

1 BEFORE THE ILLINOIS HOUSE OF REPRESENTATIVES
2 IMPEACHMENT COMMITTEE

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12 Hearing held on the 16th day of December, 2008,
13 at the hour of 10:00 a.m., in Room 114, Illinois State
14 Capitol, Springfield, Illinois.

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TRANSCRIPT OF PROCEEDINGS

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VOLUME I

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23 CAPITOL REPORTING SERVICE, INC.
 2021 TIMBERBROOK DRIVE
 SPRINGFIELD, ILLINOIS 62702
24 217-787-6167

1 COMMITTEE MEMBERS:
2 HOUSE MAJORITY LEADER BARBARA FLYNN CURRIE, CHAIRWOMAN
3 REPRESENTATIVE JIM DURKIN, MINORITY SPOKESPERSON
4 REPRESENTATIVE EDWARD J. ACEVEDO
5 REPRESENTATIVE SUZANNE BASSI
6 REPRESENTATIVE PATRICIA R. BELLOCK
7 REPRESENTATIVE WILLIAM B. BLACK
8 REPRESENTATIVE MIKE BOST
9 REPRESENTATIVE MONIQUE D. DAVIS
10 REPRESENTATIVE ROGER L. EDDY
11 REPRESENTATIVE MARY E. FLOWERS
12 REPRESENTATIVE JACK D. FRANKS
13 REPRESENTATIVE JOHN A. FRITCHEY
14 REPRESENTATIVE JULIE HAMOS
15 REPRESENTATIVE SUSANA A. MENDOZA
16 REPRESENTATIVE CONSTANCE A. HOWARD
17 REPRESENTATIVE LOU LANG
18 REPRESENTATIVE FRANK J. MAUTINO
19 REPRESENTATIVE CHAPIN ROSE
20 REPRESENTATIVE JIM SACIA
21 REPRESENTATIVE JIL TRACY
22 REPRESENTATIVE ARTHUR J. TURNER
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24

1 CHAIRWOMAN CURRIE: This special legislative
2 committee of the 95th General Assembly will come to
3 order. I'm Barbara Flynn Currie and I will serve as
4 the Chair of the committee.

5 And if the Clerk would please call the roll.

6 For the record, Representative Susana Mendoza is
7 replacing today the permanent member Representative
8 Gary Hannig.

9 CLERK: Currie.

10 CHAIRWOMAN CURRIE: Here.

11 CLERK: Durkin.

12 REPRESENTATIVE DURKIN: Here.

13 CLERK: Acevedo.

14 REPRESENTATIVE ACEVEDO: Here.

15 CLERK: Bassi.

16 REPRESENTATIVE BASSI: Here.

17 CLERK: Bellock.

18 REPRESENTATIVE BELLOCK: Here.

19 CLERK: Black.

20 REPRESENTATIVE BLACK: Here.

21 CLERK: Bost.

22 REPRESENTATIVE BOST: Here.

23 CLERK: Davis.

24 REPRESENTATIVE DAVIS: Present.

1 CLERK: Eddy.
2 REPRESENTATIVE EDDY: Here.
3 CLERK: Flowers.
4 REPRESENTATIVE FLOWERS: Here.
5 CLERK: Franks.
6 REPRESENTATIVE FRANKS: Here.
7 CLERK: Fritchey.
8 REPRESENTATIVE FRITCHEY: Here.
9 CLERK: Hamos.
10 REPRESENTATIVE HAMOS: Here.
11 CLERK: Mendoza.
12 REPRESENTATIVE MENDOZA: Here.
13 CLERK: Howard.
14 REPRESENTATIVE HOWARD: Here.
15 CLERK: Lang.
16 REPRESENTATIVE LANG: Here.
17 CLERK: Mautino.
18 REPRESENTATIVE MAUTINO: Present.
19 CLERK: Rose.
20 REPRESENTATIVE ROSE: Yes. Thank you.
21 CLERK: Rose.
22 REPRESENTATIVE ROSE: Yes, here.
23 CLERK: Sacia.
24 REPRESENTATIVE SACIA: Here.

1 CLERK: Tracy. Tracy.

2 REPRESENTATIVE ROSE: She's right outside.

3 CLERK: Turner.

4 REPRESENTATIVE TURNER: Here.

5 CHAIRWOMAN CURRIE: Thank you. We have not
6 only a quorum, we have a full complement of members.

7 First, I'd like to welcome to the committee the
8 Speaker of the House, Michael Madigan.

9 And I would also ask whether anybody representing
10 the Governor or his office is with us this morning?

11 (No response)

12 CHAIRWOMAN CURRIE: We have invited him.

13 I'd also like to introduce our counsel, David
14 Ellis, who is the counsel to -- the chief legal
15 counsel to the Speaker and also is the legal counsel
16 for the committee.

17 And Matt O'Shea is chief of staff to Tom Cross
18 and will serve as the minority legal counsel on the
19 committee.

20 And in addition, we have Justice Alan Greiman,
21 recently retired from the Illinois Appellate Court,
22 who is serving as a special aide, special legal
23 counsel to the Speaker of the House.

24 I have a few remarks of my own and I suspect that

1 most of the members of the committee will have some
2 remarks of their own as well. So we will move to that
3 business, that order of business at the moment.

4 So here we are in a crisis of confidence in state
5 government, starting with the arrest a week ago today
6 of Governor Rod Blagojevich on federal corruption
7 charges. We gave the Governor a full week to decide
8 to resign his office. He didn't. And I think we are
9 left with no choice but to initiate an impeachment
10 inquiry.

11 Yesterday, the House approved House Resolution
12 1650, which created this committee, a committee that
13 is not a committee to impeach the Governor, but
14 rather, to investigate whether or not there exists a
15 basis for the drafting and consideration of an
16 impeachment motion by the full House. The authority
17 for the formation of the committee lies in yesterday's
18 resolution. And the authority of the House to
19 investigate impeachment activities arises from Article
20 IV, Section 14 of the Illinois Constitution.

21 The committee plans to call witnesses to provide
22 testimony in subject matters that include, but are not
23 limited to, official misconduct that has been alleged
24 by the United States Attorney's office, abuses of

1 office, acts performed without legal authority, and
2 failure to comply with state laws and lawful requests
3 for information from the General Assembly.

4 As distressing as the present circumstances may
5 seem, we should take some comfort in the fact that the
6 framers of the United States Constitution, as well as
7 those delegates who crafted the 1970 Illinois
8 Constitution, had the wisdom to foresee such problems
9 and to establish an orderly, lawful means to address
10 them.

11 Many Illinoisans today, including some of the
12 lawmakers chosen to sit on this committee, have strong
13 feelings about the Governor and the crimes of which
14 he's been accused. But let us remember that we are
15 not Alice in Wonderland. We're not the Red Queen. We
16 do not sentence first and then do the verdict.
17 Illinois frontier days are long in the past. Frontier
18 justice will not prevail in this proceeding. A rush
19 to judgment does not serve the people of the state
20 well.

21 As the Speaker said yesterday, "Due process
22 rights, even for those accused of shocking crimes,
23 must be preserved and not sacrificed for expediency's
24 sake. The integrity of the General Assembly as an

1 institution, the nature of the precedent established
2 by these proceedings, and the judgment of history
3 demand that we not allow passion and anger to overtake
4 our fidelity to the Constitution and the rule of law."

5 It's my intent, my hope that this committee will
6 in fact proceed with due dispatch while at the same
7 time remaining mindful of the need to assemble a
8 comprehensive, thorough, well-documented set of facts
9 that House members may consider as the basis for an
10 impeachment resolution if that should be the ultimate
11 recommendation of this committee.

12 Further, in the event that the House should vote
13 to impeach the Governor, a trial would follow in the
14 State Senate, and Senators will rely upon the
15 testimony and the documents that are assembled here
16 first. It's vital, therefore, that we be thorough and
17 diligent in our work.

18 We are prepared to work as long and as hard as it
19 takes. We set a schedule that would have us here all
20 through the remainder of the year, if necessary. We
21 don't know today. I think we'll talk later about the
22 schedule.

23 But one of the issues is we do not want our
24 investigation to interfere with the criminal

1 investigation that is still underway in the office of
2 the United States Attorney. We plan to address the
3 United States Attorney, asking questions about whether
4 it would be an interference for us to hear from some
5 witnesses. We may not get an answer to those
6 questions quickly enough to, for example, enable us to
7 continue our work through this coming weekend. So I
8 just want people to know that while we are prepared to
9 work, roll up our sleeves, get it done in a timely but
10 deliberative fashion, we may be stymied early in the
11 investigation by inability to get clear answers from
12 the United States Attorney.

13 I'd like now to turn the microphone over to the
14 minority spokesman, Jim Durkin.

15 REPRESENTATIVE DURKIN: Thank you,
16 Representative Currie.

17 I think it's unfortunate we're here. It really
18 is. But we have responsibilities. We've taken an
19 oath of office to follow the Constitution and this is
20 one of our responsibilities.

21 We've had some preliminary discussions. One
22 thing that I just want to note that Representative
23 Currie and myself, we briefly discussed the rules of
24 the committee, and we're going to take further

1 consideration of the rules and we will vote on those
2 tomorrow. There's I think some room for improvement.
3 We think that there needs to be some work on those,
4 and I'm glad that Representative Currie has taken that
5 under consideration.

6 But I think it's important, though, that, you
7 know, a lot of us have made public statements so far
8 about our thoughts on the Governor, but our
9 responsibilities as we walked in the room today are
10 different. And I think it's important that all of us
11 put those attitudes, those prejudices aside, and we
12 should not prejudge at this moment. It's important
13 that we do afford due process. This has to be a fair
14 and deliberative process. I think we can get there.
15 It's unfortunate that we're here today, but we have a
16 responsibility as elected men and women representing
17 the State of Illinois to seek the truth and to decide
18 whether or not the Governor has committed impeachable
19 acts.

20 Now, this is going to be similar -- we're not
21 trying cases. This is going to be very similar to a
22 grand jury process. So the rules of evidence are a
23 little bit different, and the rules of process, which
24 we're going to be discussing during the course of the

1 day and later today, we'll be able to share those with
2 you tomorrow.

3 But I've worked with Representative Currie. I've
4 chaired the committee on prosecutorial misconduct many
5 years ago and I'm familiar with these kind of
6 sensitive committees. I'm also a practicing lawyer, I
7 was a former state and county prosecutor, and I do
8 understand that due process is something that's
9 paramount in our system. We're not going to let that
10 slide in this committee.

11 So Representative Currie and members of the
12 committee, I look forward to working with you, but one
13 thing that we will require and demand is that this is
14 going to truly be a bipartisan committee, that we work
15 together, and it's not going to be a lopsided
16 committee. So, if we feel that our rights are being
17 infringed upon as the minority party, you will hear
18 from us. But I look forward to working with you,
19 Representative Currie.

20 CHAIRWOMAN CURRIE: Thank you,
21 Representative, and I with you.

22 And now we will just hear from members of the
23 committee in alphabetic order.

24 Representative Acevedo, you're on.

1 REPRESENTATIVE ACEVEDO: Thank you, Ladies
2 and gentlemen.

3 I agree with Representative Durkin. I don't
4 think any one of us have any pride or joy being here
5 today. But without the resignation of the Governor,
6 it is imperative that the House Impeachment Committee
7 begin proceedings today. It is imperative that we
8 bring back the integrity of state government. The
9 serious matter of the corruption allegations against
10 the Governor make it vital for the Illinois General
11 Assembly to move forward.

12 I voted in favor of House Resolution 1650 to
13 create the House Impeachment Committee and plan to
14 serve as a diligent member of this committee. I will
15 do my duty as a member of the committee to make sure
16 all of the evidence is heard before rendering a
17 decision.

18 It is imperative that we bring back the trust of
19 the citizens of the State of Illinois.

20 Thank you.

21 CHAIRWOMAN CURRIE: Thank you,
22 Representative.

23 Representative Bassi.

24 REPRESENTATIVE BASSI: Thank you, Madam

1 Chairman.

2 Unfortunately, again, I'm using the same term
3 that everyone else has used. We are in a situation
4 where we have a state that has been immobilized by the
5 current situation brought about by the allegations
6 against the Governor. We have a state in crisis that
7 cannot pay its bills. And if the Governor would do
8 the right thing and resign, then the action of this
9 committee would be unnecessary. Unfortunately, unless
10 and until he does the right thing and resigns, we need
11 to move forward as rapidly as possible.

12 And I'm glad to be part of this committee and I
13 will pledge to do my work as diligently as the rest of
14 the people I know who are here.

15 Thank you.

16 CHAIRWOMAN CURRIE: Thank you.

17 Representative Bellock.

18 REPRESENTATIVE BELLOCK: Thank you very much,
19 Madam Chairman.

20 And I think it's a sad but an extremely serious
21 day in the history of the State of Illinois what we're
22 here to do today. I plan to be a fair and impartial
23 member of this committee and to listen to all the
24 testimony that's brought before us. And hopefully, we

1 will restore the trust of the people back into the
2 State of Illinois.

3 Thank you.

4 CHAIRWOMAN CURRIE: Thank you.

5 Representative Black.

6 REPRESENTATIVE BLACK: Thank you, Madam
7 Chair.

8 I've been here a long time. I certainly take no
9 pleasure in serving on this particular committee. I
10 think our spokesperson, Representative Durkin, has
11 expressed the views that I would agree with and he
12 expressed them very well.

13 I intend to listen carefully, weigh all of the
14 options carefully, and then when the task comes to
15 make a decision, again, we'll take that very seriously
16 and act in the manner that this committee must have.

17 I would be remiss if I didn't say that while we
18 sit here today, we have a state that's in absolute
19 fiscal crisis. The largest community-based
20 organization in my legislative district, with over
21 5,000 clients, has exhausted all of its borrowing
22 capability. They serve people with mental illness,
23 developmental disabilities, families in crisis, and
24 they will run out of money at the end of about the

1 first two-week period in January. Schools have not
2 been paid their transportation reimbursement since
3 school started. There are nursing homes who have let
4 many of us know that they will be facing imminent
5 bankruptcy right after the first of the year. We
6 have, I believe the Comptroller said yesterday, almost
7 four billion dollars in unpaid bills.

8 And so while the work of this committee
9 continues, I would hope that the work of this state
10 shall somehow also be able to function and that we do
11 whatever necessary to see to it that the services this
12 state is supposed to provide, in particular to some of
13 its most vulnerable citizens, will be taken care of.
14 I would hope that this committee not overshadow nor
15 push to the back some of the day-to-day operational
16 problems that this government has.

17 With that, I look forward to serving with my
18 colleagues and taking this responsibility which I've
19 been given very, very seriously. And hopefully, we
20 can work together. And as Representative Durkin said,
21 if we feel our rights as the minority party are not
22 being treated as seriously as the topic of this
23 committee, we intend to speak out for that.

24 But, Madam Chairperson, always a privilege to

1 work with you, and I look forward to doing so in the
2 days and weeks and perhaps months ahead.

3 CHAIRWOMAN CURRIE: And I with you.

4 Representative Bost.

5 REPRESENTATIVE BOST: Thank you, Madam
6 Chairperson.

7 As others have said, I don't believe that any of
8 us when we took our oath of office believed that we
9 would be in a hearing such as this. I don't think
10 there's any joy that we take in doing this, but we do
11 all feel that it is our duty and responsibility to
12 move forward with these hearings for the betterment of
13 the State of Illinois.

14 That being said, we also know that it is our job,
15 our duty to listen to these hearings not with a bias
16 but with fair and honest deliberation to see what
17 procedure we should move forward with here in the
18 State of Illinois. Though I do not take pride in the
19 fact that we in the State of Illinois are in this
20 situation, I do consider it a privilege to serve on
21 this committee and to move forward with these
22 proceedings and I am glad to take that opportunity.

23 CHAIRWOMAN CURRIE: Thank you.

24 Representative Davis.

1 REPRESENTATIVE DAVIS: Thank you, Madam
2 Chairman.

3 First, I'd like to say that Illinois is truly a
4 great state. It's the land of Lincoln. It's the land
5 of Barack Obama. And the cloud that is now over our
6 heads must be removed. If, after deliberation, it
7 means removal of the Governor, then let us do our
8 duty.

9 Anytime a Governor's actions impede, halt, stop
10 all of the things or any of the things that make
11 government work for the people of this state, then we
12 must take the time to investigate.

13 And I'm honored to be a member of this committee,
14 and I hope we do our work and do it well and quickly.

15 Thank you.

16 CHAIRWOMAN CURRIE: Thank you.

17 Representative Eddy.

18 REPRESENTATIVE EDDY: Thank you, Madam Chair.

19 Duty and responsibility seem to be the words of
20 the day, and I certainly agree with those two
21 overriding elements. I also am happy to do the job
22 that's necessary in order for this state to move
23 forward. It is not something anyone enjoys. Easy is
24 not always best. And perhaps the gravity of the

1 situation requires an openness and a transparency that
2 will not be easy. But it is my sincere hope that we
3 establish as precedent in this state a new
4 transparency and openness and willingness to address
5 these types of issues so that history will judge us
6 well.

7 CHAIRWOMAN CURRIE: Thank you.
8 Representative Flowers.

9 REPRESENTATIVE FLOWERS: Thank you, Madam
10 Chairman, members of the committee.

11 It's my pleasure also to serve. And I think this
12 is a very, very sad day here in the State of Illinois.
13 It's unfortunate that we have to be here, but we have
14 a job to do. We have people that's depending upon us
15 as we were depending upon the Governor to do lots of
16 great things, and he has thus far failed us.

17 This is a complaint that has been brought
18 forward, and we're here to inquire, to find out if
19 there is any wrongdoing, and we're going to report it
20 to the Senate whatever the findings may be.

21 And it's my pleasure to serve. Thank you.

22 CHAIRWOMAN CURRIE: Thank you.
23 Representative Franks.

24 All right. We'll move right on then to

1 Representative Fritchey.

2 REPRESENTATIVE FRITCHEY: Thank you, Madam
3 Chairman.

4 Ladies and gentlemen, it's been no secret that
5 I've been critical of the Governor over the last
6 several years. That being said, I sincerely echo the
7 comments of my colleagues. I truly take no glee and
8 satisfaction in being here. I've been here twelve
9 years, longer than many of the people in the
10 legislature, but shorter than some. But I will submit
11 to say that I doubt any of us will find ourselves in a
12 more solemn role than we do presently.

13 I'd like to comment just quickly on two things.

14 Number one with respect to the comments made by
15 my respective colleagues from the other side of the
16 aisle. As far as I know, our objective knows no
17 partisan, geographic boundaries. We are not here
18 solely about the determination of the alleged acts of
19 one individual, but rather to do what we deem may be
20 best for the 13 million people that live in this
21 state. As we sit here today, we have the overriding
22 concerns of getting people back to work, keeping
23 people in their homes, and going about the business of
24 the State of Illinois.

1 It is not our job to attempt to rush to judgment
2 or to reach a finding of guilt or innocence with
3 respect to Governor Blagojevich. It is our job to
4 determine whether he is capable of continuing to lead
5 this state in light of his past actions and the
6 allegations confronting him.

7 I have every confidence that Democrats and
8 Republicans alike, city, suburban, and downstaters
9 alike, we will work together to the best of our
10 abilities in a manner most expeditious and efficient,
11 to do our job, to do it fairly, to do it quickly, and
12 to reach whatever conclusion we deem to be
13 appropriate.

14 I'm honored to be a part of this committee. I
15 can't say that I look forward and happy to be here. I
16 don't think any of us are happy to be here. But,
17 Madam Chairman, I look forward to your leadership and
18 to working with my colleagues.

19 Thank you.

20 CHAIRWOMAN CURRIE: Thank you.

21 Representative Hamos.

22 REPRESENTATIVE HAMOS: Thank you.

23 I, too, am here with a heavy heart and had really
24 hoped all spring as some of our colleagues in this

1 room were talking about impeachment, I had hoped we
2 could avoid this day. But clearly, the corruption
3 charges that came to light last week were so
4 devastating that it made it impossible for us to
5 ignore this.

6 I joined the chorus, as many of you did, in
7 asking the Governor to resign. These charges could
8 not have come at a worst time. Reflective of a
9 worldwide economic crisis, our people are facing
10 issues and challenges without precedent. Our state
11 government, as many of you have noted, facing -- is
12 struggling through a very difficult time. This is the
13 time we needed strong, unified leadership. We need
14 leadership from the second floor. And we needed to do
15 that without diversions, distractions, and personal
16 issues. This is now impossible under the current
17 circumstances.

18 In asking the Governor to resign, I had hoped
19 that he would save himself and his family and our
20 people, our constituents, the pain of going through
21 this kind of proceeding. But apparently, that is not
22 going to happen.

23 We are making history and we have to be very
24 mindful of that. In making history, we have to make

1 sure that we are setting a precedent that will survive
2 the generations. And I think what we're hearing
3 today, the serious tone, bipartisan tone of these
4 proceedings, make me feel assured that we will create
5 a precedent and set -- and conduct these proceedings
6 with thoroughness and fairness and something we can
7 ultimately be proud of.

8 Thank you.

9 CHAIRWOMAN CURRIE: Thank you.

10 Representative Mendoza.

11 REPRESENTATIVE MENDOZA: Thank you, Madam
12 Chairwoman, and ladies and gentlemen of the committee
13 and members of the audience.

14 Obviously, the circumstances that led to the
15 creation of this committee are extremely serious and
16 meritorious of the utmost display of due diligence,
17 fairness, and integrity in the handling of these
18 proceedings. This is a serious situation, as serious
19 a situation as anyone can encounter in terms of our
20 responsibility as legislators.

21 As an alternate member of this committee, I'm
22 committed to fulfilling my duty and obligation
23 responsibly, diligently, and honorably. It is time to
24 move our state forward. It is time to restore the

1 trust that we have lost, and I think this is the first
2 step towards that necessity. I certainly look forward
3 to working with the members of this committee as these
4 proceedings move forward, these hearings move forward,
5 and I feel confident that this committee will work
6 diligently and swiftly without compromising the
7 integrity of the process. It is my honor to serve
8 with the members of this committee today and every day
9 as we try to move our great state of Illinois forward,
10 once again restore its trust, and I feel very
11 confident and optimistic that will be the case.

12 So I want to thank the Speaker for allowing me to
13 sit on this committee today and I look forward to
14 working with you all.

15 Thank you.

16 CHAIRWOMAN CURRIE: Thank you.

17 Representative Howard.

18 REPRESENTATIVE HOWARD: Thank you, Madam
19 Chairman.

20 As has been stated by all of my colleagues
21 serving on this committee, I do not relish the thought
22 of spending this time during a holiday season for this
23 purpose. However, I'm committed to discharging this
24 responsibility to the best of my ability, and I'm

1 hopeful of a fair, unprejudicial, and expeditious
2 process.

3 Thank you.

4 CHAIRWOMAN CURRIE: Thank you.

5 Representative Lang.

6 REPRESENTATIVE LANG: Thank you, Madam
7 Chairman.

8 This is a grave and sobering time in the history
9 of the State of Illinois. In fact, I say without fear
10 of contradiction this is the most important set of
11 hearings I will have served on in my 21 years in the
12 Illinois General Assembly because it goes to the heart
13 of an open and honest government.

14 It would have been better if the Governor had
15 resigned, even if innocent of all the charges that he
16 was charged with last week, because Illinois needs a
17 full-time working Governor, and under these
18 circumstances we do not have one.

19 There are many on in this committee and many in
20 this committee room who have been critical of this
21 Governor on a number of issues. But this committee
22 must do its deliberations without regard to politics,
23 without regard to differences in public policy, and
24 even without regard to whether the Governor is

1 competent and whether he's done his job well. It must
2 only be about whether the Governor has violated his
3 constitutional oath and/or whether he can continue to
4 fulfill his constitutional duties.

5 The criminal charges of last week are only a
6 continuation of charges that have been levied against
7 the Governor over a period of years on a number of
8 issues, some of which aren't even in the realm of
9 criminal law. This committee will have to look at
10 those as well as the sensational charges of last week.
11 We will ask serious questions and demand the truth and
12 keep demanding the truth until we get all the
13 information we can possibly gather. These hearings
14 are vital because we must restore the faith and
15 confidence in government that the people of Illinois
16 deserve.

17 And I look forward to working with both sides of
18 the aisle on this critical committee to make sure the
19 people get exactly that.

20 Thank you, Madam Chairman.

21 CHAIRWOMAN CURRIE: Thank you.

22 Representative Mautino.

23 REPRESENTATIVE MAUTINO: Thank you, Madam
24 Chairman, members of the committee.

1 I'd like to echo the remarks of many of the
2 members of the committee today. And as we meet here,
3 it's not lost on me this is the second time that we've
4 convened impeachment hearings. Although, this time
5 has a different track because in the original Heiple
6 hearing we did not have a dual track criminal
7 investigation going on.

8 It's going to be probably one of the more complex
9 and difficult things that any of us will have to deal
10 with. No one takes any joy in watching someone
11 stumble. But in the course of going forward here, we
12 all have a job to do, and I know that the members of
13 this committee will all take it seriously. We will
14 ask questions and we will reach a determination to
15 bring forward reports, as we have taken an oath to do.

16 CHAIRWOMAN CURRIE: Thank you.

17 Representative Rose.

18 REPRESENTATIVE ROSE: Thank you, Madam Chair.

19 Like Minority Spokesman Durkin, I, too, am a
20 former prosecutor. I was a senior assistant state's
21 attorney of Champaign County. But I don't think
22 anyone, as has been expressed eloquently today, has
23 any pleasure in serving on this committee. But we
24 must. The stakes are far too high for us not to.

1 I do have three expectations, and those are that
2 this will be fair, expeditious, and thorough. And
3 with that, I just look forward to serving with the
4 members of the committee.

5 Thank you.

6 CHAIRWOMAN CURRIE: Thank you.

7 Representative Sacia.

8 REPRESENTATIVE SACIA: Thank you, Madam
9 Chair.

10 I'd like to start by saying I have profound
11 respect for each and every one of my colleagues on
12 this committee and I take this mandate very, very
13 seriously to serve.

14 I had the privilege of serving 28 years of my
15 life as an FBI agent, having investigated numerous
16 white-collar crime cases, including wire and mail
17 fraud and political corruption. Being a part of this
18 committee I would not in any way call deja vu. I
19 accept this mandate. I am not happy, like all of us,
20 that we have to be here. I don't think there is one
21 among us who doesn't recognize the tremendous burden
22 this is on the 13 million people of this state. But
23 like each and every member of this committee, I accept
24 the mandate and I serve with pride.

1 Thank you.

2 CHAIRWOMAN CURRIE: Thank you.

3 Representative Franks.

4 REPRESENTATIVE FRANKS: Thank you, Madam
5 Chairman.

6 I called for these hearings with others long
7 before the Governor's recent arrest. We've had two
8 audits of a sitting Governor in the history of the
9 State of Illinois and both have been with this
10 Governor. One dealt with the flu vaccine a few years
11 ago, which I think we'll probably hear during our
12 deliberation, and the second was most recently in this
13 last year with the question of a million dollars of
14 state money being used for the Loop Lab School. We've
15 certainly had -- and I think we'll hear about that as
16 well.

17 We've certainly had a lot of people asking a lot
18 of questions. And I certainly think that the events
19 of last week obviously have put us in the position
20 that we find ourselves today. It's a difficult
21 position that we're all in. The Governor certainly is
22 entitled to all due process, and I certainly hope that
23 he and his attorneys show up at these hearings. I
24 think it's very important.

1 But we also have to remember what we're charged
2 with here. It's a way for the citizens to reclaim the
3 government of the State of Illinois. And we have to
4 listen closely to the testimony that we're going to
5 have and the evidence that's presented and that we
6 turn a new chapter in our state and that we reject
7 cronies and criminality and corruption. And we have
8 to make sure that Illinois is a state where we have
9 politicians that don't self-deal but are committed to
10 public service. And I hope that out of these hearings
11 that we have a real opportunity to reform our
12 government, because we can't allow what's happened to
13 continue to happen, and we have to replace dishonesty
14 with decency.

15 We've heard allegations and we have to remember
16 there hasn't even been an indictment yet on the
17 government -- on the Governor. But we've certainly
18 heard allegations before by the U.S. Attorney, and his
19 comments were that Illinois has pay to play on
20 steroids. And that's deeply disturbing. And we need
21 to change that culture of pay to play and patronage,
22 and we have to replace it with patriotism. And I
23 think this is our opportunity here to do the right
24 thing for everyone and to take back our government.

1 I think it's incumbent upon us that we take this
2 job very seriously. I know everyone on this committee
3 does. We know that we can do better and that we must
4 do better and that our future for the state depends on
5 it.

6 So I appreciate being a member of this committee
7 and I look forward to serving.

8 CHAIRWOMAN CURRIE: Thank you.

9 Representative Tracy.

10 REPRESENTATIVE TRACY: Thank you, Madam
11 Chairman, members of the committee.

12 Like those that have spoken before me, I
13 appreciate the gravity of these proceedings. When I
14 began serving in the House of Representatives in 2006,
15 I was incredibly disillusioned by what I saw, and I
16 was dismayed at what I saw as a dysfunction of the
17 executive office of the government of our state and
18 how we have failed the people to deliver services and
19 serve them what they deserve.

20 So, I'm looking forward to serving on this
21 committee. I appreciate the gravity, but I see it as
22 a great opportunity to truly begin a new era, to put
23 an end -- it's the first step to putting an end to the
24 cloud of corruption that's been over this state for

1 far too long.

2 I certainly think it would be the most
3 expeditious method to get the state moving forward if
4 the Governor would resign, irregardless of his own
5 interests, but put the public interest at the very
6 heart of what's the most crucial and step aside so
7 that these proceedings aren't necessary and don't cost
8 the taxpayers any more money.

9 But certainly, at this point I'm looking forward
10 to serving, and I have a great deal of respect for all
11 my colleagues.

12 CHAIRWOMAN CURRIE: Thank you.

13 Representative Turner.

14 REPRESENTATIVE TURNER: Thank you, Madam
15 Chairman, and to our Co-chair of the committee.

16 I can only say that it's been 28 years that I've
17 served here in the legislature and this is probably
18 one of the most momentous days. Not a proud one but
19 one that I will always remember.

20 I urge our committee to move with deliberate
21 speed. Those are the calls that I've been getting
22 from home. And yet, I urge us, remind us that we need
23 to be cautious in how we handle this process. Like
24 one of the former members mentioned earlier, I, too,

1 served in law enforcement prior to coming to the
2 legislature. I served as an investigator in the
3 state's attorney's office. In fact, I remember one of
4 my old certifications, I don't have currently have it
5 now, but I was a certified eavesdropper. And yet, I
6 do not intend to let any of that be prejudicing my
7 decisions in how we move forward here.

8 There is no precedent in how we conduct
9 impeachment proceedings because it's a practice that
10 we don't use very often. And I thank the Lord for
11 that. I should admit also from the onset that I'm not
12 an attorney, nor is this a court of law. Yet, we must
13 be mindful of the rights of the accused. I remind you
14 that 19 people in this state have been exonerated from
15 death row because there was a rush for judgment.

16 Fairness and justice has been my hallmark for the
17 last 28 years. Better yet, it's been my hallmark for
18 all my life. And some of you have heard the story
19 where I tell you that I literally grew up in two
20 churches and for the time that I would spend on some
21 Sundays it would probably be three. But that's been
22 the foundation of my life.

23 I make a commitment today to be fair in my
24 deliberations, to listen carefully to the testimony

1 presented before making any decisions. I serve with
2 an open mind, a saddened heart, but with faith in God
3 that as a committee we will do the right thing.

4 CHAIRWOMAN CURRIE: Thank you very much,
5 Representative.

6 Thank all of you.

7 It had been the Chair's intent to move to the
8 adoption of committee rules at this point, but I
9 believe the draft rules were made available late
10 enough yesterday that not all of the members have had
11 a chance fully to digest and to be prepared to
12 comment. I know the Chair of the minority party
13 offered to take an hour off so they could caucus on
14 the rules. But I think maybe it makes more sense for
15 us to have our caucuses after this hearing and hope
16 that we are able to with unanimity adopt the rules
17 tomorrow.

18 I think the committee needs to know about several
19 conversations and several pieces of correspondence
20 that have happened.

21 Representative Durkin, do you want to comment on
22 the rules?

23 REPRESENTATIVE DURKIN: No, I just had one
24 last housekeeping. I just wanted to note that we've

1 also appointed three alternate members in case one of
2 us are not able to attend. I just want to identify
3 them. Representative Dan Brady, Representative David
4 Reis, and Representative Dennis Reboletti, who are
5 present today.

6 CHAIRWOMAN CURRIE: Thank you very much.

7 So I think that the committee needs to hear about
8 some conversations and some pieces of correspondence.

9 Yesterday afternoon Matt O'Shea and David Ellis
10 and I talked with the United States Attorney, Patrick
11 Fitzgerald, and the point of our conversation was to
12 invite him to give us a helping hand and to make sure
13 that our investigation doesn't trample on his. We are
14 certainly not interested in derailing the federal
15 criminal investigation, which, as we understand it, is
16 ongoing.

17 The U.S. Attorney said he would not give us a yes
18 or no off-the-cuff, but rather, he would appreciate it
19 if we would write him a letter detailing what we might
20 like from him, detailing what kind of investigation we
21 might wish to pursue on our own, so that he could let
22 us know if the calling of certain witnesses, for
23 example, would in fact derail what he is about, if
24 some of the things that we want from him he is able to

1 give us. He told us that some of the things were not
2 immediately within his control. Something called
3 Title 3 means that some documents might actually be in
4 the control of the court, and in order for us to
5 access them, he would have to request that the court
6 give us access, and then the court would make its own
7 decision to do so.

8 So we plan to draft a letter with the minority
9 counsel, the majority counsel, Representative Durkin,
10 and myself today. We hope that letter will be ready
11 for signatures late this afternoon. We hope all the
12 members of the committee will sign the letter -- will
13 have a look at the draft and will agree to sign the
14 letter.

15 I would appreciate hearing from the committee if
16 you believe, as I do, that it would not be appropriate
17 for us to interfere with U.S. Attorney Fitzgerald's
18 ongoing investigation. To me, that should be a ground
19 rule, not a part of the committee rules, but it should
20 be a ground rule of our deliberations. And if anybody
21 disagrees with that, I'd like to hear from you now.

22 (No response)

23 CHAIRWOMAN CURRIE: Very good.

24 So that's where we are with the U.S. Attorney.

1 And what that means is that some of the people that we
2 might have wanted to call as witnesses today we don't
3 think we can until we get clearance from him. For
4 example, we thought we might call Ali Ata, we might
5 call the Deputy Governor, or the former chief of
6 staff, Mr. Harris, and clearly, I think we're blocked
7 until we hear from the U.S. Attorney on that score.

8 We know also we were interested in investigating
9 certain issues involving questions about hiring and
10 firing in state government, and we know that the U.S.
11 Attorney had earlier written to our Attorney General,
12 Lisa Madigan, asking her not to pursue that line of
13 inquiry. Apparently, that's part of his federal
14 criminal investigation as well.

15 So that letter will go out we hope late this
16 afternoon with all your signatures.

17 We do not know today when we will hear a response
18 from the U.S. Attorney. We would hope that he would
19 be able to respond to us quickly, but we can't assume
20 that it will take him only a day and a half. What
21 that means is that our schedule through the weekend is
22 at this moment unclear, uncharted. We hope we will
23 have better information tomorrow, but we do not have
24 that information today.

1 There's some correspondence that went out as well
2 that our legal counsel sent a letter to the Governor's
3 then known lawyer of record, Mr. Sorosky, inviting the
4 Governor's agents to participate in these hearings.
5 We received a letter back from the lawyer asking for a
6 little bit of time, suggesting that perhaps we were
7 rushing a little to judgment. Those letters will be
8 part of the record of the committee.

9 And then finally, I wrote a letter last evening
10 to the Governor inviting his participation. That
11 letter was faxed to him yesterday late afternoon, and
12 that, too, will be a part of the record of the
13 committee.

14 And in the meantime, our legal counsel has had a
15 call from the Governor's latest lawyer of record, and
16 that would be Mr. Ed Genson. He was not able to be
17 with us today, but he does anticipate that he will be
18 here tomorrow. So he will be apparently the
19 Governor's lawyer not just in the federal criminal
20 case but also for purposes of this impeachment
21 inquiry. And in fact, we're going to make sure that
22 he has -- today we're sending him all the materials
23 that we plan to talk about tomorrow so he will have
24 those in his possession before he arrives.

1 So having said that, then I think that the next
2 is tomorrow's agenda. And again, we planned to do
3 some of this today, but given that the Governor would
4 like representation in this room while we go into the
5 specifics and the substance of the potential
6 complaint, we will defer that until tomorrow. And the
7 three topics that we're prepared to talk about
8 tomorrow are, first of all, the criminal complaint,
9 that would be the 76-page material that accompanied
10 the Governor's arrest a week ago today; second, the
11 plea agreement of Ali Ata and also the agreement that
12 was signed by Joseph Cari, both of them talking about
13 things that they believe were inappropriate behaviors
14 in state government, jobs and contracts in both
15 situations. So those are the items that we plan to
16 discuss tomorrow. Copies are being distributed right
17 now to the members of the committee.

18 I would hope that on Thursday there will be some
19 items that we don't think are part of the U.S.
20 Attorney's investigation. For example, whether the
21 Governor exceeded his authority in respect to his
22 responsibilities to the Joint Committee on
23 Administrative Rules. There are some audits about
24 some activities on the part of the Governor, the

1 buying flu vaccine without legislative authority. We
2 think we might be able to put some of those items on
3 our agenda for a Thursday hearing, and we hope that we
4 will have that fleshed out tomorrow.

5 I would invite all the members of the committee
6 if there are things that you think are out there that
7 you haven't seen on the list or you haven't heard
8 talked about, I would certainly invite you to come
9 forward and let us know.

10 And second, a message to the public. We would be
11 more than happy to hear from people, ordinary folks,
12 whistleblowers, whoever it might be, who believe they
13 have something that's relevant to our discussion. We
14 would ask those people to be in touch with us, the
15 committee, with written material explaining what it is
16 they think they have to offer.

17 We do not intend this committee to be a sounding
18 board for general complaints, brickbats or plaudits
19 for the Governor. That's not the job of the
20 committee. But if there are people out there who
21 certainly would have information that they think is
22 helpful to this inquiry, we would be more than happy
23 to hear from you.

24 So are there other comments that you want to add

1 or anything? Legal Counsel?

2 Representative Durkin.

3 REPRESENTATIVE DURKIN: Representative
4 Currie, are going to just -- are we going to have a
5 set time for this committee hearing on the other days
6 or are going to make that decision at the end of each
7 day? How are we going to -- how are we going to go
8 about setting a time for the hearings?

9 CHAIRWOMAN CURRIE: Okay. Well, I would
10 think 10:00 is a good time. Why don't we assume if
11 we're in a hearing mode, it's a hearing date, 10:00
12 would be a good time to begin the hearing.

13 REPRESENTATIVE DURKIN: Okay. The last thing
14 I want to comment on. Yes, the last thing we want to
15 do is interfere with the federal investigation, but I
16 think also all of us want to make it perfectly clear
17 that in no way will we be shirking our responsibility
18 at all. We are going to press forward and do what we
19 have to do, mindful of what's going on with the
20 federal government. I know that everybody understands
21 it, but let's make that perfectly clear to everybody.

22 Thank you.

23 CHAIRWOMAN CURRIE: Yes, and just to
24 reiterate, we thought that we would start with the

1 substance this morning with the details of the
2 criminal complaint, but given the response of the
3 Governor's lawyer and given that Mr. Genson will be
4 able to be with us tomorrow, I think that in the -- in
5 our interest of making sure that we do things in a
6 fashion that includes due process and fair play for
7 the person whose impeachment we are discussing that we
8 are reserving that issue until tomorrow morning.

9 So is there any other comments from members of
10 the committee, any proposals for a different way of
11 moving forward? The Republicans can do their
12 caucusing on the rules after the hearing rather than
13 in the middle thereof.

14 Anything further?

15 Representative Black.

16 REPRESENTATIVE BLACK: Just one suggestion
17 that you might take under advisement. Many of us came
18 here not knowing that this committee would be
19 formulated and not knowing certainly the schedule that
20 we would be asked to adhere to. So that means that
21 some of us are here with one pair of shoes, one sport
22 coat, one suit, and other items that I needn't to go
23 into. So some of us may need to make a quick trip
24 home to lay in provisions and other necessities, such

1 as a warmer coat. And if we -- I'm about two hours
2 and fifteen minutes from home driving the speed limit,
3 which I adhere to religiously, and a 10:00 meeting is
4 hard. Leaving home at say 7, it doesn't always get me
5 back here by 10 a.m.. So I was just wondering if we
6 could take that under advisement. Because some of us
7 did not come over here prepared for four, five, six,
8 seven days consecutively.

9 CHAIRWOMAN CURRIE: Well, thank you for that
10 suggestion, Representative. Such a commonsensical
11 approach to this issue, I really appreciate it. And
12 because of your concern about your underwear, we'll
13 set tomorrow's hearing at 11 a.m. rather than 10. So
14 11 a.m. tomorrow.

15 Any other comments, questions?

16 (No response)

17 CHAIRWOMAN CURRIE: If not, Representative
18 Turner moves that the committee stand adjourned until
19 tomorrow morning at 11 a.m..

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23

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1 STATE OF ILLINOIS)
2 COUNTY OF SANGAMON) SS

3

4 CERTIFICATE

5 I, Dorothy J. Hart, affiliated with Capitol
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10 I further certify that I am in no way associated
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