

IN THE CIRCUIT COURT OF COOK COUNTY  
CHANCERY DIVISION

<b>WILLIAM J. KELLY, and all similarly</b>	)	
<b>Situated persons</b>	)	
<b>Petitioner,</b>	)	
	)	<b>Case No.</b>
<b>v.</b>	)	
	)	
<b>THE HONORABLE JEFFERY M.</b>	)	
<b>SCHOENBERG and THE HONORABLE</b>	)	
<b>RICHARD P. MYERS, in their official</b>	)	
<b>capacity as co-chairman of COMMISSION ON</b>	)	
<b>GOVERNMENT FORECASTING AND</b>	)	
<b>ACCOUNTABILITY</b>	)	
<b>Respondents.</b>	)	

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**AMMENDMENED EMERGENCY VERIFIED COMPLAINT FOR WRIT OF  
MANDAMUS TO COMPEL COMPLIANCE WITH MANDATE AND  
INJUNCTIVE RELIEF**

NOW HERE COMES, William J. Kelly, acting pro se, brings this Petition for Writ of Mandamus and for Injunctive Relief and in support thereof states as follows:

1. This matter involves the mandates of the State Facilities Closure Act ("Closure Act" or "Act") (30 ILCS 608/5-1 *et seq.* (West 2008)) and the proposed closure of the Thomson Correctional Center (hereinafter "TCC") located at 1100 One Mile Road in the Village of Thomson, Carroll County, Illinois.
2. Subsection 5-10(a) of the Closure Act (30 ILCS 608/5-10(a) (West 2008)) establishes the procedures that the State must follow before closing TCC;
3. The Closure Act requires the Illinois Department of Corrections (hereinafter "IDOC"), as the State executive branch with Jurisdiction over the Facility, to file Notice of the proposed closure with the Commission on Government Forecasting and Accountability (hereinafter "Commission") (30 ILCS 608/5-10(a)) and said Notice was filed with the Commission on November 25, 2009;
4. With regard to a prison operated by the Department of Corrections (DOC), pursuant to the mandates of the Closure Act, the "Commission must require the executive branch officer to file a recommendation of closure. The recommendation must be filed within 30 days after the Commission delivers the request for recommendation to the State executive branch officer." (30 ILCS 608/5-10(a) (West 2008));
5. Petitioner is unaware of the date of any request by the Commission or if a request was ever made but the required recommendation was filed with the Commission by Director Michael P. Randle on November 25, 2009;

6. Pursuant to the Closure Act “a 30-day public comment period **must** follow the filing of the recommendation. ... In the case of the proposed closure of: (i) a prison ... the Commission **must conduct one or more public hearings on the recommendation**” (emphasis added) (30 ILCS 608/5-10(b) (West 2008)).

7. In this case the public comment period expired on December 28, 2009 (Normally it would have expired on December 25, 2009 but because that day was a State holiday, pursuant to section 1.11 of the Statute on Statutes (5 ILCS 70/1.11), the comment period is extended to December 28, 2009);

8. The Act further mandates that the Commission conduct the public hearings within 35 days after the filing of the recommendation and that “at least one of the public hearings on the recommendation **shall** be held at a **convenient** location **within 25 miles** of the facility...”. (30 ILCS 608/5-10(b));

9. The public hearings deadline expired December 30, 2009;

10. The Act also requires the Commission to provide “reasonable notice of the comment period and the public hearings to the public and to the units of local government and school districts that are located within 25 miles of the facility.” (30 ILCS 608/5-10(b));

11. The only public hearing held within the timeframe mandated by the Act was held on December 22, 2009 at 2:00 p.m. at Sterling High School, Centennial Auditorium 1608 4<sup>th</sup> Avenue, Sterling, Illinois in the County of Whiteside County which is neither convenient nor within 25 miles of TCC;

12. Upon information and belief, Sterling High School is approximately 1-hour, by car from TCC and, depending on the route, approximately 33.7 – 37.0 miles away (see Google map, attached hereto and incorporated herein as “Exhibit A”);

13. Pursuant to the statutory law or common law, Closure Act does not call for a 25 mile radius or straight line distance and to be interpreted as requiring the public hearing to be held within a 25-mile driving distance of TCC (see generally Carter-Shields v. Alton Health Inst., 317 Ill. App. 3D 260 (Ill. App. Ct. 5<sup>th</sup> Dist. 2000) (overturned on unrelated grounds) Carter-Shields v. Alton Health Inst., 201 Ill. 2d 441 (Ill. 2002) (interpreting distance of a restrictive covenant driving distance and not straight line distance (Carter-Shields should be seen as persuasive)). Had the legislature intended on requiring straight line distance, they would have described the distance as within a radius, as they have in the Illinois Vehicle Code and The Coal Mine Medical Emergencies Act (see also Zoning Code, section 24.1)

14. Upon information and belief, the failure to comply with the mandates of the Closure Act, resulted in inadequate accessibility to the public hearing to those persons required to receive notice within 25 miles of TCC.

15. The November 25<sup>th</sup> letter by Director Michael Randle states that “We will also be announcing the proposed closure of the Thomson facility to the public through the posting of this letter on the Department of Corrections' website.” Petitioner attempted to further research the manner and method in which the notice of the public comment period and public hearings was provided to those persons required to receive notice but was unable to do so and upon information and belief said notice was not reasonable (see letter, attached hereto and incorporated herein as “Exhibit B”);

16. With regard to said notice, there was a large turn-out at the public hearing however, upon information and belief, the majority of persons in attendance were persons who

reside outside of the 25 mile radius and whom likely became aware of the hearings through their political affiliations as there were several elected and appointed state, local and federal officials, employee organizations, unions and associations, educational and economical development organizations but the general local public seemed under represented and Petitioner requests proof of adequate notice to the general public within 25 miles of TCC.

17. Accordingly, the Commission violated the mandates of the Closure Act in failing to timely hold a public hearing at a convenient location within 25 miles from the TCC and this Honorable Court should stay any vote on the recommendation by the Commission until such time that a properly noticed and properly held public hearing can be held;

18. Pursuant to the Closure Act the Commission's duty to provide adequate notice of public hearing held within 25 miles of TCC is clear and nondiscretionary therefore the right to seek compliance of the mandate is equally clear. Moreover, the right and duty exist pursuant to Illinois statutory and case law;

19. Moreover, the IDOC recommendation did not incorporate the financial burden suffered by the village as a result of the bonds obtained in relation to building and developing the land for TCC. (see letter, attached hereto and incorporated herein as "Exhibit C") The Closure Act mandates the recommendation consider such economic impact, and this court should require the commission to seek a supplemental recommendation prior to voting.

20. The Closure Act prohibits the Commission from taking any action to implement the IDOC's recommendation until 50 days after the filing of the IDOC's recommendation. (30 ILCS 608/5-10(e)). The 50-day period within which the Commission must issue it's advisory opinion on the IDOC's recommendation expires on January 14, 2010;

21. No prejudice will result to the Commission as they have until January 14, 2010 to issue their opinion;

22. Petitioner files this Petition on an emergency basis considering the timeline and deadlines mandated by the Closure Act and to avoid the risk of the Commission being ill advised and prepared to issue its opinion by January 14, 2010.

23. Petitioner requests this Honorable Court issue a writ of mandamus requiring the Commission to hold a public hearing at a convenient location within 25 miles of TCC before the Commission votes on the IDOC recommendation;

24. Petitioner further requests this Honorable Court maintain the status quo and enjoin the Commission from voting on the recommendation prior to a hearing on the herein Petition;

25. A temporary restraining order or a preliminary injunction is warranted in this matter as the Closure Act establishes a clearly ascertainable right which needs protection;

26. Furthermore, the public and citizens of the State of Illinois will suffer irreparable harm if the Commission hold a vote and predetermines the opinion it intends on proffering without the public having an adequate opportunity to make use of the public comment period and public hearing requirements of the Closure Act;

27. Petitioner asserts that no adequate remedy exists at law to compensate the public for (or to right the wrong of) the improper closure of and/or sale of the TCC;

28. Considering the nondiscretionary duty of the Commission as mandated by the Closure Act there exists a substantial, if not *per se*, likelihood of success on the merits;

29. The public will suffer greater harm without the injunction, should the Commission

proceed with their vote in Cook County on January 6, 2010, then the Commission will suffer if it is issued.

WHEREFORE, the Petitioner requests this Honorable Court issue an Order:

- A. Compelling the Commission to hold a public hearing, upon proper notice, at a convenient location within 25 miles of TCC;
- B. Compelling the Commission to request a supplemental recommendation from the IDOC addressing the financial impact on the village;
- C. Enjoin the Commission from voting on January 6, 2010 unless said hearing occurs and/or the Commission receives a supplemental recommendation from the IDOC or in the alternative until this Court can hold a evidentiary or preliminary hearing on the herein Petition;
- D. Any other relief this Court deems just and proper.

Respectfully Yours,

\_\_\_\_\_  
William J. Kelly

**VERIFICATION**

I, under oath and under the penalties as provided by law pursuant to Section 5/1-109 of the Code of Civil Procedure, the undersigned Affirm and certify that the statements and facts set forth in this instrument are true and correct except to those matter which are stated upon information and belief and I verily belief same to be true and correct.

Date:

\_\_\_\_\_  
William J. Kelly

**Signed and sworn**  
to me on this \_\_\_\_ day of \_\_\_\_\_, 2010

\_\_\_\_\_  
**Notary**

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, CHANCERY DIVISION

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CLERK

WILLIAM J. KELLY, and all similarly situated persons, )  
 )  
 ) Petitioner, )  
 )  
 ) v. )  
 )  
 ) THE HONORABLE JEFFREY M. SCHOENBERG )  
 ) and THE HONORABLE RICHARD P. MYERS, )  
 ) in their official capacity as co-chairman of )  
 ) COMMISSION ON GOVERNMENT )  
 ) FORECASTING AND ACCOUNTABILITY, )  
 ) Respondents. )

No. 10 CH 00008

Hon. Martin S. Agran  
Courtroom 2102

**NOTICE OF FILING**

TO: Alison H. Motta, Esq. William J. Kelly  
Motta & Motta, LLP  
559 W. Galena Blvd.  
Aurora, Illinois 60506

PLEASE TAKE NOTICE that on the 5<sup>th</sup> day of January, 2010, I caused to be filed the attached Respondents' Response Brief in Opposition to Petitioner's Emergency Verified Petition for Writ of Mandamus to Compel Compliance with Mandate and Injunctive Relief in the above-titled action in the Circuit Court of Cook County, Illinois.

LISA MADIGAN,  
Attorney General of Illinois  
Atty Code: 99000

Respectfully submitted,

*Katherine Laurent*

KATHERINE LAURENT  
Assistant Attorney General  
General Law Bureau  
100 W. Randolph St., 13th Fl.  
Chicago, Illinois 60601  
Tel.: (312) 814-5022  
Fax: (312) 814-4425

**CERTIFICATE OF SERVICE**

The undersigned, an attorney, certifies that a copy of the foregoing was served upon the above named parties via hand delivery in court at or before 5:00 p.m. on the 5<sup>th</sup> day of January, 2010.

*Katherine Laurent*



the Petition. The Commission's office received a telephone call from Petitioner's counsel later that day, indicating that the petition would be presented on January 5, 2010, at 12:00 noon. The Petition seeks the Court to issue an order "compelling the Commission to hold a public hearing, upon proper notice, at a convenient location within 25 miles of TCC [Thomson Correctional Center]" and "enjoin[ing] the Commission from voting on January 6, 2010 unless said hearing occurs or in the alternative until this Court can hold an evidentiary or preliminary hearing on the herein Petition." (Petition, Prayer for Relief).

2. Petitioner Kelly has failed to allege facts sufficient to support a request for emergency injunctive relief. A temporary restraining order is an emergency remedy issued to maintain the status quo until the case is disposed of on the merits. *Wilson ex rel. Geiger v. Hinsdale Elementary School Dist.*, 349 Ill.App.3d 243, 248 (2<sup>nd</sup> Dist. 2004). A party seeking a TRO must establish, by a preponderance of the evidence, that (1) he or she possesses a certain and clearly ascertainable right needing protection, (2) he or she has no adequate remedy at law, (3) he or she would suffer irreparable harm without the TRO, and (4) he or she has a likelihood of success on the merits. *Lo v. Provena Covenant Medical Center*, 342 Ill.App.3d 975, 987 (4<sup>th</sup> Dist. 2003).

3. In the instant case, Petitioner Kelly fails to allege facts sufficient to satisfy the elements for the entry of emergency injunctive relief. First, emergency relief is not justified since the Commission merely issues a non-binding advisory opinion on the recommendation for closure of a state facility, after which there is no time period for the Governor to act upon it. Second, it is clear from the allegations in the Petition that Petitioner Kelly lacks a likelihood of success on the merits. Third, Petitioner Kelly has not alleged that **he** has a certain and clearly

ascertainable right in need of protection. Finally, Petitioner has not alleged any facts indicating that **he** will suffer irreparable harm if an injunction is not entered. Further, the harm to the public if an emergency injunction were entered does not outweigh the harm to the Commission since a public hearing was properly noticed and already held within 25 miles of the TCC.

4. The request for mandamus relief should be denied because Petitioner Kelly fails to allege any facts showing that he has a clear right to the relief requested or that Respondents have a clear duty to act.

5. The Petition should also be denied because it improperly seeks this Court to enjoin a legislative agency from exercising its functions. Finally, the Court lacks subject matter jurisdiction over Petitioner's suit against the State Respondents based on sovereign immunity.

### ARGUMENT

#### **A. Emergency Relief Is Not Justified**

6. Emergency relief is not justified here since the Commission merely issues a non-binding advisory opinion on the recommendation for closure of a state facility, after which there is no time period for the Governor to act upon it. 30 ILCS 608/5-10(c),(d). Whereas, the Commission must issue its advisory opinion within 50 days after the State executive branch officer filed the recommendation for closure of the state facility. 30 ILCS 608/5-10(c). A copy of the State Facilities Closure Act (30 ILCS 608/5-1, et seq.) is attached hereto as Exhibit A.

#### **B. Petitioner Does Not Have a Likelihood of Success on the Merits**

7. Petitioner fails to raise a fair question about his right to the requested relief. Petitioner admits that a public hearing was held within the time frame in the State Facilities Closure Act (30 ILCS 608/5-10(b)) on December 22, 2009 at 2:00 p.m. at Sterling High School,



Centennial Auditorium, located at 1608 4<sup>th</sup> Avenue in Sterling, Illinois in Whiteside County. (Petition, ¶ 11). The hearing lasted seven hours, until 9:00 p.m., to give everyone an opportunity to be heard. (See Agenda for December 22, 2009 Public Hearing, attached hereto as Exhibit B, listing Petitioner William Kelly as a General Public commentor, Part VII b. 5.).

8. Petitioner alleges that Sterling High School is approximately 33.7 to 37 highway miles from the TCC and that the alleged failure to comply with the mandates of the Closure Act resulted in inadequate accessibility to the public hearing to those persons required to receive notice within 25 miles of the TCC. However, such facts are alleged “upon information and belief”, and thus, do not support issuance of emergency injunctive relief. (Petition, ¶¶ 12-13). Facts alleged on information and belief will not support issuance of an injunction. *Mass v. Cohen Associates, Inc.*, 112 Ill.App.3d 191, 196 (1<sup>st</sup> Dist. 1983) (striking emergency motion for injunction where plaintiff’s affidavit verified only on information and belief, rather than personal knowledge).

9. Contrary to Petitioner’s assertion, Sterling High School is within 25 miles of the TCC, specifically 24.49 miles from the center of the prison. (See Google Earth map, attached hereto as Exhibit C). The Closure Act merely states that “at least one of the public hearings on the recommendation shall be held at a convenient location within 25 miles of the facility....” 30 ILCS 608/5-10(b). If the legislature had intended that the 25-mile distance be limited to a driving distance, as opposed to a radius distance, the Act would have so stated. As a matter of law, the plain language of the Act does not include such a limitation. *Hawes v. Luhr Brothers, Inc.*, 212 Ill.2d 93, 105 (2004) (the court should not depart from the plain language of the Act by reading into it exceptions, limitations or conditions that conflict with the express legislative

intent). Further, the Petition even refers to it as “the 25 mile radius.” (Petition, ¶ 15). The City of Thomson, the location of the TCC, is a small community of approximately 550 people. (See the Thomson Illinois website at <http://www.thomsonil.com>). The Sterling High School auditorium was the only facility in Illinois within 25 miles of the prison that was large enough to hold the expected turnout for the public hearing of 1,000 people.

10. As to Petitioner’s allegations that notice to the general public was not reasonable and that the local public seemed under-represented (Petition, ¶¶ 14-15), these facts are alleged “upon information and belief” also and, thus, do not support the issuance of emergency injunctive relief. *Mass v. Cohen Associates, Inc.*, 112 Ill.App.3d at 196.

11. Proper notice of the hearing was provided to the public. The Closure Act provides that the Commission provide “reasonable notice” of the comment period and of any public hearings to the public. 30 ILCS 608/5-10(b). A notice of the public hearing was issued by the Commission on December 7, 2009 and sent to 229 people on a mailing list and the 12 Commission members and was posted on its website. (See Memorandum at <http://www.ilga.gov/commission/cgfa2006/upload/12222009meetingNotice.pdf> and attached hereto as Exhibit D). A Notice of Public Hearing was also published in five local publications: the Freeport Journal Standard on December 18<sup>th</sup> and 20<sup>th</sup> of 2009, the Carroll County Review published weekly on December 16, 2009, the Sauk Valley News on December 12<sup>th</sup>, 19<sup>th</sup> and 21<sup>st</sup> of 2009, the Mt. Carroll Mirror Democrat on December 16, 2009 for one week, and the Rock Island Argus/The Dispatch on December 20, 2009. (See Published Notice of Public Hearing and List of Newspapers, attached hereto as Group Exhibit E).

The Commission also posted on its website a Time Frame of specific dates for the closure

process of the TCC, including the public comment period. (See Time Frame at <http://www.ilga.gov/commission/cgfa2006/upload/TimeFrameThomsonCC.pdf> and attached as Exhibit F). As of January 2, 2010, the Commission has received 207 pages of public comments. (See <http://www.ilga.gov/commission/cgfa2006/upload/PublicCommentsThomson.pdf>).

**C. Petitioner Fails to Allege that He Has a Clearly Ascertainable Right in Need of Protection**

12. Petitioner must be able to establish a clear, ascertainable, and protectable right of his own. *Stanton v. City of Chicago*, 177 Ill.App.3d 519, 523 (1<sup>st</sup> Dist. 1988). Additionally, a TRO with notice must show likelihood of success on the merits. *Stanton*, 177 Ill. App.3d at 523. The Petition contains no allegations with respect to Petitioner Kelly. There is no indication whether **he** resides within the 25-mile radius. Petitioner has not adequately alleged a legally cognizable interest that is distinct and palpable. *Glisson v. City of Marion*, 188 Ill.2d 211, 221 (1999). Thus, Petitioner lacks standing to claim that he was denied notice of and an opportunity to be heard at a public hearing within 25 miles of the TCC. Further, the Closure Act does not confer standing on Petitioner to bring this private cause of action; the Act does not contain any language that expressly provides a private right of action for a violation of the Act. *Id.* at 223 (court held that the Illinois Endangered Species Protection Act did not create a private right of action).

**D. Petitioner Fails to Allege Irreparable Harm**

13. Petitioner Kelly has not shown that an injunction is necessary to prevent an irreparable injury *to him*. It is generally required that a plaintiff allege sufficient facts so as to show that he will suffer injury, irreparable in nature, if the injunction is not entered. *See Redfern*

v. *Sullivan*, 111 Ill.App.3d 372 (4<sup>th</sup> Dist. 1982). Again, Petitioner has not alleged any facts indicating that he will suffer irreparable harm if an injunction is not entered. (Petition, ¶ 24). Finally, the harm to the public if an emergency injunction were entered does not outweigh the harm to the Commission since a public hearing was properly noticed and was already held within 25 miles of the TCC.

**E. Petitioner Is Not Entitled to Mandamus Relief**

14. The request for mandamus relief should also be denied because Petitioner Kelly fails to allege any facts showing that he has a clear right to the relief requested or that Respondents have a clear duty to act. *Noyola v. Board of Education*, 179 Ill.2d 121, 133 (1997). Petitioner Kelly does not have a clear right to the relief requested due to his lack of standing to claim that he was denied notice of and an opportunity to be heard at a public hearing within 25 miles of the TCC. The Commission does not have a clear duty to provide another public hearing before its vote on January 6, 2010 since it has already provided one on December 22, 2009, as Petitioner admits. (Petition, ¶¶ 11, 27, Prayer for Relief).

**F. Petitioner Improperly Seeks This Court to Enjoin a Legislative Agency**

15. “Courts are endowed by the Constitution with judicial power, only, and are prohibited from interfering with other branches of government in the exercise of their powers. They cannot obstruct the exercise of legislative functions.” *Spies v. Byers*, 287 Ill. 627, 631 (1919). The Commission on Government Forecasting and Accountability is a legislative support services agency comprised of 12 members of the Illinois General Assembly. 25 ILCS 130/1-3, 1-5(a)(3), 3-1. Petitioner improperly seeks this Court to enjoin the Commission from exercising its function of voting on January 6, 2010 and issuing its advisory opinion on the recommendation

for closure of the TCC. (Petition, Prayer for Relief); 30 ILCS 608/5-10(c).

**G. The Court Lacks Subject Matter Jurisdiction Over Petitioner's Suit Against the State Respondents Based on Sovereign Immunity**

16. The doctrine of sovereign immunity bars suit against the State, and agencies and departments thereof, unless the State consents to be sued. 745 ILCS 5/1; *Westshire Retirement v. Department of Public Aid*, 276 Ill.App.3d 514, 519 (1<sup>st</sup> Dist. 1995). The Illinois State Lawsuit Immunity Act provides that “the State of Illinois shall not be made a defendant or party in any court”, except as provided in the Illinois Public Labor Relations Act and the Court of Claims Act. 745 ILCS 5/1. When sovereign immunity applies, the Circuit Court lacks subject matter jurisdiction. *Christiansen v. Masse*, 279 Ill.App.3d 162, 166 (1<sup>st</sup> Dist. 1996). If a judgment for the plaintiff could operate to control the actions of the State or subject it to liability, the action is effectively against the State and is barred by sovereign immunity. *Westshire Retirement*, 276 Ill.App.3d at 520.

17. Because of sovereign immunity, the State or a department of the State can never be a proper party defendant in an action brought directly in the circuit court. *Smith v. Jones*, 113 Ill.2d 126, 132 (1986). The State's immunity cannot be avoided by naming an official or agent of the State as the nominal party defendant. *Id.* at 131. “The official acts of State officers are in effect acts of the State itself.” *Id.*

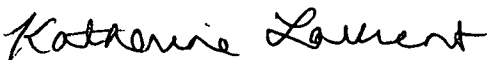
18. In the present case, Petitioner has sued Respondents Jeffrey Schoenberg and Richard P. Myers in their official capacities as Co-Chairmen of the Commission on Government Forecasting and Accountability and seeks a court order to compel “the Commission” to hold a public hearing and to enjoin “the Commission” from voting on January 6, 2010. Clearly, the

Commission is an arm of the State. 25 ILCS 130/1-3, 1-5(a)(3), 3-1. "The attempt to enjoin an entire department of the State evinces an intent to control the actions of the State." *Westshire Retirement*, 276 Ill.App.3d at 521. Petitioner's requests for injunctive and mandamus relief against the State Respondents would operate to control the actions of the State. (Petition, Prayer for Relief). The Petition does not allege that Senator Schoenberg and Representative Myers have taken any particular action in connection with the public hearing on the recommendation for closure of the TCC. Thus, the circuit court does not have subject matter jurisdiction over Petitioner's suit against the State Respondents and the Petition must be denied.

WHEREFORE, for the foregoing reasons, Respondents, Senator JEFFREY M. SCHOENBERG and Representative RICHARD P. MYERS, in their official capacities as Co-Chairmen of the ILLINOIS COMMISSION ON GOVERNMENT FORECASTING AND ACCOUNTABILITY, respectfully request that this Honorable Court deny Petitioner's Emergency Verified Petition for Writ of Mandamus to Compel Compliance with Mandate and Injunctive Relief in its entirety and with prejudice.

LISA MADIGAN  
Attorney General of Illinois  
Attorney Number: 99000

Respectfully Submitted,

  
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ALLAN ABINOJA  
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Chicago, IL 60601  
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## Illinois Compiled Statutes

### Information maintained by the Legislative Reference Bureau

Updating the database of the Illinois Compiled Statutes (ILCS) is an ongoing process. Recent laws may not yet be included in the ILCS database, but they are found on this site as Public Acts soon after they become law. For information concerning the relationship between statutes and Public Acts, refer to the [Guide](#).

Because the statute database is maintained primarily for legislative drafting purposes, statutory changes are sometimes included in the statute database before they take effect. If the source note at the end of a Section of the statutes includes a Public Act that has not yet taken effect, the version of the law that is currently in effect may have already been removed from the database and you should refer to that Public Act to see the changes made to the current law.

### FINANCE

#### (30 ILCS 608/) State Facilities Closure Act.

(30 ILCS 608/Art. I heading)

##### ARTICLE I

(Uncodified provisions; text omitted)

(Source: P.A. 93-839, eff. 7-30-04; text omitted.)

(30 ILCS 608/Art. 5 heading)

##### ARTICLE 5

(Source: P.A. 93-839, eff. 7-30-04.)

(30 ILCS 608/5-1)

Sec. 5-1. Short title. This Article may be cited as the State Facilities Closure Act. All references in this Article to "this Act" mean this Article.

(Source: P.A. 95-331, eff. 8-21-07.)

(30 ILCS 608/5-5)

Sec. 5-5. Definitions. In this Act:

"Commission" means the Commission on Government Forecasting and Accountability.

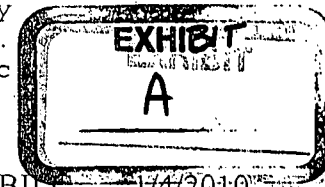
"State facility" means any facility (i) that is owned and operated by the State or leased and operated by the State and (ii) that is the primary stationary work location for 25 or more State employees. "State facility" does not include any facility under the jurisdiction of the legislative branch, including the Auditor General, or the judicial branch.

(Source: P.A. 93-839, eff. 7-30-04; 93-1067, eff. 1-15-05.)

(30 ILCS 608/5-10)

Sec. 5-10. Facility closure process.

(a) Before a State facility may be closed, the State executive branch officer with jurisdiction over the facility shall file notice of the proposed closure with the Commission. The notice must be filed within 2 days after the first public



announcement of any planned or proposed closure. Within 10 days after it receives notice of the proposed closure, the Commission, in its discretion, may require the State executive branch officer with jurisdiction over the facility to file a recommendation for the closure of the facility with the Commission. In the case of a proposed closure of: (i) a prison, youth center, work camp, or work release center operated by the Department of Corrections; (ii) a school, mental health center, or center for the developmentally disabled operated by the Department of Human Services; or (iii) a residential facility operated by the Department of Veterans' Affairs, the Commission must require the executive branch officers to file a recommendation for closure. The recommendation must be filed within 30 days after the Commission delivers the request for recommendation to the State executive branch officer. The recommendation must include, but is not limited to, the following:

- (1) the location and identity of the State facility proposed to be closed;
- (2) the number of employees for which the State facility is the primary stationary work location and the effect of the closure of the facility on those employees;
- (3) the location or locations to which the functions and employees of the State facility would be moved;
- (4) the availability and condition of land and facilities at both the existing location and any potential locations;
- (5) the ability to accommodate the functions and employees at the existing and at any potential locations;
- (6) the cost of operations of the State facility and at any potential locations and any other related budgetary impacts;
- (7) the economic impact on existing communities in the vicinity of the State facility and any potential facility;
- (8) the ability of the existing and any potential community's infrastructure to support the functions and employees;
- (9) the impact on State services delivered at the existing location, in direct relation to the State services expected to be delivered at any potential locations; and
- (10) the environmental impact, including the impact of costs related to potential environmental restoration, waste management, and environmental compliance activities.

(b) If a recommendation is required by the Commission, a 30-day public comment period must follow the filing of the recommendation. The Commission, in its discretion, may conduct one or more public hearings on the recommendation. In the case of a proposed closure of: (i) a prison, youth center, work camp, or work release center operated by the Department of Corrections; (ii) a school, mental health center, or center for the developmentally disabled operated by the Department of Human Services; or (iii) a residential facility operated by the Department of Veterans' Affairs, the Commission must conduct one or more public hearings on the recommendation. Public hearings conducted by the Commission shall be conducted no later than 35 days after the filing of the recommendation. At least one of the public hearings on the recommendation



shall be held at a convenient location within 25 miles of the facility for which closure is recommended. The Commission shall provide reasonable notice of the comment period and of any public hearings to the public and to units of local government and school districts that are located within 25 miles of the facility.

(c) Within 50 days after the State executive branch officer files the required recommendation, the Commission shall issue an advisory opinion on that recommendation. The Commission shall file the advisory opinion with the appropriate State executive branch officer, the Governor, the General Assembly, and the Index Department of the Office of the Secretary of State and shall make copies of the advisory opinion available to the public upon request.

(d) No action may be taken to implement the recommendation for closure of a State facility until 50 days after the filing of any required recommendation.

(e) The requirements of this Section do not apply if all of the functions and employees of a State facility are relocated to another State facility that is within 10 miles of the closed facility.

(Source: P.A. 93-839, eff. 7-30-04; 94-688, eff. 1-1-06.)

(30 ILCS 608/Art. 10 heading)

ARTICLE 10

(Amendatory provisions; text omitted)

(Source: P.A. 93-839, eff. 7-30-04; text omitted.)

(30 ILCS 608/Art. 99 heading)

ARTICLE 99

(Source: P.A. 93-839, eff. 7-30-04.)

(30 ILCS 608/99-995)

Sec. 99-995. Closed meetings; vote requirement. (Text omitted).

(Source: P.A. 93-839, eff. 7-30-04; 93-1067, eff. 1-15-05; text omitted.)

(30 ILCS 608/99-997)

Sec. 99-997. Severability. The provisions of this Act are severable under Section 1.31 of the Statute on Statutes.

(Source: P.A. 93-839, eff. 7-30-04.)

(30 ILCS 608/99-999)

Sec. 99-999. Effective date. This Act takes effect upon becoming law.

(Source: P.A. 93-839, eff. 7-30-04.)

Top

SENATE  
Jeffrey M. Schoenberg  
Co-Chairman

Bill Brady  
Michael Frerichs  
Matt Murphy  
Dave Syverson  
Donne Trotter

EXECUTIVE DIRECTOR  
Dan R. Long



State of Illinois  
COMMISSION ON GOVERNMENT  
FORECASTING AND ACCOUNTABILITY  
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<http://www.ilga.gov/commission/cgfa2006/home.aspx>

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Co-Chairman

Patricia Bellock  
Kevin McCarthy  
Elaine Nekritz  
Raymond Poe  
Al Riley

DEPUTY DIRECTOR  
Trevor J. Clatfelter

## AGENDA

**Purpose: State Facility Closure Act Hearing;**

**Illinois Department of Corrections, Thomson Correctional Center Closure**

Sterling High School Centennial Auditorium, 1604 4<sup>th</sup> Avenue, Sterling, Illinois, December 22, 2009; 2:00 pm

### I. Call to Order by Commission Co-Chairmen:

Senator Jeffrey M. Schoenberg / Representative Richard P. Myers

1. Summary: State Facility Closure Act
2. Summary: State Property Control Act

### II. State of Illinois Executive Branch Officials:

1. Chief Operating Officer Jack Lavin, Office of the Governor
2. Director Michael P. Randle, Illinois Department of Corrections
3. Director Jonathon Monken, Illinois State Police

### III. Federal Government Officials:

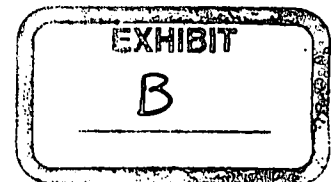
1. Director Harley Lappin, United States Federal Bureau of Prisons
2. Principal Director Alan Liotta, U.S. Department of Defense / Office of Detainee Policy

### IV. Elected Officials & City/Village Representatives:

1. State Senator Tim Bivins (45<sup>th</sup> Senate District)
2. State Representative Jim Sacia (89<sup>th</sup> Representative District)
3. Barb Suel-Janis, on behalf of Representative Mike Boland (71<sup>st</sup> Representative District)
4. Trustee Vicky Trager, Village of Thomson
5. Director of Public Works / City Engineer Shawn Orgiesen, City of Dixon (Representing City)
6. Mayor George Gaulrapp, City of Freeport
7. County Board Member Jim Bohnsack, Rock Island County Board
8. Village President Bonnie Heckman Foust, Village of Shannon
9. Mayor Larry Russell, City of Fulton
10. County Board Member Gerald Bork, Carroll County Board

### V. Employee Organizations, Unions and Associations:

1. Executive Director Henry Bayer, AFSCME Council 31
2. President Lori Laidlaw, AFSCME Local 2359 (Thomson Correctional Center)
3. President Ralph Portwood, AFSCME Local 1866 (Stateville Correctional Center)
4. President Anthony Ferranto, AFSCME Local 1175 (Menard Correctional Center)
5. President Brad Long, Northwest Illinois Building Trades
6. Executive Director Rory Washburn, Tri-City Building Trades



**VI. Educational and Economic Development Organizations:**

**a.) Educational Organizations:**

1. President George Mihel, Sauk Valley Community College

**b.) Economic Development Organizations:**

1. Heather Sotelo, Greater Sterling Development Corporation
2. Administrator Betty Steinert, Whiteside County Economic Development
3. Executive Director Diane Komiskey, Jo-Carroll Depot Local Redevelopment Authority
4. Dr. Edward Olds, III; Jo-Carroll Depot Local Redevelopment Authority Member
5. President and CEO Michael Hastings, Tri-County Economic Development Alliance, Inc.
6. Sandy Henrekin, Rock Falls Community Development Organization
7. President Dr. William Tonne, Blackhawk Hills Resource Conservation and Development

**VII. Advocacy Organizations and General Public Comments:**

**a.) Advocacy Organizations:**

1. Staff Attorney Alice Johnson, Illinois Nurses Association
2. Andy Jackson, Sinnissippi Mental Health Center
3. Beverly Perlson, The Band of Mothers
4. Denise Cattoni, Illinois TEA Party
5. John "Howie" Howell, Chandler's Watch
6. Robert Clark, Committee to Defend the Bill of Rights, President
7. Craig Mijares, TEA Party Palatine Group District Coordinator
8. Sandra Mijares, TEA Party Palatine Group & Concerned Citizen
9. Richard Biesiada, Chicago Minutemen (Director)
10. Debbie Lee, America's Mighty Warriors

**b.) General Public Comments:**

1. Kirk Wellman, IL Department of Corrections, Dwight Corrections Officer
2. Dan Proft
3. Joe Alger, Concerned Citizen
4. Steve Stevlic, Concerned Citizen
5. William Kelly, Business Owner
6. Robert Zedeck
7. John Arrington
8. Adam Andrzejewski
9. Jeff Otto, U.S. Marines Veteran and Concerned Citizen
10. Jane Digiovanni, Illinois TEA Party Patriot and Concerned Citizen

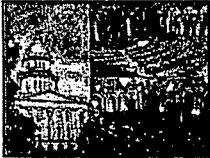
**VIII. Old Business:**

1. Jessie "Ma" Houston
2. Kankakee Correctional Center

**IX. New Business:**

**X. Adjournment:**

(12/21/09, 3:00 pm CST)



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### Topics

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[Special Transfers](#)

[Pension Systems](#)

[Bonds/Capital Plan](#)

[Facility Closures](#)

[University COPs](#)

[Gaming](#)

[Group Insurance](#)

[Other Reports](#)

[Contact CGFA](#)

## Thomson Correctional Center

Location: Department of Corrections Thomson Correctional Center

The Department of Corrections proposes to close this facility.

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Public Letters:	<a href="#">as of January 2, 2010</a>
Written Testimony:	
Department Responses to Commission Questions:	
Commission Motion and Vote:	
Commission Recommendation:	
Status of Facility Closure Process:	

Ruler

Line: Path

Length: 24.49 Miles

Heading: 298.80 degrees

Mouse Navigation Clear

Camell

Thomson Correctional Center

Sterling High School

EXHIBIT

C

SENATE  
Jeffrey M. Schoenberg  
Co-Chairman

Bill Brady  
Michael Frerichs  
Matt Murphy  
Dave Syverson  
Donne Trotter

EXECUTIVE DIRECTOR  
Dan R. Long



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HOUSE  
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Co-Chairman

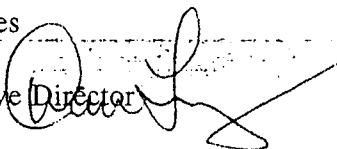
Patricia Bellock  
Kevin McCarthy  
Elaine Nekritz  
Raymond Poe  
Al Riley

DEPUTY DIRECTOR  
Trevor J. Clatfelter

December 7, 2009

MEMORANDUM

TO: CGFA Commission Members  
and Interested Parties

FROM: Dan R. Long, Executive Director 

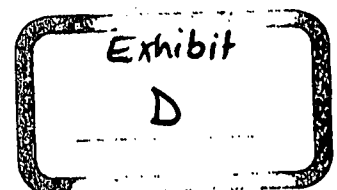
RE: Proposed Facility Closure Hearing: Thomson Correctional Center

There will be a meeting of the Illinois Commission on Government Forecasting and Accountability to be held on *Tuesday, December 22, 2009 at 2:00 p.m. at the Sterling High School Centennial Auditorium. The address for the Sterling HS Auditorium is 1608 4th Avenue in Sterling, IL 61081.*

The purpose of the hearing is to discuss the proposed closure of the Thomson Correctional Center in Thomson, Illinois.

Please confirm your attendance with Donna Belknap at (217) 782-5322.

DRL:dkb  
Meeting 2009-DEC-22 Thomson





Topics

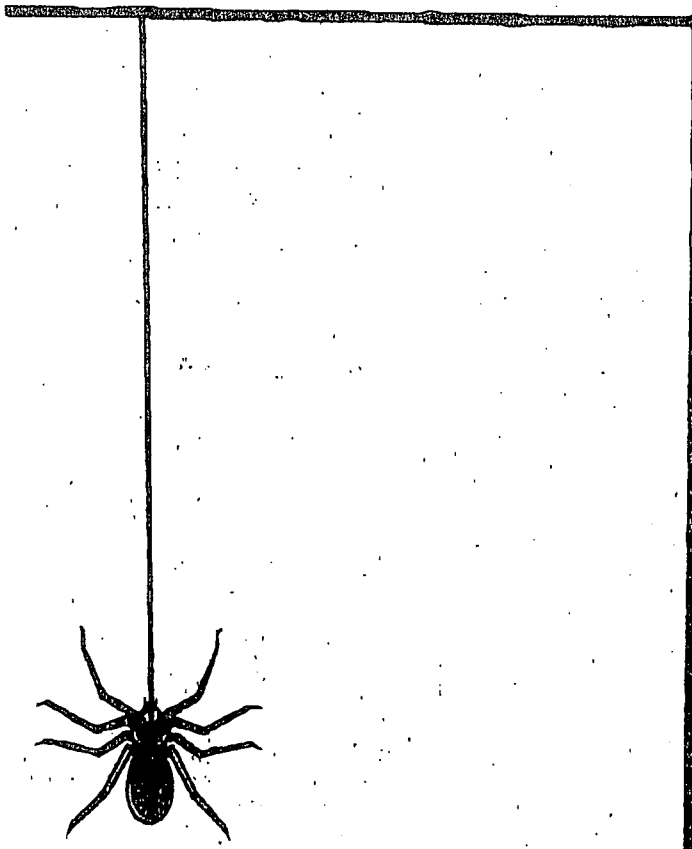
- Monthly Briefings
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Department Responses to Commission Questions:	
Commission Motion and Vote:	
Commission Recommendation:	
Status of Facility Closure Process:	



ir attention  
In't it?

Group  
EXHIBIT  
E

# PSAUK VALLEY PUBLIC NOTICES

STATE OF ILLINOIS  
IN THE CIRCUIT  
COURT  
OF THE FIFTEENTH  
JUDICIAL CIRCUIT  
COUNTY OF LEE

IN THE MATTER OF  
THE PETITION OF  
ANGUS S.  
MANDRGOO  
FOR CHANGE OF  
NAME  
NO. 09 MR 65  
NOTICE OF  
PUBLICATION

PLEASE TAKE  
NOTICE that on the 3<sup>rd</sup>  
day of December,  
2009, a Petition For  
Name Change was  
filed in the Circuit  
Court of Lee County,  
Illinois.  
NOW, therefore unless  
an objection is filed to  
the Petition for Name  
Change in said Court  
of Lee County, Dixon,  
Illinois, on or before  
the 10<sup>th</sup> day of Jan-  
uary, 2010 at 9:00  
a.m., a judgment en-  
tered in accordance  
with the prayer of said  
Petition for Name  
Change will be en-  
tered.  
Dated this 3<sup>rd</sup> day of  
December, 2009

Donna A. McCaffrey  
Lee County Circuit  
Clerk  
By: Susan Meany

David W. Mandrgoo,  
Esq.,  
Attorney for Petitioner  
Mandrgoo Law Office  
P.C.  
221 E. 2Nd Street  
Dixon IL 61021  
815-284-7777  
Fax: 815-284-7586  
Dec. 5, 12, 19, 2009

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PUPPY SCAMS!**



Visit the American Kennel Club®  
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on how to avoid getting  
scammed and to find a responsible  
dog breeder. If you have been  
the victim of a scam, report it to  
your local authorities and your  
local BBB ([www.bbb.org](http://www.bbb.org))




## NOTICE OF PUBLIC HEARING

On the Proposed Closure of the Thomson Correctional Center

Tuesday, December 22, 2009  
2:00 p.m.

Sterling High School Centennial Auditorium  
1608 4th Avenue  
Sterling, Illinois 61081

### QUESTIONS:

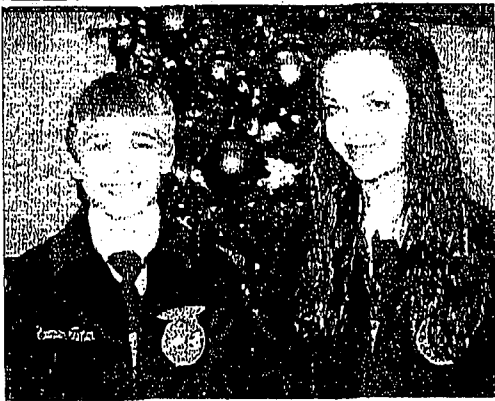
Commission on Government Procurement and Accountability  
(217) 782-5320

Senator Jeffrey Schoenberg  
Co-Chairman

Representative Richard Myers  
Co-Chairman

December 12, 19, 21, 2009





Roman Timm and Kylie Beaston

## WC pair place in FFA Creed Speaking Contest

SAVANNA—Roman Timm of the West Carroll FFA Chapter won first place in the Section I FFA Creed Speaking Contest held on Thursday, December 3rd at the River Ridge High School. Kylie Beaston of West Carroll placed sixth in the contest with 10 individuals competing. The FFA Creed Speaking Contest consists of memorizing

the 5-paragraph FFA Creed, written by E.M. Tiffany and answering six questions following the presentation.

Timm will now advance to the District I FFA Creed Speaking Contest that will be held in April.

Don Hartman and Don Mathcy are the West Carroll FFA advisors.



Heavy snowfall blankets area

Last Wednesday, area residents woke to almost a foot of snow that fell during the previous day and night. It was the first significant snowfall of the season and Ron Latecke of Thomson was busy using his snow blower early Wednesday morning.

—Review photo (Bill Gengenbach)

## River Ridge hosts FFA Public Speaking Contest

HANOVER—River Ridge High School was the site of the Section I FFA Public Speaking Contest on December 3.

Areas of competition included senior prepared, junior prepared, senior extemporaneous and junior extemporaneous.

Corey Satcher of Eastland placed first in the junior extemporaneous speaking. Other Eastland members placing included Tuni Cline, 3rd in senior pre-

pared speaking and Shelby Corey, 3rd in senior extemporaneous speaking.

Hannah Pieper of Dakota won the senior prepared speaking; Nick Gimple of Orangeville placed 1st in junior prepared speaking; and Tony White of Dakota won first in senior extemporaneous speaking.

Judges for the contest were from the University of Wisconsin-Platteville.

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## NOTICE OF PUBLIC HEARING

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Sterling High School Centennial Auditorium

1608 4th Avenue  
Sterling, Illinois 61081

### QUESTIONS:

Commission on Government Forecasting and Accountability  
(217) 782-5320

Senator Jeffrey Schoenberg  
Co-Chairman

Representative Richard Myers  
Co-Chairman

Wednesday, December 16, 2009 El Carroll County Mirror-Democrat

# Letters to the Editor

## Farmer's Market thanks

Dear Editor:  
My husband and I found Mount Carroll almost 20 years ago on our way to Grays and fall in love with this beautiful little town.

We spent many years getting ready to retire here, traveling from DeKalb to Mount Carroll on weekends. We are now full-time residents and so glad we're here.

In response to Rusty Rogers' letter about the Senior Center (Camp Dream Alive, Dec. 9 Mirror-Democrat), I agree, we do have a precious jewel. We were sad to lose it but imagine all the memories that were made there. It's very unique, quiet and beautiful.

I'd like to thank all the vendors, friends, Chamber of Commerce, Randy Rogers, for printing on the new umbrella and all the customers who helped to make it a successful year for the Farmer's Market.

Merry Christmas and see you in the Spring.  
Mary Beach  
Mount Carroll

## Make a difference in a child's life

Dear Editor:  
As the holiday season and all its beautiful festivities approach to overwhelm us, let's take this opportunity to thank the donors of generous souls who have contributed in some way to the Farmer's Market.

The pantry has played a large part in helping families keep their little ones clothed, diapered, warm, fed and dry. In that, the need has increased commensurately in direct relation to the seasonal changes.

It seems the pantry is nearly wiped out each time we are open. However, through the efforts and contributions of many, many volunteers and donors, the pantry continues to be a constant source of assistance to

## Birthdays

Dec. 31  
Marla Kapimstein, David Gilliland, Inez Zlamala, Jane Bergman, Debby Paschke, Miral Bundy, Orville Berk-Joshella Smith.

Dec. 28  
Jan Matkoman, Sam Schneider, Dawn Hutchins, Andrew Frederick, Alissa Johnson, Vanessa Bryan, Krista Walker.

Dec. 27  
Lashawn Holcomb, David Phelps, John Ray, Elizabeth Wenzel, Roy and Alan Fleming, Jim Smith, Eric Nelson, Leo Hildway Jr., Gerald W. Rogers, Jimmy Handwerker, Greg Goodhard, Carmel Kaufman, Nicole Dixon.

Dec. 24  
Newell Fry, Evelyn Schneider, Dawn Spahr, Dennis Yachon, Elaine Appel, James Boyer, Beth Cook, Carol Hochstadt.

Dec. 21  
Wayne Lee, Sandy Schneider, Mary Kay Bach, George Williams, Lucille Babuck, Fred Wagner, Tom Charles, Robert Delpy, Phil Reed, Kristine Harder, Kristine Althoff.

Dec. 20  
Kim Clayton, Troy Yanny, Rick Noble, Michelle Parkin, Ron Schneider, Kurt Schneider, Janice Barnard, Curtis Dyson, Kevin Brown, Short Shoemaker, Allison Yanny.

Dec. 17  
Bob Orzelak, Bobbie Sialer, Alicia Smith, James Madar, Joshua Strauch, Steve Shoemaker, Angie Harrell, Marty Rupp.

Please let the staff of the Mirror-Democrat know if there are any changes due to new changes, moves or deaths or in add names to the list. Call 815-244-2411. Thank you.

**NEWSPAPER ADVERTISING**  
lets you know where the bargains & services are each week of the year.  
**Mirror-Democrat**  
815-244-2411.

## Letters to the Editor

If you are looking for a way to make a difference in someone's life, I would ask you to consider helping out at the pantry. We are in need of volunteers to help every other Tuesday from 11:30 a.m. to 2:30 p.m. Duties include such tasks as tallying up purchases and collecting Baby Wipes, stocking shelves, straightening up, clothing and bags of all, holding babies!

Whether you've donated a package of diapers, bought a mattress, cleaned out your store room, organized a baby shower, lent a hipster, held a book sale, dropped your change into a baby basket, or worked a shift at the pantry, your gift has truly helped to change a child's life. Children truly do learn what they live.

As Christmas approaches, please take a moment to ask yourself what difference you can make in a child's life.

Leigh Anne Piper  
Lansett

## Excellent snow removal

Dear Editor:  
Thanks to the Mount Carroll City Street Department for the excellent job of clearing the streets and downtown area of the last week's snowstorm.

I just arrived home on April 4. Before that, I lived in the country for 25 years and never the problems they had: flat tires, breakdowns and street know-nothings.

I now realize plowing city streets is how places of mass effect. A lesser, you must have put in long hours and short nights. I'm sure you can have your plowing problems too.

These people are probably the wonder-ful and quiet job you do clearing the streets through long snowstorms like we just through. Thank you again for your hard work.

John J. Schmitt  
Mount Carroll

## MC Police report

Mount Carroll Police Officer Robert Hookman submitted the following report of activities for November:

Calls - 80, including 4 accidents, 1 criminal damage, 3 domestic, 3 battery, 3 assist in arrests.

Arrests included 1 traffic citation, 3 ordinance citations, 3 criminal complaints, 1 warrant, 2 juvenile arrests.

Total miles patrolled were 2,984.

# Clerk gets state office

Carroll County Clerk and Recorder Brian Wagoner of Mount Carroll recently was elected president of NRCMA for the Illinois Association of County Clerks and Recordors.

The election means Wagoner will have a four-year commitment to the association's governing body.

He will serve one year as president at arms, one year as second vice president, one year as first vice president



BRIAN WAGONER

## Rules of the Road class this Friday

A representative from the Illinois Secretary of State's office will present a Rules of the Road class from 9 to 11 a.m. Friday, Dec. 18, at the Carroll County Senior Center in downtown Mount Carroll.

The class is for those who need to renew their driver's license.

There is an charge and no reservations are needed.

and then one year as president of the organization.

Wagoner already serves on the organization's state legislative committee and attends monthly meetings to promote and watch over proposed legislation that affects state and local elections as well as the recording of various legal documents.

Wagoner, 57, is completing the third year of his first four-year term as county clerk and recorder in Carroll County. The Republican is unopposed in his bid for re-election in 2010.

## Meeting Date

CC VAC  
Carroll County VAC will meet at 7 a.m. Thursday, Dec. 17, at the Carroll County Courthouse in the VAC office. For more information call Claude (Butch) Lewis at 815-244-0224.

**Mirror Democrat**  
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Subscription rates for one year: \$25 in Carroll County, \$28 elsewhere; in Illinois \$10-\$248 outside of Illinois. Deadline for news and advertising is 3 p.m. Friday. FAX 815-244-2965. Phone 815-244-2411. E-mail: [mirror@ccmirror.com](mailto:mirror@ccmirror.com)

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The Carroll County Mirror-Democrat assumes no financial responsibility for typographical errors, but will reprint that part of an ad in which the typographical error occurs, provided the newspaper immediately of any errors.

The Carroll County Mirror-Democrat is entered with the Severus Times Journal and the Northwestern Illinois Dispatch.

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Bob Wagoner ..... Editor & Publisher  
Janice Smith ..... Ad Production Mgr.  
Jan VanBuren ..... Acq. Rep./Reporter  
Mary Madar ..... Office Manager

**NOTICE OF PUBLIC HEARING**

On the Proposed Closure of the Thomson Correctional Center

Tuesday, December 22, 2009  
2:00 p.m.  
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**QUESTIONS:**  
Commission on Government Forecasting and Accountability  
(217) 782-5320

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Co-Chairman

Representative Richard Myers  
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Commission on Government Forecasting and Accountability

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Senator Jeffrey Schoenberg  
Co-Chairman

Representative Richard Myers  
Co-Chairman

Here is a list of the newspapers in which the Commission posted public notices regarding the Thomson Correctional Center Hearing:

Sauk Valley News

Ruth Ramirez  
Classified Inside Sales Executive  
Sauk Valley Newspapers  
3200 E. Lincolnway, P.O. Box 498  
Sterling, IL 61081  
(815)625-3600, ext. 654  
Fax (815)626-5365

The Journal Standard

Amanda M. Rubin  
Classified Sales Executive  
The Journal Standard  
P.O. Box 330, 27 S. State St.  
Freeport, IL 61032  
Phone: 815-232-0125  
Fax: 815-232-0104  
amanda.rubin@journalstandard.com  
www.journalstandard.com

Carroll County Review

Nancy Whitney, (815) 259-2131

809 W Main St  
Thomson, IL 61285

Mount Carroll Mirror Democrat

Bob (815) 244-2411

308 N Main St  
Mount Carroll, IL 61053

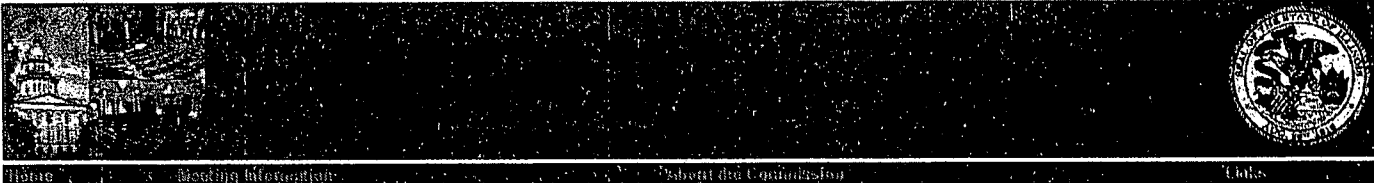
Rock Island Argus

Mary

309-757-5019

Freeport Journal Standard  
Carroll County Review  
Sauk Valley News  
Mt. Carroll Mirror Democrat  
Rock Island Argus/The Dispatch

December 18th and 20th  
Weekly Published December 16th, 2009  
December 12th, 19th, and 21st  
December 16th, 2009 for a week  
December 20th



**Topics**

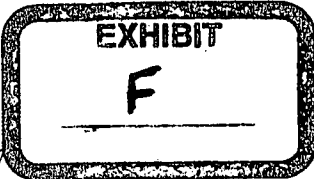
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## Thomson Correctional Center

Location: Department of Corrections Thomson Correctional Center

The Department of Corrections proposes to close this facility.

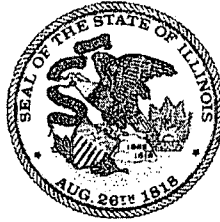
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FORECASTING AND ACCOUNTABILITY  
703 Stratton Ofc. Bldg., Springfield, IL 62706  
217/782-5320 Fax: 217/782-3513  
<http://www.ilga.gov/commission/cgfa2006/home.aspx>

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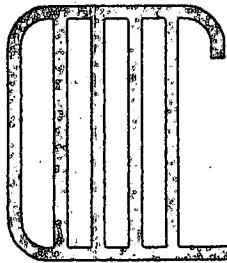
DEPUTY DIRECTOR  
Trevor J. Clatfelter

## ILLINOIS DEPARTMENT OF CORRECTIONS FACILITY CLOSURE TIME FRAME FOR THOMSON CORRECTIONAL CENTER

On November 25<sup>th</sup>, 2009, the Illinois Department of Corrections notified the Commission on Government Forecasting and Accountability that the department intended to close Thomson Correctional Center in Thomson, Illinois. The State Facility Closure Act (30 ILCS 608) requires the Commission to seek a recommendation for closure from the Department of Corrections "in the case of a proposed closure of a (i) prison, youth center, work camp, or work release center operated by the Department of Corrections." The Department of Corrections submitted the required recommendation for closure for Thomson Correctional Center on November 25<sup>th</sup>, 2009, in conjunction with the closure notification letter. The State Facility Closure Act has specific time frames in which requirements of the act must be met. Below is a timeline showing specific dates for the closure process of the Thomson Correctional Center:

- ☞ **(Initial Announcement Date)** *The Department of Corrections notified the Commission of the intent to close the Thomson Correctional Center on November 25<sup>th</sup>, 2009. The Department submitted the required recommendation for closure on this same date.*
- ☞ **(30 Days)** *A public comment period from November 26<sup>th</sup>-December 25<sup>th</sup>, 2009.*
- ☞ **(35 Days)** *November 26<sup>th</sup>-December 30<sup>th</sup>, 2009. The Commission must have a public hearing during this time frame. This hearing must take place within a 25 mile radius of the Thomson Correctional Center.*
- ☞ **(50 Days)** *January 14<sup>th</sup>, 2010. Deadline for the Commission to issue an advisory opinion.*

DRL:dkb  
15-December-2009  
S178B/Revised Timeframe



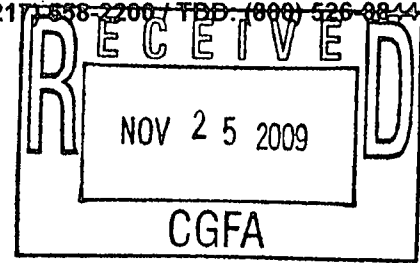
Illinois  
Department of  
Corrections

Pat Quinn  
Governor

Michael P. Randle  
Director

1301 Concordia Court / P.O. Box 19277 / Springfield IL 62794-9277 / Telephone: (217) 538-2200 / TDD: (800) 526-8844

November 25, 2009



The Honorable Jeffrey M. Schoenberg, Co-Chair  
The Honorable Richard P. Myers, Co-Chair  
Commission on Government Forecasting and Accountability  
703 Stratton Office Building  
Springfield, IL 62706

Re: Illinois Department of Corrections  
Thomson Correctional Center

Gentlemen:

As you undoubtedly know, the federal government is exploring the possible purchase of the Thomson Correctional Center from the State. At this time, representatives of various federal agencies are assessing the Thomson facility to determine its suitability for their needs. While it is uncertain whether the purchase will occur, we want to provide the Commission with notice of the proposed closure of the Thomson facility under Section 5-10 of the State Facilities Closure Act. We also will be announcing the proposed closure of the Thomson facility to the public through the posting of this letter on the Department of Corrections' website.

Given the importance of this proposed closure and potential sale, I feel that it is crucial to provide notice at this preliminary stage and to fully apprise the members of the Commission and the legislative branch. Submission of this letter should not be construed as an indication that the federal government has reached any decision regarding proceeding with the contemplated transaction and is not intended to have any influence on the same. As discussions with the federal government move forward, we will continue to provide you with appropriate information as expeditiously as possible.

Should you have questions or comments concerning this matter, or require further information or documentation at this time, please do not hesitate to contact me. Thank you for your attention and consideration.

Very truly yours,

Michael P. Randle  
Director



IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

Kelly

v.

No. 10 CH 00008

Schoenberg, et al.

ORDER

This matter coming to be heard on Petitioner's Emergency Verified Petition for writ of Habeas Corpus + Injunctive Relief (the "Emergency Petition") as well as Petitioner's Amended Emergency Petition, Petitioner appearing pro se + Respondents represented by counsel, the Court having heard oral argument + being fully advised in the premises, IT IS HEREBY ORDERED:

1) The relief requested in the Amended Emergency Petition is hereby DENIED + the Amended Emergency Petition is hereby STRICKEN for the reasons stated on the record in open court.

2) This is a final + appealable order fully disposing of this case.

Atty. No.: 99000

Name: Katherine Laurent + Alvin Abing AABG

ENTERED:

Atty. for: Respondents

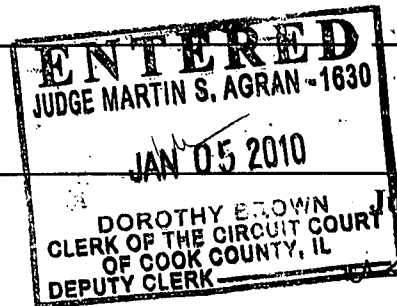
Address: 100 W. Randolph St. 15th Fl

Dated:

City/State/Zip: Chicago, IL 60601

Telephone: (312) 814-5312

Judge



Judge's No.