

6 As to, you know, my thoughts, I think that  
7 with the audit itself, we had a history through past  
8 years when audits are brought forward and there is  
9 another audit which is currently in practice -- We are  
10 currently under a resolution by Representative Reis  
11 auditing years 3 and 4. I think we have had very, very  
12 full testimony, e-mails, hours of staff time, hours of  
13 work and expense by the witnesses as well as the  
14 Attorney General's office in preparation for the  
15 meetings that we have held today.

16 Whenever we have an audit which is out and  
17 another outstanding, we will -- or in the past, we can  
18 leave the audit open and that's our intent today. We  
19 may receive additional documents. And so for this audit  
20 in order to receive additional documents, we will  
21 continue to hold that open; and this spring I believe we  
22 should have the audits on years 3 and 4.

23 As we have gone forward, Criminal Justice  
24 Information Authority now has control of part of the  
25 project; and part of it is also located within other

1 agencies. Violence is still a problem. It remains a  
2 problem. And we have seen corrections and actions.  
3 Criminal Justice Information Authority has accepted all  
4 19 of the findings.

5 To my thoughts, the e-mails and the items that  
6 we have received in, though not adding -- They just  
7 proved the 19 findings were correct. And that in the  
8 spirit of transparency and doing what we do here at the  
9 Audit Commission, which is try to fix things going  
10 forward, that is our position. That's what we should  
11 do. Jason and I are going to keep the audit open. We  
12 will allow for additional e-mails.

13 Also, there is a resolution, which our next  
14 meeting, which will be November 19th in Springfield, the  
15 start of veto session, with another meeting coming up on  
16 the 10th; and we will have different agencies to look  
17 at. But we may have a resolution ready because there  
18 may be some changes necessary to Representative Reis's  
19 audit. We did talk about the DCEO component, and that  
20 is not in his audit. So that can only happen with an  
21 action from this body.

22 So we will work with the Auditor General to  
23 bring forward that, and I think it is relevant because  
24 it was discussed here in the scope of what we have done.  
25 Hopefully then we can go forward and close the audits

1 out when our questions have been answered, and we will  
2 continue to work for the good of the people of the State  
3 of Illinois.

4 I do not think the program itself was a total  
5 failure as I've been out and seen some of the things  
6 that exist today, and I've seen some of the programs --  
7 the after-school lock-in programs. I've sat in the  
8 mentoring programs and gone actually to some of the  
9 communities that did get awarded and some that didn't  
10 get awarded. And in doing that, my determination was  
11 there are problems within all of them and it's tough to  
12 say that any of these places -- They are not Mayberry.  
13 There are real problems in them.

14 So a problem that we should look to solve  
15 going forward is, How do you deal with this on a global  
16 scale? And so that's what I hope comes from this. I  
17 wish everyone a good day. I thank you all for your  
18 patience.

19 And with that, I would entertain a motion to  
20 adjourn the Audit Commission.

21 REPRESENTATIVE SANDACK: In unison.

22 REPRESENTATIVE MAUTINO: In unison. Okay. Motion  
23 passes. Thank you for your cooperation.

24 (The meeting of the above-entitled  
25 cause was adjourned at 3:58 p.m.)

1 STATE OF ILLINOIS )  
2 ) SS.  
3 COUNTY OF COOK )  
4

5 Peggy A. Cuda, being first duly sworn, on oath  
6 says that she is a Certified Shorthand Reporter,  
7 Registered Diplomate Reporter and Certified Realtime  
8 Reporter business in the City of Chicago, County of Cook  
9 and the State of Illinois;

10 That she reported in shorthand the proceedings  
11 had at the foregoing meeting;

12 And that the foregoing is a true and correct  
13 transcript of her shorthand notes so taken as aforesaid  
14 and contains all of the proceedings had at the said  
15 meeting.

16

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PEGGY A. CUDA, CSR, RDR, CRR

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