The good news is that Illinois government appears to be doing a creditable job of promoting economic development among minorities.
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25th anniversary: a time for perspective, and thanks

by Ed Wojcicki

Sometimes thanks is the first word that comes to mind. And the best word. That's my conclusion now that the observance of Illinois Issues' 25th anniversary has ended. A bout 350 people attended our event, "Changing times, changing Illinois politics," M. ay 3 at the Union League Club of Chicago. Thousands more read the magazine's series over the past eight months (October-M. ay) exploring perspectives on critical issues that face Illinois.

Perspectives. That, I hope, is what our anniversary observance was all about. Our panels, for example, provided perspective when all agreed the result of the C. utback. A rendition of 1986, which reduced the size of the Illinois House from 177 to 118 members, hasn't been good. Those panelists were former governors (M. Edgar and William Stratton, and former Senate presidents Philip Rock and William Harris. Perspective. That is what our editors and writers provided, and still provide, as they analyze the important issues of the day.

Thanks to those who are responsible for the magazine's success. I feel indebted to so many: those who founded it (Sam Gove, Paul Simon and Sam Witwer), the original staff members, the university, our board members and staff, our writers, photographers and illustrators, the panelists at our event, and our funders. But most important, thanks to our readers who keep telling us to analyze issues with balance and vigor.

A videotape of our event will be available soon. See page 9 to order one. Go to our Web site (www.uis.edu/~ilissues), not only for more coverage and photos of our event, but also for the complete series of terrific anniversary articles.

Photograph by Michael Deane

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Conversations with the Publisher

Ed Wojcicki

The Public Broadcasting Cooperative of Illinois is a public service media organization serving the state and region with eight public television stations and 11 public radio stations.

The cooperative was established to provide public broadcasting service to the state of Illinois.

In 1987, the Peoria Star was formed, and in 1990, the WDCB-FM and WCBU-FM were added.
Illinois is a story told by many races and cultures

by Peggy Boyer Long

Who can tell the story of Illinois? The Illini, who bequeathed a name? Their story comes to us by way of the French. The ghosts of those lost people live in old letters and journals. Their spirits speak through the mediums of another culture. Still, they are there for us to hear, however faint. We can watch them tattooing their bodies head to toe, going on the buffalo hunt, playing a soccer-like game, finding ways to fool or frustrate the rivals.

So is it the Illinois tribes who can tell this story? Those who assimilated? Those who resisted the French? Who? The Illini, who founded? The Morons, who fled? Can they tell this story?

The Irish tell the story of Illinois, those who built canals and a great urban political machine! What about the Poles, the Arians, Hispanics? Can they tell this story?

Those who came to this territory in groups that are larger than a single family of southern Illinois? Their story is most often told in whispers, but it can be heard.

And editor and essayist M. aureen F. McKinney tells us this month that the need to listen has become critical, once again.

“Facing what we’ve overlooked,” she begins on page 22, “may become more important than resting on our dubious laurels.”

Illinois remains a land of immigrants.

For this reason, we should listen to all of the stories told by its many races and cultures.

Reading the Illinois story

City of Big Shoulders: A History of Chicago by Robert G. Spillne, Northern Illinois University, 2000

A summary, including the story of the city’s first permanent settler, a black man, and today’s Hispanic immigrants.


Letters and journal entries by George Flower and Morris Birkbeck, the founders of the southern Illinois community who fought to keep the state free of slavery.

An Autobiography of Black Hawk by Donald J. Jackson, University of Illinois, 1964 and 1990

Based on the first version published in 1833.

Prairie to Town: The Making of Illinois’ First Metropolis by William L. Day, Southern Illinois University, 1963

In two volumes, this book offers a comprehensive history of Illinois’ early settlements and cities.

Sugar Creek: Life on the Illinois Prairie by John M. K. Faragher, Yale University, 1986

A social history of the early white settlers of Sangamon County.

Confronting the paradox

18 Driving while black by Heather Nickel

Charges that police target blacks and Hispanics for traffic stops have been grabbing attention.

22 Review essay by M. aureen F. McKinney

Facing what we’ve forgotten about race relations could be as important to Illinois’ future as celebrating what we remember.

26 Nuclear fallout by Tony Man

The taxable value of reactors is plummeting, meaning fewer property tax dollars. Local school officials want state financial help.

31 Family feud by Aaron Chambers

Grandparents are turning to the courts.

Sharing the wealth

14 Sharing the wealth by Burney Simpson

The good news is that Illinois government appears to be doing a creditable job of promoting economic development among minorities.

40 Nuclear fallout by Tony Man

The taxable value of reactors is plummeting, meaning fewer property tax dollars. Local school officials want state financial help.

30 Family feud by Aaron Chambers

Grandparents are turning to the courts.

31 Squeeze play by M. Brown

A thieves are challenging Illinois’ income tax system.
Illinois could lose dollars, clout if everyone isn’t counted in the Census

by Burney Simpson

Y ou have to play to win, goes the old saying. The same could be true for the decennial Census. Every person counted can mean more in federal dollars for states, counties and cities. That money can be used to help poor people, provide nutrition for infants, buy school books, shore up public transportation and build roads. When folks are missed, they miss out.

Chicago officials, for example, contend that an undercount of 69,000 residents in the 1990 Census, cost city taxpayers about $54 million. That money could cost the city $3.39 billion, according to M. Mayor Richard M. Daley in his letter to the Chicago Sun-Times last April.

And it’s not just residents of cities who could lose out. Rural residents could be missed too. Wherever they live, those most likely to be missed are those who might benefit the most from being counted: the poor, children and seniors living on their own.

Along with money, the Census can mean political power. Aaccording to Census Bureau estimates from last July, Illinois is in danger of losing one of its 20 seats in the U.S. Congress. This is because the state’s population has remained flat, while the sunlight continues to grow.

“We’re on the bubble to lose a seat,” says Charles Wheeler, director of the Public Affairs Reporting program at the University of Illinois at Springfield. “If we do a haphazard count, and other states do a better job, we would lose a seat.”

“The thinking was that the undercount would be more likely to respond to an appeal by a respected figure in their neighborhoods than a government worker, says Ditas K Atega, deputy campaign director for California Complete Count.

“They are going to work with those they trust: the local priest, health care giver and educator,” says K Atega. “You have to use the infrastructure.”

California lost $2.1 billion in federal money from the 1990 undercount. But state officials determined they could break even on a $25 million investment this time around by successfully reaching 1 percent of those who were undercounted last time around.

That state surpassed its goal easily, says K Atega. California has garnered a response rate of 86 percent, beating the national average. As a result, that state could receive an additional $1 billion in federal aid over the next decade. And, of course it stands to win that congressional seat.

Meanwhile, Georgia spent nearly $3 million on its Census efforts in the last two fiscal years, according to Robert Goelacomi, director of research at the Georgia Institute of Technology, and an adviser to that state’s Complete Count Committee. E has the 1990 Census missed 141,000 residents of Georgia, costing the state a congressional seat. This time, the effort included live phone banks and television advertising, including reaching African Americans and the poor. In one ad, Gov. Roy Barnes warns, “If you don’t answer the Census, Georgia will be educing to the census 100 million people in New York for the next 10 years.”

Georgia reversed a downward response trend, and 63 percent of its residents sent back the mailed Census form.

In contrast, Illinois put no money in its budget for ads or outreach. And no one was named to coordinate the effort. This state rested on an executive order. Gov. George Ryan sent to his chief of staff, later decamber, which urged them to promote the Census to the people they worked with, and asked for a weekly progress report, according to a spokesman in the governor’s office. The order is not on the state’s Web site and was not made available to the press.

“The governor’s office directed us to do outreach to our customers and clients. That could be homeless centers, employment centers,” says Brian Reardon, a spokesman for the Department of Commerce and Community Affairs. “There was a concerted effort to get the word out. They knew what each state agency was doing.”

Reardon argues it made no sense to do advertising when the Census Bureau itself was doing ads.

But some community activists who have been attempting to get the Census believe the city and the state have been asleep at the wheel. The leader of one prominent, Hispanic organization says attempts to contact the governor were ignored.

“I called the Latino affairs director and never got anywhere. They had no budget to do anything,” says A N M aria Soto, regional Census director for the Mexican American Legal Defense and Education Fund.

Soto says she began working on promoting the Census nearly two years ago. Efforts included public service announcements by Latino celebrities on Spanish radio and television, articles in community papers, a cable access program and promotion at neighborhood festivals.

But there has been no coordination among city, state and county officials, according to Jeryl L evin, director on the Countdown 2000 Project at the Illinois Ethnic Coalition. Levin says she attended 30 planning meetings over the course of two years but no one from the state ever showed up. The coalition has 2,200 members and works with more than 100 ethnic groups, primarily in the Chicago metropolitan area.

Levin believes Chicago and state officials counted too much on ads and outreach by the Census Bureau itself. But the agency’s campaign targeted members of the middle class, who were going to send the form back anyway. Levin adds, “You needed public relations to sell it to those who had a bad experience with the government or don’t trust the government.”

Still, the Census Bureau finds the Illinois and diverse pretty good. By the end of April, 67 percent of Illinois households had responded, 2 percent better than the national rate. This is not a comfortable position to be in, according to a spokesman in the governor’s office. The order is not on the state’s Web site and was not made available to the press.

The initial response rate was 56 percent. After the enumerators were out, the rate improved after the enumerators are working, according to a spokesman in the governor’s office. The order is not on the state’s Web site and was not made available to the press.

In Chicago, the response rate on mailed forms was only 52 percent, despite the $800,000 in city money and another $750,000 in corporate and in-kind donations contributed to encourage residents to participate.

Chicago knows who is being missed, according to Don Davis, the city’s point man on the Census. 15 Children under 12 make up a tenth of the undercounted. Another 25 percent of those missed are “underidentified households,” which could include a family in a new building. A dult male 25 to 65 years old make up another 25 percent of that undercount.

“We have classes on stages, we convert closets, and we use the custodian’s room. We need the revenue,” says M. Mayor Richard M. Daley.

Oakwood learned the hard way that you have to be in the numbers to game money to federal dollars.
THE FUNGUS AMONG US
Shroomers: a possible new revenue for the state

Archaeologists say an ancient Illinois suburb may have been torched

Suburban sprawl in the Metro East region, which in recent years has caused concern among some environmentalists, dates back more than one thousand years. But modern-day city planners are not likely to embrace the solution that ancient Native Americans used to solve the problem. New evidence suggests they burned one famous suburb to the ground.

The reason and method of the disappearance of the civilization that inhabited the region between East St. Louis and Collinsville has long been a mystery to archaeologists working in the Cahokia Mounds area. But in November, scientists uncovered information from a site in East St. Louis that, in its heyday, was a "suburb" of one of the largest prehistoric civilization in North America. While excavating land in preparation for highway construction, researchers found burned houses, adding strength to the theory that the civilization fell through warfare.

A round the start of the last millennium, Cahokia Mounds was the site of the largest metropolis north of Mexico. Centered in Collinsville, the civilization stretched out several miles into Madison and St. Clair counties. The area was home to people of the Missippian culture. The site is best known for the series of earthen mounds thought to have been built for burial or ceremonial purposes. Bill Iseminger, an archaeologist at Cahokia Mounds State Historic Site says at one time there were more than 120 mounds. Of the 68 remaining, 68 are protected on state property.

Why the Mississippian sites disappeared about 800 years ago is still officially a mystery. But the new discoveries support the idea that internal warfare or conflict with neighboring people brought the civilization to an end.

State-funded stipends put more minorities in higher ed

Under-representation of minorities in graduate school programs has been "an ongoing and stubborn issue," says Don Sevener, a spokesperson for the Illinois Board of Higher Education. But an audit of two higher education affirmative action programs reveals the tide may be turning, slowly.

The relative number of minorities earning doctorates from Illinois universities rose from 4.6 percent of all those receiving Illinois doctorates in 1988 to 6.9 percent of those earning doctorates in 1998. That finding is part of Southern Illinois University Professor Jack M. Oxilip's performance report on the Illinois Minority Graduate Incentive Program and the Illinois Consortium for Educational Opportunity Program.

Both publicly funded programs were established in the mid-1980's to encourage minority students to complete graduate studies at Illinois colleges. A nother goal is to increase the number of minority faculty, administrators and academic staff in the state's higher ed institutions.

State funding for the programs fits into the broader context of Illinois public policy, says Sevener. "We're not doing this in isolation. We're attempting to broaden [minority] opportunities in higher education and the workplace and also broaden the diversity. We have said in law, budget and programs that this is an interest of the state.

The programs have handed out 846 fellowships since 1986. Current stipends of $13,500 or $10,000 allow minority students to attend Illinois graduate schools, after which they must seek jobs in Illinois education. (Students in the Educational Opportunity Program stipends are going to master degrees. State-funded stipends put more minorities in higher ed)

[FP: Photo courtesy of Darrell Cox, University of Illinois at Urbana-Champaign]
State may yet fund compulsive gambling program

Illinois beat most of its neighbors to the water when riverboat gambling boomed in the early 1990s. Nearly a decade later, it’s the only Midwestern state with floating casinos that doesn’t provide a publicly funded program to help citizens who become gambling addicted. That situation could change this summer.

Gov. George Ryan called for $2 million for treatment, education and research programs in the fiscal year 2001 budget. But that money wasn’t in the final spending plan approved by the legislature this spring. So when the Illinois Gaming Board held its first-ever hearing on compulsive gambling last month, Ryan used the occasion to direct the Department of Human Services to start anti-addiction programs in July using $1 million from its own budget. He also reiterated his opposition to automatic teller machines on the riverboats, which some argue fuel addicts’ compulsive behavior.

At press time, Tom Green, a spokesman for human services, said that the department was still evaluating the funding plan and programming ideas. “We’re not sure yet where that’s going to go,” he said.

Ryan’s actions may help placate some gambling critics, who scolded state officials for reaping a tax windfall from the casinos—more than $328 million in 1999—without addressing the downside. The Illinois casino industry cites research that says nationally less than 2 percent of adults become addicted to gambling. Critics contend the figure is 3 percent or more.

The Illinois casino industry already voluntarily funds a help line (1-800-GAM-BLER) for problem gamblers. And Gaming Board Chairman Gregory C. Jones says regulators are taking a broader look at access to money aboard the riverboats, from cash-advance machines that let gamblers tap their credit cards to the varied policies casinos have for cashing customers’ checks and issuing lines of credit.

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BRIEFLY

Chicago mayor, city council take up slavery reparation issue

Mayor Richard M. Daley announced his support last month of a Chicago City Council resolution that calls for the U.S. government to consider making reparations for enslaving African Americans before the Civil War. Ward 3 Alderman Dorothy Tillman wrote the resolution, which the city council approved overwhelmingly.

U.S. Rep. John Conyers, a Michigan Democrat, has pushed Congress to study reparations for more than a decade. Increased media attention in recent years has brought the issue to the discussion stage.

Those who favor reparations to descendants of American slaves argue Japanese Americans held in internment camps during World War II and Holocaust survivors have both received compensation for injustices.

But opponents say those situations were different. Those seeking reparations for slavery are several generations removed, complicating the question of who should receive payments, who should make the payments and how they should be made. For example: how could the government assure that black tax dollars weren’t used to pay for reparations? And what of those white Americans whose ancestors fought to end slavery or immigrated to America after the Civil War?

But the most fundamental—and contentious—question is: Should today’s white Americans be forced to pay for the horrors of slavery?

In his book, The Debt: What America Owes to Blacks, Randall Robinson, president of a group called TransAfrica, argues that African Americans deserve compensation for civil rights injustices that continued at least until the 1960s. But Robinson doesn’t have answers concerning who specifically should make the reparations and who should receive them. He suggests an educational and developmental fund be established for the benefit of black Americans.

H. Heather Nickel
BRIEFLY

WEBSOURCE

Cyberspace debate on Chief Illiniwek

Not all racism is black and white. Native Americans have been trying for decades to convince the nation that some sports team names and mascots are offensive. Illinois has been the focus of some complaints because of the University of Illinois’ Chief Illiniwek. Campus and national organizations have asked the board of trustees to adopt a new sports mascot. The university has asked for public feedback on the issue. The school will spend the summer considering the opinions offered, and the board will make a decision in the fall.

Even though the deadline for public input has passed, the university will continue to update its “Dialogue on Chief Illiniwek” page on its site at www.uiuc.edu. Look under “Quick Links” section of the home page. The university newspaper also has a site at www.dailyillini.com/issues/chief.shtml. A Chief Illiniwek home page at www.chiefuiui.edu has historical documents and essays about the U of I symbol.

Students for Chief Illiniwek have posted a pro-Chief opinion page on their site at www.savethechief.com. Meanwhile, the Progressive Resource Action Cooperative, a group opposing the continued use of the Chief as mascot, has its site at www.prairienet.org/prc offering the Native American viewpoint. The cooperative’s site also links to local newspaper reports covering the debate. For a broader view of Native Americans’ arguments against racism, check the American Indian Sports Team Mascots site at http://earnestman.tripod.com.

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Michael J. Bakalis, President
Illinois Issues

Sharing the wealth

The good news is that Illinois government appears to be doing a creditable job of promoting economic development among minorities.

by Burney Simpson
Illustration by Daisy Juarez

Jackson's strategy for jailing employees of the private sector is fairly new. But the public sector has been promoting economic development among minorities for decades. And, all things considered, the good news is that Illinois government appears to be doing a relatively creditable job of it.

One of the more successful efforts, falling under the rubric of affirmative action, is the so-called "set aside" program requiring publicly funded projects to issue a portion of all contracts to under-represented groups. That requirement has covered minority- and female-owned businesses for more than 30 years.

The underlying idea is that discrimination has long held back the growth of these businesses. To help such firms prosper, state and local government set goals for issuing contracts. Those goals are typically pegged to a percentage of the value of the government's total contracts over the course of a year. Officials do have a track record they can point to. Still, in the last two decades, court challenges to set aside programs have rolled across the country. In two important cases, the U.S. Supreme Court ruled governments with such programs must be able to prove statistically that past discrimination has hurt minority businesses. Further, they must be able to prove that set aside programs have remedied that discrimination.

As a result of these challenges, some governments have gone so far as to eliminate their programs altogether. Yet, despite such pressures, the state of Illinois has stepped up its efforts. The total dollars flowing through the set aside program is rising. And the target goal was increased last year from 12 percent of total business to 19 percent.

To the point, a recent study found that Illinois government is doing a better job than the private sector in providing contracts to minority-owned firms. Shortly after he took office last year, Gov. George Ryan issued an executive order to make it easier for such firms to get state contracts. Nevertheless, questions remain about the effectiveness — even the value — of the state's set aside policies.

The M inority and Female Business Enterprise Program was launched in 1984 for 41 agencies, boards and commissions that reported to the governor. They were to issue a total of 10 percent of their contacts to firms that were at least 51 percent owned by women or by black, Hispanic, Asian or Native American men. Five percent of the contracts were to go to female-owned businesses and 5 percent to minority-owned firms. Those firms earned more than $14 million annually, except in special circumstances. It was a felony for vendors to misrepresent themselves or to otherwise win contracts fraudulently.

Aaccording to state reports, minority-owned firms earned about $50 million in state business prior to 1984. Within the next three years, though, the state had issued contracts worth $177 million to more than 1,000 minority- and women-owned firms. Public universities were ultimately folded into the program and the goals were expanded, meaning an additional 2 percent of contracts were to go to businesses owned by the disabled.

Two years ago, some $239.7 million in contracts were issued, exceeding the goal by more than $20 million, according to the program's annual report. The effort, now called the Business Enterprise Program, is under the Department of Central Management Services, which oversees personnel and purchasing for agencies under the governor.

By their own account, the program has been a success. But, in light of the U.S. Supreme Court's rulings, the state's enterprise governing board commissioned a consultant to review the record. That 1997 study attempted to determine whether the program helps targeted businesses, and whether it helps remedy discrimination.

Chicago-based National Economic Research Associates examined data from fiscal years 1984 through 1986. The consultants found that by the last year, targeted businesses were receiving 17 percent of the state's contracts for goods and services, exceeding the state's goal of 12 percent.

In contrast, a review of Illinois' private sector indicated it wasn't as successful at sharing the wealth with under-represented groups. For example, black-owned and Hispanic-owned service companies should have been doing more than twice as much business with the private sector, according to the report. The consultants concluded the state's program was both successful and necessary to redress discrimination still evident in the private sector.

The report wasn't all good news for the public sector. The study also found that the number of female-owned firms in Illinois enabled the state to meet its goal with regard to that group, while there was a shortage of minority-owned firms providing the goods and services the state needs. The report recommended the goals be changed to reflect that reality. As a result, program officials voted to raise the state's goal to 19 percent for all under-represented groups.

Female-owned companies
would get 12 percent of the total, but 3 percent of the contracts would be set aside for companies owned by women of color. The targets for minority men and the disabled would remain at 5 percent and 2 percent respectively. Those changes took effect last July.

"I was told that we would be giving a supply of [women] vendors out there. But there were only 2.5 percent minority male businesses. We didn't want to reduce that. So we left it at 5 percent," says Sharon Young, an administrator with Chicago State University and a board member of the enterprise program.

In fact, the state now supports the need for the change. In fiscal year 1987, firms owned by white females earned about a third of the dollars going through the program. That trend went to firms owned by men and women of color. But by fiscal year 1998, firms headed by white females earned a little more than half of the dollars. Firms owned by men and women of color earned 41 percent and the disabled 8 percent.

There's another concern. An analysis of the state's top 15 contractors in the Enterprise Program in fiscal year 1999 indicates that only two are women- or minority-owned. The rest are sheltered workshops that employ or work with the disabled. Such state agencies as the Department of Children and Family Services and Human Services issue those contracts to run workshops.

"We can't control the state's needs," says Ben Bagby, assistant legal counsel with Central Management Services. "If we fail [disabled], we're in a similar situation as women- or minority-owned firms. People can drop away from doing business with them. We want to level the playing field."

The program's participants have concerns, too. Those firms can be certified by Central Management Services, the Illinois Department of Transportation or two independent groups that have certification reciprocity agreements: the Chicago Minority Business Development Council and the Women's Business Development Center. Such certification enables businesses to get on the approved list for state contracts. But a common complaint is that the process involves too much paperwork, and, indeed, the forms run to a dozen pages. Applicants also face work-site visits by inspectors aimed at determining the gender or ethnicity of the firms and their workers.

Last February, Gov. Ryan set up an advisory committee to determine whether the certification process can be simplified.

But some believe the program needs more tinkering. State Sen. Rickey Hendon of Chicago Democrats, has proposed reviewing the groups covered by the program and toughening the penalties for fraud.

Other critics contend the state simply isn't living up to its end of the bargain. The transportation department, the largest state agency in terms of the dollar value of its contracts, is receiving its share of complaints these days.

That agency doled out $133 million through the program in fiscal year 1998 to builders, architects, engineers, plumbers, electricians, traffic controllers, haulers and others needed for road projects. But an African-American activist group, the Workship Coalition, has stopped traffic controllers, haulers and others needed for road projects. But an African-American activist group, the Workship Coalition, has stopped traffic

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**The Illinois Business Enterprise Program**

A s of fiscal year 1998, the most recent year for which figures are available, the program had issued $239.7 million in contracts, exceeding its goal by $21 million. Nine public universities and 56 state agencies, boards and commissions participated. Firms owned by white females earned $121 million, people of color earned $100 million and the disabled earned $19 million.

**The 10 state agencies with the largest dollar awards**

<table>
<thead>
<tr>
<th>Agency</th>
<th>dollars awarded</th>
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<tbody>
<tr>
<td>Department of Transportation (construction)</td>
<td>$85.8 million</td>
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<tr>
<td>Capital Development Board</td>
<td>$24.5 million</td>
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<tr>
<td>Department of Central Management Services (procurement)</td>
<td>$13.2 million</td>
</tr>
<tr>
<td>Department of Human Services</td>
<td>$11.2 million</td>
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<tr>
<td>Department of Corrections</td>
<td>$10.7 million</td>
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<tr>
<td>Department of Central Management Services (operations)</td>
<td>$8.8 million</td>
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<tr>
<td>Department of Public Aid</td>
<td>$8.6 million</td>
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<tr>
<td>Department of Children and Family Services</td>
<td>$7.6 million</td>
</tr>
<tr>
<td>Department on Aging</td>
<td>$6.4 million</td>
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</tbody>
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Source: Central Management Services, Business Enterprise Program, 1998 annual report.

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**Illinois Department of Transportation's 10 largest women- and minority-owned firms 1999 by contract dollars**

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<tr>
<th>FIRM</th>
<th>HOME</th>
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<td>1. Ladd Construction</td>
<td>Ladd</td>
<td>$7.7 million</td>
<td>W</td>
<td>Concrete</td>
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<tr>
<td>2. Varsity Striping</td>
<td>Champaign</td>
<td>$4.9 million</td>
<td>W</td>
<td>Pavement marking</td>
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<td>3. P.J.R. &amp; A associates</td>
<td>Campbell Hill</td>
<td>$4.7 million</td>
<td>W</td>
<td>Re-Bar work</td>
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<td>4. M arking Specialist</td>
<td>Arlington Heights</td>
<td>$3.8 million</td>
<td>M</td>
<td>Pavement marking</td>
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<td>5. Hawk Enterprises</td>
<td>Crown Point, Ind</td>
<td>$3.5 million</td>
<td>W</td>
<td>Electrical</td>
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<td>6. Park-Mark, Inc</td>
<td>St. Louis</td>
<td>$3.2 million</td>
<td>W</td>
<td>Pavement marking</td>
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<td>7. City Lights, LTD.</td>
<td>Chicago</td>
<td>$3.1 million</td>
<td>M</td>
<td>Electrical</td>
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<td>8. Bixen Construction</td>
<td>Drovers Grove</td>
<td>$2.9 million</td>
<td>W</td>
<td>Concrete</td>
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<td>9. Tri-Tech Electric</td>
<td>Romeoville</td>
<td>$2.6 million</td>
<td>W</td>
<td>Electrical</td>
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Source: Illinois Department of Transportation
Driving while black

Byron Harrison is 22 years old. A native of Houston, he now lives in Illinois, where he works for the state Department of Children and Family Services while attending college in Springfield. Harrison dresses professionally and drives a brand new Dodge Neon. With his interest in public affairs, he’s just the kind of person politicians say they consider the best hope for America’s future.

But public policies don’t always match political rhetoric.

Instead, as a young black male, Harrison has reason to believe law enforcement officials consider him a threat to public safety, even when he’s simply driving down the highway. In short, Harrison believes that he, along with other young black and Hispanic males, is a likely target for “racial profiling,” the suspected police practice of stopping and searching drivers for little or no reason other than race or ethnicity.

Legislators in Illinois and about 25 other states have been debating proposals on racial profiling. Last year, Connecticut and North Carolina approved laws requiring police to record information about the race of drivers who are stopped. This year, Missouri and Washington followed suit. At press time, the National Conference of State Legislatures was continuing to track the issue in other states where legislative sessions were still underway. At press time, the U.S. House of Representatives was considering a bill that would require a nationwide study of racial profiling by the U.S. Justice Department.

California’s ongoing debate on the issue has gotten plenty of press. Last year, that state’s governor vetoed a proposal approved by lawmakers to study racial profiling. This year, a compromise proposal is in the works that would require police officers to state reasons for traffic stops and issue business cards to motorists they pull over but don’t ticket. According to supporters, that plan would give motorists a chance to complain if they believe they were harassed. The procedure is already in operation in Los Angeles, where the Justice Department found a “pattern of practice in the racial arena.”

But that approach doesn’t have universal acceptance. Representatives of the southern California chapter of the American Civil Liberties Union argue the procedure won’t deter police from practicing racial profiling. The ACLU would prefer that officials collect racial data during traffic stops.

This spring, Illinois lawmakers held in a Senate committee proposals that would have required police to collect such data. Nevertheless, sponsors vow the issue isn’t going away.

Indeed, allegations of racial profiling are working their way through this state’s court system. The Illinois State Police and three local police departments have been accused of the practice.

In 1994, the Illinois ACLU filed a class action suit charging that officers in the state’s drug interdiction program target Hispanic drivers. Peso Chavez, a member of the Santa Fe, N.M., city council, was stopped for speeding on an Illinois highway. He claims that a white driver in the car behind him was going the same speed but was not stopped. Last year, the U.S. District Court in Chicago ruled in the agency’s favor in Chavez v. Illinois State Police. That ruling is on appeal in the 7th Circuit Court of Appeals.

Charges that police target blacks and Hispanics for traffic stops have been grabbing the attention of lawmakers in statehouses throughout the country.

By Heather Nickel
Illustration by Daisy Juarez
Former State Police Director Jeremy M. argolis is representing the agency. M. argolis, last April re nounced his post as director, told the Illinois Department of State Police that he would not seek another term.

M. argolis also announced that he would not seek another term as director of the Illinois State Police. He said he had made a decision to leave the agency last year after a year of controversy over its handling of racial profiling cases.

The Illinois Department of State Police conducted an independent investigation into the allegations of racial profiling by the Illinois State Police in 1998. The investigation found that the Illinois State Police had committed racial profiling in some cases, but that the majority of the cases were not racially motivated.

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CONFRONTING THE PARADOX

Facing what we’ve forgotten about race relations could be as important to Illinois’ future as celebrating what we remember

Review essay by Maureen Foerstch McKinney
Illustration by Daisy Juarez

ESCAPE BETWIXT TWO SUNS: A TRUE TALE OF THE UNDERGROUND RAILROAD IN ILLINOIS
Carol Pittre, Forward by Rodney O. Davis, 2000
Southern Illinois University Press

TELL US A STORY: AN AFRICAN AMERICAN FAMILY IN THE HEARTLAND
Shirley M. Otley Portwood, 2000
Southern Illinois University Press

O n an unseasonably warm and sunny Sunday, a pair of flags, one American, the other Confederate, ruffled a gentle afternoon breeze. A gitaroll gathered at the park pavilion to protest the existence of hate groups, and it was obvious that it was not the case.

Victims and their families have sued Hale’s organization, based on the 1871 Ku Klux Klan Act, which holds hate groups responsible for their members’ violence on the grounds of conspiracy. Klan-related law should be archaic, but obviously it’s not. When a few short months ago a Klan rally drew a crowd of 200, that the Klan can still draw a crowd sheds light on the paradox of Illinois’ racial relations.

A trio of books to be published this summer, should help put the more shameful chapters of Illinois history into context.

Carol Pittre’s Escape Betwixt Two Suns: A True Tale of the Underground Railroad in Illinois reminds us that it is not even accurate to say Illinois was free of slavery. In fact, in 1825 the state’s first governor, Shadrach Bond, owned 13 slaves. His lieutenant governor owned a dozen slaves and the secretary of state had five. Pittre uses this background for her tale of William Hayes, a southern Illinoisan who helped his neighbor’s escaped slave flee northward on the Underground Railroad. It’s important to note that this slave was held in Randolph County, Illinois; Hayes took her north to Galesburg. Technically, Illinois was a free state, deemed so by the Ordinance of 1877, which outlawed slavery north of the Ohio River. But in practice that was not the case.

French settler bought 500 black West Indian slaves to the Illinois territory in 1719. And as the issue of slavery began to create divisions between the plantation-rich South and the abolitionist North, the pioneers in the “west” had to come to terms with this unresolved issue. James Simoneo in Democracy and Slavery in Frontier Illinois: The Klan, the Bottomland Republic, published this year by Northern Illinois University Press, tells us that Illinois in the 1820s was the stage for one of the greatest battles slavery and anti-slavery forces. Ignited by the horrid murder in a 1999 rampage, the riots broke out in the wake of a pair of complaints: the accusation that a black drifter had killed a white man and a white woman’s charge that she had been raped by a black man. On the night of the charge, an angry crowd gathered outside the jail where the two men were held. Fearing for the safety of the prisoners, the sheriff moved the men to Bloomington. Incensed, the crowd began to loot and burn the city.

By the time the white mob had ended its two-day rampage through the black section of Springfield, six people were dead — two of them

classes of African Americans: indentured servants, French slaves and free “colored” people. But none of them had the right to claim citizenship or attend school or hold property or public office.

Racism ran to the core of Illinois. In 1819, the year after Illinois won statehood, the legislature adopted the Black Code. Under the code, men could be kept as slaves until the age of 35, women until the age of 32. The code allowed for the whipping of lazy slaves. It denied blacks the right to serve in the state militia, to post bail when arrested or to gather in assemblies. The ultimate threat of the code was its stipulation that slaves who refused to work could be sold south in slave states.

Illinois’ post-slavery record is not much better.

Should we regard it as a source of pride that the altricial A Association for the Advancement of Colored People was born in Springfield? Perhaps, but the paradox is that the creation of the NAACP was instigated by the brutal 1908 race riot in the city the Great Emancipator loved.

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Religious leaders call for an end to racism

I n April, just before the anniversary of Martin Luther King Jr.'s assassination, Illinois' 14 Catholic bishops issued a joint letter titled "Moving Beyond Racism: Learning to See with the Eyes of Christ." The impetus for the letter, which was several years in the making, was concern that blacks had been made unwelcome in some of the state's parishes.

The bishops wrote: "Racism exists here; it is part of the American landscape but no less contrary to the gospel of Jesus Christ. Third, all baptized Catholics have a moral obligation to work toward the elimination of racism." They defined racism as "a personal sin and social disorder rooted in the belief one race is superior to another." They noted that while any form of racism is intolerable, they were dealing specifically with racism against African Americans because "the centuries-old Black-White dynamic in this country seems to bear deeper dimensions of prejudice than any other form of racism." 

Here are some of the bishops' suggestions for taking steps to end racism:
- Take a personal inventory of your heart and discover what has to change;
- Seek opportunities to learn and know a person of another race;
- Identify racist behavior and make plans with others to change it;
- Seek opportunities to learn and know a person of an opposite race;
- Elect officials who work for justice;
- Refuse to use biased language or tell jokes tinged with racist attitudes;
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Nuclear fallout

The taxable value of reactors is plummeting, meaning they generate fewer property tax dollars. Local school officials want state financial help in making the transition

by Anthony Man

Few people relish the idea of living near a nuclear reactor. Yet for years, Illinois property owners with nuclear neighbors have enjoyed a bit of compensation in the form of lower taxes. Nuclear plants to be assessed at fair market value. And these days, the fair market value of a nuclear plant is plummeting, meaning they generate fewer tax dollars. In fact, in the marketplace, nukes are worth less than they cost to build. That could prove costly for local governments. A consultant hired by a special state committee that studied the issue estimated the market value of a hypothetical Illinois nuclear plant might be 75 percent less than the value assigned to the plant under the previous regulatory system. Because the plants pay about $120 million a year in taxes, a 75 percent assessment reduction could cut that revenue to $30 million.

The committee, headed by Timothy Bramlet, president of the Taxpayers’ Federation of Illinois, was established by the legislature to measure the fiscal costs — and pose some political options. Hardest hit would be schools, which typically get more than half of every property tax dollar from the plants. A told, the state’s seven nuclear plant sites generate more than $70 million a year in property taxes for school districts. (That estimate includes the closed Zion plant. It also should be noted that some of the sites have more than one reactor.) Stuart Whitt, an Aurora attorney who represents many school districts with nuclear power plants in their territories, served as a member of that committee. By his estimate, 61 school districts, community colleges and other local governments have nuclear power plants within their borders.

The Chicago School District is a prime example. About 75 percent of the assessed value of all the property in that district comes from the nuclear plant, which Illinois Power sold last year to A merger Energy Co., a joint venture of PECO Energy Co. and British Energy. Roger Little, the school district’s assistant superintendent, says the nuclear plant’s $480 million assessed value could decrease to $60 million. “We’re going to have to make cuts in our programs, and we’re going to have a higher tax rate,” he says.

Lawmakers and policy-makers most involved in the 1997 law knew this was coming. When the legislation passed, sponsors promised they would do something in the future to cushion the blow for the affected school districts and local governments. The future has come and gone repeatedly, but little has happened. The legislature imposed a now-expired temporary freeze on tax assessments and established the committee. Led by Bramlet, negotiators developed a plan that would have established a transition period to the market level valuation. During the proposed transition, which would last until 2007, there would be a gradual decline or “ramp-down” in property assessments, which would mean a gradual decline in tax income for schools and other local governments. Utilities, on the other hand, would benefit from a “ramp-up” period for their coal-fired power plants, which are increasing in value.

Cook County would have been exempt from the ramp-up period, so the county could increase assessments right away. The key element of the deal, and most controversial, was state financial assistance for schools and local governments during the transition period. This would be contingent on their increasing taxes, so local property owners would share in the burden. (An early draft would have allowed affected governments to increase their maximum tax rates without referendum, but legislators treated that idea as if it were radioactive.) Any governments with large reserve funds would be required to tap that cash.

The state assistance would have totaled $80 million on during the five-year transition, or $16 million a year. This proved politically impossible. The issue is a big one for a small number of legislators whose districts include schools and other local governments that stand to lose lots of nuclear money. But few other senators and representatives want to vote to send money to communities they see as having lived high for years. State Rep. Vincent Perez, a Glen Ellyn Republican who co-chairs the House Electric Utility Deregulation Committee, says he encountered widespread hostility on the part of some legislators toward the school districts with nuclear plants, all of which have had above-average school spending. He says the “envy factor” and “jealousy” were difficult to overcome. Indeed, during House debate, state Rep. Julie Hamos, a Chicago Democrat, voiced concern the bailout package would merely “help the wealthiest school districts in Illinois that have among the lowest tax rates.”

Yet Mike Ryan, superintendent of the Erie School District in Whiteside County, responds that his district has done well because of the Quad Cities nuclear station, but has not lived extravagantly. He says, for example, his “blue-collar, conservative community” did not install frills such as heated sidewalks. “We’re not the Byrons,” he says, referring to the nuclear-supported school district that spends more per pupil than any other K-12 school district in the state. Ryan’s district ranks 11th out of 406 K-12 districts.

Agora negotiators concluded work on this spring on the fiscal year 2001 state budget, both Stephen Schnorf, director of the governor’s Bureau of the Budget, and House Speaker Michael Madigan, a Chicago Democrat, said there was no political support for the assistance. And without the transition dollars, the plan fell apart.

Whitt says the school districts will try again in November to win the funding. Still, he acknowledges the effort will be difficult. “We’re always hopeful, but I don’t know that we have any reason to hope that something will carry in the fall when it didn’t happen in the spring,” he says. “The money’s the hang-up.”

Anthony M. is a Statehouse bureau chief for the three Lee Enterprises Inc. newspapers with Illinois readers. He writes frequently about utility and tax issues.
FAMILY FEUD
As families break apart, grandparents left behind are turning to the courts to get the right to visit their grandchildren

by Aaron Chambers
Illustration by Mike Cramer

I t granola and granapa want time with the grandkids; they may need to see a judge first. And more of them are deciding to do just that.

A s the American family continues to break down, grandparents who are getting squeezed out of the picture are increasingly seeking court-ordered visitation with their grandchildren. One such case is pending in the Illinois Supreme Court; the U.S. Supreme Court could rule on another case as early as this month. Whatever the rulings in these cases, the issue is likely to generate increased public attention over the coming months.

“T in the absence of a will and in the case of divorce or separation or death, the grandparents snoo o not be mae to suffer,” argues state Rep. Mary Flowers, a Chicago Democrat who sought unsuccessfully this year to expand grandparents’ rights to sue for visitation. “T he grandparents and the grandchild cannot decide their relationship as the parents can divorce their relationship.”

Illinois already has a law on the books granting grandparents visitation rights in certain cases, but Flowers wants to give them more legal leeway to sue. In those instances when the children are in the custody of the state Department of Children and Family Services, Flowers’ initiative died in the House during the spring legislative session, but she pledged to raise it again during the fall session.

Grandparents’ visitation statutes are not new. State legislatures throughout the country began debating their merits as early as the 1960s. But now, the courts are struggling with the application and constitutionality of those statutes. And that effort has once again focused the nation’s attention on the best interests and welfare of the child. (Flowers’ legislation would have shifted the burden of proof somewhat. Under her proposal, grandparents could win visitation unless it was “detrimental to the best interests and welfare” of the child.)

In Illinois, for example, grandparents can sue under certain circumstances, such as when the parents are divorced or when one parent has died. To secure visitation, grandparents must show that it would be in the child’s “best interests and welfare.” (Flowers’ legislation would have shifted the burden of proof somewhat. Under her proposal, grandparents could win visitation unless it was “detrimental to the best interests and welfare” of the child.)

As the American family continues to break down, grandparents who are increasingly seeking court-ordered visitation with their grandchildren are deciding to do just that.

As families break apart, grandparents left behind are turning to the courts to get the right to visit their grandchildren.
much as they used to.

But now it will be up to the judicial branch to interpret the laws. From the state of Washington to Delaware, courts have struggled with balancing grandparents’ wishes with the rights of parents to raise their children without interference from the state.

While grandparents argue that visitation laws are in children’s best interests and that any disruption of the children’s lives is thus necessary, others believe that parents have the right to make decisions about who sees their children. In fact, this month, the Illinois Supreme Court — the state’s highest court — will rule on whether the law allowing grandparents to sue for visitation violates the 14th Amendment, thus creating a new way for grandparents to assert their rights.

In Illinois, the Coalition for Children and Families is fighting for the rights of grandparents to be involved in their children’s lives. However, the Illinois Supreme Court has consistently upheld the authority of parents to make decisions about where and how their children live.

The Illinois Supreme Court has consistently held that family autonomy is a fundamental right under the state’s constitution. The court has held that Amish families are entitled to raise their children as they choose, and that the state cannot interfere with this decision. Other cases, such as the Washington State Supreme Court case of Depue v. County Court, have similarly upheld the rights of parents to make decisions about their children’s lives.

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There is certainly some theoretical merit to Illinois’ argument. “A ctually, it really is a solution to the problem, but unfortunately, Illinois is the only state doing it that way,” says Fred Marcus, a Chicago tax attorney who is working with the issue on behalf of the M ajor League Baseball Players Association. A few years ago, the players’ union and a major accounting firm got nowhere when they tried to convince other states to adopt a uniform system for taxing athletes that approximated the Illinois approach. The politics of getting everyone else to give up their jock tax proved totally impractical. “You’ll never see that happen,” Marcus says. That leaves Illinois as the stubborn lone wolf, aware of the athletes’ situation but not particularly sympathetic. “I understand what they’re saying, but I think we are enforcing the law the way it is written right now,” says Keith Staats, the revenue department’s chief counsel. “That’s what the law says. I think we’re enforcing it in a correct fashion. I think we have a fundamental difference of opinion here.”

So what do people do when they have a fundamental difference of opinion? Go to court, of course. With the backing of the baseball players’ union, former White Sox relief pitcher Scott Radinsky filed suit against the department in Cook County Circuit Court in 1998 to provide a test case for Illinois’ interpretation of the law. Radinsky’s lawyers contend Illinois’ approach is unconstitutional under the commerce clause and the due process clause, among others. Although it has proceeded slowly, lawyers for both sides say the case may be decided by the end of the year. A ny ruling is likely to be appealed.

The other 44 states have administrative review cases pending with the department, all but one of which is on hold while waiting for a court ruling on Radinsky. Information from those cases is not a matter of public record unless they reach the courts. The only case that is advancing at the department level involves Dave Smith, a former Cubs reliever who received a signing bonus and termination payment, creating legal issues not addressed by the facts in the Radinsky case.

Radinsky, currently seeking to make a comeback with the St. Louis Cardinals, was a resident of California when he played for the Sox in 1992. That made his salary subject to California’s 9.3 percent tax rate. Then, to his chagrin, Illinois came along and wanted its 3 percent, too. Radinsky was a relatively low-paid newcomer to the big leagues in 1992, and the taxes in dispute in his case are accordingly nominal. But the amounts at stake can be sizable for other athletes. The state is asking one former Chicago player to cough up an additional $195,000 in tax payments, while another player is seeking a refund of $120,000 that he contends he was overcharged. A Chicago athlete earning $3 million a year while making California his residence can expect to pay about $49,000 more a year in income taxes because of Illinois’ overbite. A young ballplayer in the prime of his earning potential may not miss the $49,000, but a tax bill of that size arriving in the mail can stun a retired athlete whose big money days are in the past.

One of the wrinkles in all this is that not every Illinois nonresident taxpayer/Chicago athlete makes his return home a model of efficiency. Radinsky was a relatively low-paid reliever who received a signing bonus and termination payment, creating legal issues not addressed by the facts in the Radinsky case.

Revenue officials insist athletes aren’t being singled out. “This doesn’t work any different for professional athletes than for anybody else,” says Staats. But officials are always stumped when asked to name another profession that involves high-paid salari ed employees who work for an employer in one state often make their home in another and travel around the country with each place visited claiming a share of their income. If there are sales reps that fit that category, it seems doubtful that any state taxing body can as easily trace their whereabouts on a given summer’s afternoon as they can a member of the Chicago Cubs. Some assume that entertainers face a similar problem, but the law allows them to be taxed only by the state in which they performed and were paid.

Paul Barger, a Chicago attorney who authored an article in the law journal, State Tax Notes, outlining the tax problems faced by professional athletes, called on Congress to intervene and establish a uniform allocation method for athlete taxation. But nobody thinks there’s much chance of that happening either. That would seem to leave it up to the state legislature, which could probably find better ways to use its time but often doesn’t. If nothing else, the subject could make for an interesting committee hearing during the summer recess for sports fans seeking re-election. The only problem would be holding the hearing early enough to make it out to Wrigley Field for a 2:20 start.

Mark Brown is a reporter who covers sports business issues for the Chicago Sun-Times.
Lynn to remain as UIS chancellor — for now

A mild upheaval in the process to name her successor, Naomi Lynn has put her retirement on hold. Lynn, the chancellor of the University of Illinois at Springfield, was set to leave her post May 31. But last month, she agreed to university President James Stukel's request that she remain.

At press time, the university's board of trustees was set to meet early this month to discuss criteria for candidates for the Springfield chancellorship. The selection process seemed all but completed last month, but the search was halted when Lynn indicated she would like to stay on. Lynn, the chancellor of the University of Illinois at Springfield, put her retirement on hold. Lynn, the chancellor of the University of Illinois at Springfield, put her retirement on hold.

PPOINTMENTS

The first 17 of 25 members have been appointed to the Environmental Protection Review Commission. Created last December by executive order, the commission will determine whether the Environmental Protection Act should be revised. Former state Rep. Ted Meyer of Chicago, who serves as legal counsel to the Illinois Environmental Protection Agency and as a member of the Pollution Control Board, was named chairman. The commission will not meet formally until all members are appointed. In any event, Meyer says he suspects “there is a strong move to do nothing.”

Those named to the commission are:
- William F. A. Bost of Chicago, commissioner of the Chicago Department of Environment.
- Mark A. Bie of Springfield, executive director of the Chemical Industry Council of Illinois.
- Jack Darin of Chicago, director of the Illinois Chapter of the Sierra Club.
- Matthew J. Dunn of Chicago, chief of the environmental enforcement division with the Illinois Attorney General’s office.
- Keith H. Arley of Lockport, director of the environmental department of the Chicago Legal Clinic Inc.
- Cecil L. Lee-Hing of Chicago, president of Cecil L. Lee-Hing & Associates.
- Claire A. Martin of Williamsville, chairman of the Illinois Pollution Control Board.
- Sidney M. Marder of Springfield, owner of Marder & Associates.
- Jane D. Reznik of Peoria, vice chairwoman of the environmental department of the Illinois Department of Natural Resources.
- Thomas V. Skinner of Chicago, director of the environmental department of the Illinois Environmental Protection Agency.
- Sheldon A. Zambia of Chicago, a partner with Schiff, Hardin & Waite.

Members of the commission are paid expenses, and appointments do not require Senate confirmation.

Five new members were appointed to the Juvenile Justice Commission, which advises the Department of Children and Family Services on juvenile justice and delinquency prevention programs and services. They are:
- Robert A. Brown, 23, of Chicago.
- Christelle A. Fullwood, 24, of Country Club Hills.
- Lucas H. Hala, 18, of Park Ridge.
- Courtney M. Chi, 18, of Normal.
- Robert M. endoza, 18, of Chicago.

Two of the criteria regarding the makeup of the 25-member commission are that five members be under 24 years of age and three members have a history as a juvenile offender. Members are paid expenses only, and appointments do not require Senate confirmation.

Reagan honored at Eureka College

A chunk of the Berlin wall now rests in a garden in central Illinois.

Last month, Eureka College dedicated the Ronald W. Reagan Peace Garden. The ceremony commemorated two events in the life of the former president. Reagan graduated from Eureka in May 1932. Fifty years later, as president of the United States, the alum returned to deliver a commencement speech challenging the Soviet Union to engage in strategic arms reduction talks.

Some historians point to that address as the beginning of the end of the Cold War.

The garden includes a bronze bust of Reagan and a 4-foot-by-5-foot section of the Berlin Wall, a gift from the Federal Republic of Germany.

Reagan, who suffers from Alzheimer's disease, did not attend. It is held by daughter Maureen Reagan spoke at the ceremony, which drew an estimated 1,500 spectators. Americans一波将有助于和平

Engraved on the pedestal are selections from the president's farewell address to Congress:

"Peace is not the absence of conflict, but the ability to cope with conflict by peaceful means."
A Belleville case proves problems permeate the state's judicial system

by Patrick E. Gauen

Audrey Cardenas was just a kid fresh out of college in 1988, an intern reporter at the Belleville News-Democrat eager to make the front page. Tragically she did, by getting murdered within days of moving from Texas. What the justice system of St. Clair County did about it is making the front page still.

The case seemed simple. The decomposing body of Cardenas, 24, was found in a dry creek bed. Police didn’t even leave the scene to close their case. A mentally impaired drifter from San Francisco happened along and attracted their notice. His name was Rodney Woidtke.

There was no physical evidence to link Woidtke to the crime. No connection to the victim. No history of violence. Just a confession extracted by detectives from an odd man whose bizarre behavior. He would later brag of being some kind of secret agent, Anderson proved to be a clumsy killer who left ample clues that got him swiftly convicted and sentenced to life.

The verdict was guilty and the sentence waived a jury trial and took his chances with Circuit Judge Richard Aguirre.

Ed lawyer Brian Trentman, Woidtke represented by court-appointed as an acquaintance with Cardenas. Woidtke story makes a point in a state obsessed with how its judicial system has come close to executing innocent men.

The problems are not only in the capital cases. Whatever the ultimate outcome, the Woidtke story makes a point in a state obsessed with how its judicial system has come close to executing innocent men: The problems are not only in the capital cases.

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A Belleville case proves problems permeate the state's judicial system.
A new study attempts to raise awareness on prison overcrowding

by Charles N. Wheeler III

Illinois citizens and elected officials have a clear choice, the study notes: Keep building more prisons or find a way to slow down the influx of new inmates into an already crowded system.

Writing in the Southern Illinois University Law Journal last year, Jody L. Sundt argued it would be “erroneous” to suggest the public demands the wholesale incarceration of offenders.

“I instead, there is a growing body of research that indicates the public is open to the use of community-based sanctions and even prefers this type of sentence for nonviolent and less serious offenders,” says Sundt, who teaches at the university’s Carbondale campus.

In particular, she notes, the public likes requiring offenders to engage in hard work, to pay restitution and to perform community service. Moreover, support for such programs increases as more offenders confined for longer periods. Thanks to the war on drugs launched in the 1980s, with its harsher penalties and more aggressive enforcement, the number of drug offenders in prison has skyrocketed to more than 11,000 — roughly one out of every four inmates — from just 673 in 1985.

Meanwhile, high recidivism rates find roughly two out of every five of the 25,000 inmates released each year back in prison within three years.

Every without any further get-tough measures, the trends now in place mean the coming years will see steady increases in the number of inmates, leading to ever-growing costs to build and operate new prisons and fewer dollars for education, human services and other top priorities.

Illinois citizens and elected officials have a clear choice, the study notes: “Keep building more prisons and paying more to operate them each year, or find some way to slow down the influx of new inmates into an already crowded system.”

Prison administrators and outside experts have been trying to send a similar message for years, but with limited success. Perhaps the most notable effort came from a task force headed by former U.S. Attorney Anton R. Valukas that in 1993 recommended more than two dozen reforms designed to reduce recidivism, provide more community-based sanctions and revise sentencing laws.

Legislators lost interest in reform after the 1994 election, however, when the “soft-on-crime” label helped beat both Democratic gubernatorial candidate Dan Clark, anetch and state Rep. Thomas J. Homer, a Canton Democrat who championed the proposals. Many lawmakers saw the election results as a mandate to crack down even harder, leading to truth-in-sentencing and other get-tough measures.

But the average citizen may have a keener understanding of criminal justice issues than politicians realize, some researchers believe.

Researchers believe providing sentencing alternatives as part of a total rewrite of the criminal code, rather than as individual reform measures, would pose less political risk for lawmakers.

Product provisions to allow more extensive use of community-based sanctions. In some cases, they say, community service, restitution or probations would be appropriate; in others, electronic home detention or day reporting should be preferred. And most drug users belong in treatment centers, not prison cells.

Voting for such sentencing alternatives as part of a total rewrite of the criminal code, rather than as individual reform measures, would pose much less political risk for lawmakers, they note.

Meanwhile, corrections Director Donald N. Snyder Jr. and aides are working to cut recidivism. Prison discipline has been tightened and education, vocational and drug treatment programs have been targeted toward inmates nearing the end of their sentences. Work release and parole have been revamped to offer intensive, community-based services to help released inmates become productive citizens.

“The state cannot build its way out of prison crowding,” contends Snyder. “Other alternatives must be explored. In addition to being tough on crime in Illinois, we must be smart about crime.”

Criminal justice experts and budget watchers alike hope that’s a message the public will embrace.

Charles N. Wheeler III is director of the Public Affairs Reporting program at the University of Illinois at Springfield.