

## Editorial April 9, 2009

Editorial, April 9, 2009: Busting Crooked Pols

If you're a local prosecutor and want to go after gangs or drug dealers, state law gives you an arsenal of powerful weapons. One of the most potent: the ability to eavesdrop on conversations by tapping a telephone.

But if you're a local prosecutor going after a Chicago alderman or suburban mayor who's on the take? Sorry. State law says you can't tap the phone even with a court order.

No wonder corrupt pols here fear only one person: U.S. Atty. Patrick Fitzgerald.

Most government corruption cases are brought by the U.S. attorney's office, in large part because federal prosecutors have the tools to pursue them. They aren't hamstrung by Illinois' stifling anti-corruption laws.

Fitzgerald has made crooked pols a priority: He has convicted one former governor and indicted another. He has convicted 148 federal, state and local officials in seven years. He has at least eight prosecutors working on public corruption cases.

And that still isn't enough.. . .

Do we really want to clean up this state? Then the people who would take a bribe, rig a contract or phony up a job application have to be worried about getting caught. We can't rely entirely on the Justice Department.

Illinois needs to equip state and local law enforcement so they can join this fight.

Some things that have to get done:

Strengthen wiretap laws. Give local and state prosecutors the kind of power the feds have to use telephone taps. That's at the heart of a legislative proposal from Cook County State's Atty. Anita Alvarez and the Illinois Reform Commission. Illinois is one of a handful of states that haven't brought their rules on such recordings in line with federal law. Jack Blackey, a former federal prosecutor who now heads Alvarez's special prosecutions unit, says the privacy and civil liberties safeguards in federal law would apply with new state law.

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One caveat: Alvarez wants the authority to outfit informants with body wires without having to get a judge's

approval. That's unnecessary and open to abuse, and makes her bill much harder to pass. Keep judicial approval, and she has a strong proposal.

Beef up the state racketeering law. Right now, it's tailored only for narcotics cases. Alvarez proposes that state law be based on the federal Racketeering Influence and Corrupt Organizations Act (RICO), which has been effectively used by prosecutors to attack organized crime and other criminal conspiracies. Many states have these laws. RICO gives prosecutors much broader powers to show a jury or judge a pattern of crime over a period of years, and permits tougher penalties. Case in point: the federal Family Secrets mob trial, which covered a who's who of Chicago mob murders, money laundering and other crimes over three decades.

Let Chicago's inspector general investigate the City Council. Chicago alderman created this office in 1989 to fight waste and corruption, but they carved a nice fat exemption for themselves. The inspector general can't touch them. Since 1989, 12 current or former alderman have been convicted on corruption charges.

Aldermen Joe Moore and Patrick O'Connor have proposed separate ordinances to close that loophole and give the inspector general more independence. O'Connor, who is Mayor Richard Daley's floor leader in the council, told the Tribune editorial board in February that he would be "happy to start" the effort to give the inspector general this authority. So far, however, these measures have not even had a hearing. Inspector General David Hoffman has done a terrific job in policing city government. His office needs the authority to give the same scrutiny to the City Council.

Air all inspector general reports. That happens in some cases, but not always. In 2006 the Tribune uncovered an inspector general report that was highly critical of the Rod Blagojevich administration for orchestrating hiring for jobs that we supposed to be free of political influence. Atty. Gen. Lisa Madigan has proposed that all completed reports by inspectors general go to the State's Executive Ethics Commission, which could refer them to the attorney general and decide whether to publicly release them. Let's go one better: Require the release of all inspector general reports, including those that don't lead to charges. Let the public see what's going on. . . . These are powerful weapons to give prosecutors and investigators. We understand that not everyone in law enforcement is as principled and as apolitical as Patrick Fitzgerald. That's where the public comes in. Provide these tools, and no local state's attorney will be able to use the excuse that he or she doesn't have the authority to pursue crooked politicians. If a local prosecutor abuses these tools or fails to make good use of them, voters will have the ballot box as resources. One reason Illinois has been embarrassed by corruption: Those of us who live here haven't raised our voices loudly enough to insist that this change. Corruption robs every citizen in Illinois of good government. We pay for the inflated contracts, the ghost-pay-rollers, the kickbacks. The latest case in point: Cook County just agreed to pay \$180,000 to three former employees of Recorder of Deeds Eugene Moore who said they were laid off so politically connected workers with less experience could hang on to their jobs. Taxpayers, that money comes out of your pocket. It's time for House Speaker Michael Madigan and Senate President John Cullerton to step up and support the measures discussed here that require state law. Time for the Chicago City Council to step up. U.S. Atty. Patrick Fitzgerald can't be the only sheriff in town. Let's get him some help.