



Taxpayers United of America

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Dear Oak Park Press,

On June 30th, Judge Mary Mikva dismissed our suit against D97 Board of Ed for intentionally misleading voters with ballot information that underestimated the impact of a tax increase. We intend to appeal this decision for many reasons; to exercise our constitutional right of appeal; it is common knowledge that Cook County elected judges affiliated with the Democratic party are far from impartial toward fiscal prudence; and the expected benefits from pursuing an appeal outweighs the costs.

First and foremost it is our constitutional right to appeal a judicial decision and we intend to exercise this right. Challenging the status quo and criticizing ideas makes for a better and effective deliberate democracy. The legal action against the D97 Board was meant to send a clear message to elected officials that they cannot take advantage of the citizenry by bending the rules to favor a particular outcome.

To recap, the Board of Ed's last minute bait and switch tactics from a working cash bond to a permanent increase in the tax rate (after months of convincing the public that a work cash bond option was the best route), led to the deliberate selection of a law firm, Chapman & Cutler, who 'advised' the Board to purposefully exclude a particular component used in calculating the property tax (we find it odd that the Board did not seek a second opinion, like several other districts had done). We take some solace in fact that the IL legislature changed the law to prevent future 'dirty' interpretations as to what should be included in a property tax referendum ballot language.

Although we are taught that justice is blind, only a naive bumpkin (unfortunately there are several of them in Oak Park who have a penchant for posting uncouth comments in the Journal's website) would believe that the Cook County Circuit Court upholds that ideal. A thin political veil covers most of the judicial decisions by elected judges in Cook County and the outcome of this case is not immune to that. Anyone who has lived in Cook County knows the incestuous, tangled nature of law and politics. A cursory review of Judge Mikva's pedigree, political contributions and her social circles, clearly show her political/philosophical leanings and therefore one can infer her nuanced interpretation of laws. That is, elected Democratic judges of Cook County are not that friendly to prudent property tax causes.

Appealing a case is not at all deterministic and is highly probabilistic. Also, it is human nature to weigh losses more than equivalent gains. Therefore we have evaluated our options, and in our humblest opinion, the expected value of the outcome outweighs the costs. History suggests that appealing cases such as these can (and have) indeed been over turned at the 'higher' courts.

We are encouraged and supported in our appeal by the nearly 4,900 citizens of Oak Park who voted NO on the recent property tax referendum. We would like to remind our detractors that the referendum ONLY passed with the support of less than 12% of the citizens of Oak Park. We will continue to engage our diverse citizenry about fiscal responsibility and educational outcomes and debate in a respectful manner with epistemic vigilance.

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