



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

KWAME RAOUL
ATTORNEY GENERAL

October 10, 2025

Via electronic mail



Via electronic mail

The Honorable Greg Hribal
President
Village of Westchester
1030 West Roosevelt Road
Westchester, Illinois 60154
ghribal@westchester-il.gov

RE: OMA Request for Review – 2025 PAC 85727

Dear [REDACTED] and Mr. Hribal:

This determination is issued pursuant to section 3.5(e) of the Open Meetings Act (OMA) (5 ILCS 120/3.5(e) (West 2024)).

BACKGROUND

On March 12, 2025, this office received [REDACTED] Request for Review alleging that at the March 11, 2025, Village of Westchester (Village) Board of Trustees (Board) meeting, his public comment was improperly restricted as follows:

My intention was to voice my displeasure with a Trustee on the Village Board named Peter Marzano. At no point in time did I swear or use profane language. At no point did I do anything but simply recant an interaction with him that occurred a few months past, yet on multiple occasions throughout my short public comment I was interrupted and unable to speak. After a back and

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forth, which is a clear violation of the rules and decorum of public comment I was allowed to finish after being interrupted several times. I was even called a "S&*% Head" by this individual or some variation of that using the 'S' word after I left the chamber.^[1]

On March 20, 2025, this office sent a copy of the Request for Review to the Board and asked it to furnish a copy of (1) the agenda, (2) open session minutes (in draft form if necessary), (3) any recording of the open session that may have been made, and (4) any public comment rules the Board has established and recorded. This office also requested a written response to ██████████ allegation that the Board improperly infringed on his right to address the members of the Board at the meeting. On April 3, 2025, having not heard from the Board, this office again sent a copy of the Request for Review to the Board, as well as two inquiry letters asking that the Board provide a written response to ██████████ allegation.

On April 18, 2025, Board President Greg Hribal provided this office with a written response on the Board's behalf, as well as a copy of the meeting agenda, meeting minutes, and a link to the recording of the open session. Thereafter, this office followed up with the Board to confirm that its response was suitable to forward to ██████████. On July 17, 2025, after ██████████ confirmed he remained interested in this matter, this office forwarded a copy of the Board's written response to him and notified him of his opportunity to reply; he did not reply.

DETERMINATION

Section 2.06(g) of OMA (5 ILCS 120/2.06(g) (West 2024)) provides that "[a]ny person shall be permitted an opportunity to address public officials under the rules established and recorded by the public body." This provision "requires that all public bodies subject to the Act provide an opportunity for members of the public to address public officials at open meetings." Ill. Att'y Gen. Pub. Acc. Op. No. 14-012, issued September 30, 2014, at 5. A public body may restrict public comment only pursuant to its established and recorded rules, which must tend to accommodate, rather than unreasonably restrict, the right to address public officials. Ill. Att'y Gen. Pub. Acc. Op. No. 14-012, at 6.

The Board's public comment rules, available on the Village's website, provide, in relevant part that "[i]nterruption of speakers; name calling; [and] boisterous remarks" are prohibited during public meetings.² In its response to this office, the Board acknowledged

¹E-mail from ██████████ to Public Access [Bureau, Office of the Attorney General] (March 12, 2025).

²Westchester, Illinois Code of Ordinances § 2.12.200(F)2. (amended September 23, 2014).

"interruptions occurred both during public comment and during the response given by Trustee Marzano" as well as "profanity[.]"³

Based on this office's review of the Board meeting recording,⁴ ██████████ began his public comment by stating the comments were directed to Trustee Marzano. Thereafter, he spoke about an incident in which he alleged Trustee Marzano made certain statements that were critical of ██████████ uncle. Trustee Marzano interrupted to disagree with ██████████ version of the incident. When ██████████ asserted that he had a right to speak without interruption, Trustee Marzano stated that he also was entitled to speak and that he would not permit ██████████ to lie. After ██████████ and Trustee Marzano continued to talk over each other, Board President Hribal asked Trustee Marzano to allow ██████████ to finish his public comment. ██████████ continued to speak about his uncle, and then told Trustee Marzano he should be ashamed of himself. Trustee Marzano then spoke again to dispute what it was he allegedly said during that incident and ██████████ then spoke about other things he took issue with regarding Trustee Marzano's character. Trustee Marzano began to speak again, talking over ██████████. Board President Hribal then noted there would be no talking over each other and ██████████ continued with his public comment again. Trustee Marzano interrupted ██████████ again and Board President Hribal again tried to restore order. Ultimately, Board President Hribal asked ██████████ if he was done. As ██████████ noted in his Request for Review, he confirmed for the Board that he had concluded his public comment.

The Public Access Bureau has previously determined that a brief and isolated interruption such as a question or remark that does not preclude a speaker from completing his or her public comment does not violate section 2.06(g). In contrast, this office has determined that repeated interruptions impermissibly infringe on a speaker's statutory right to address a public body. *Compare* Ill. Att'y Gen. PAC Req. Rev. Ltr. 37496, issued December 11, 2015, at 3 (determining that a board member's requests for speaker to clarify comments before allowing them to continue did not violate OMA) *with* Ill. Att'y Gen. PAC Req. Rev. Ltr. 53820 53830 53873, issued November 7, 2018, at 4 (public body "unreasonably interfered" with public comment by repeatedly interrupting and gaveling member of the public who was not acting in a disruptive or disorderly manner). During the meeting at issue, Trustee Marzano's repeated, confrontational interruptions of ██████████ comments unreasonably interfered with his right to provide public comment and violated the Board's established and recorded rules prohibiting interruptions of speakers. Accordingly, this office concludes that the Board violated section 2.06(g) of OMA during the March 11, 2025, meeting. This office requests that the Board take measures to ensure that its members refrain from interrupting individuals who address the Board

³Letter from Greg Hribal, Village President, Village of Westchester, to Katie Goldsmith, Assistant Attorney General (April 18, 2025), at 1.

⁴Village of Westchester Village Board, Meeting, March 11, 2025, Video File, https://westchester-il.granicus.com/MediaPlayer.php?view_id=1&clip_id=668, at 1:50-5:50.


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during future meetings, barring circumstances that violate the Board's established and recorded rules. This office notes that the Board president indicated in his response to this office that he would request further OMA training for Board members and staff in the near future.

The Public Access Counselor has determined that resolution of this matter does not require the issuance of a binding opinion. This letter serves to close this matter. If you have any questions, please contact me at katherine.goldsmith@ilag.gov.

Very truly yours,


KATIE GOLDSMITH
Assistant Attorney General
Public Access Bureau

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