



**GENERAL ASSEMBLY**

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

SPECIAL INVESTIGATING COMMITTEE OF THE NINETY-SEVENTH GENERAL ASSEMBLY

May 7, 2012

**STATEMENT BY THE SPECIAL INVESTIGATING COMMITTEE**

Pursuant to unanimous action of the House Special Investigating Committee ("Committee") at its April 26, 2012 hearing, Representative Derrick Smith, along with his counsel, has been asked to attend the Committee's scheduled hearing for Thursday, May 10, 2012 at 10:30 a.m. in Room 114 of the Illinois State Capitol. An April 30, 2012 signed letter from Chairwoman Nekritz and Minority Spokesperson Reboletti has been sent to Representative Smith through his counsel.

Representative Smith has been invited to give a preliminary statement under oath or to answer questions from his attorney under oath. The Committee, through its Members or counsel, would then question Representative Smith under oath as well. Representative Smith's counsel may be present when he testifies.

The letter additionally informs Representative Smith that, while the letter is not a subpoena, the Committee reserves the right to issue a subpoena for his sworn testimony should he choose not to voluntarily testify. He was also informed that, because the House inquiry is not a criminal proceeding, the Members may draw an adverse inference from his refusal to testify.

Official admission of the Committee's letter to Representative Smith into the record will be considered by the Committee at its May 10, 2012 hearing.

Handwritten signature of Elaine Nekritz in black ink.

Rep. Elaine Nekritz, Chair  
Special Investigating Committee  
Illinois House of Representatives  
97<sup>th</sup> General Assembly

Handwritten signature of Dennis Reboletti in black ink.

Rep. Dennis Reboletti, Minority Spokesman  
Special Investigating Committee  
Illinois House of Representatives  
97<sup>th</sup> General Assembly