



For Immediate Release
November 12, 2021

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Advocates Defend Amicus Briefs Supporting the Preservation of Jackson Park
Amicus briefs supporting the plaintiffs in their appeal for a preliminary injunction in the U.S. Court of Appeals for the Seventh Circuit denied leave.

Chicago, Illinois - The National Association for Olmsted Parks (NAOP), Jackson Park Watch, Preservation Chicago, and Dr. Teresa Horton, discussed the amicus briefs they attempted to submit in September supporting the plaintiffs' efforts to preserve Jackson Park on a teleconference call today.

Federal appellate rules permit amicus curiae, or friend of the court briefs, seven days after the brief is filed for the supported party. Accordingly, Protect Our Parks and its co-plaintiffs filed an appeal the week of September 20 to the U.S. Court of Appeals for the Seventh Circuit in support of its preliminary injunction request. Unfortunately, even though four reputable advocates requested leave to support the Plaintiffs' position on appeal in a timely manner, the Court did not grant the requests. Further, the Court did not indicate a reason for their denial.

The advocates defended their briefs in support of the appeal of the preliminary injunction to halt the construction of the Obama Presidential Center in Jackson Park.

"The prescient vision of Frederick Law Olmsted was to create a public, accessible, and open space for all people. Unfortunately, today, private developments are attempting to infringe on that vision which foreshadowed the climate issues we now face and devalue these community assets," **said Michael Rachlis, co-counsel, Protect Our Parks.** "Through their amicus briefs, these advocates are demonstrating the importance to the public of urban parks from an environmental justice and public health perspective, and we hope that the Court will allow their expert voices a place in the public record."

To read the three amicus briefs, please visit [here](#).

The following are statements from each of the advocates:

"The Obama Presidential Center is an asset to the community, but sacrificing historic Jackson Park is not the answer. It is unfortunate that the court rejected three amicus briefs outlining why the public interest demands that the Obama Presidential Center be outside Jackson Park but on the South Side," **said Anne Petri, president and CEO of the NAOP.** "Olmsted Parks are not expendable luxuries. On the contrary, they are critical green infrastructure --places of historical and ecological importance. Consequently, to serve the public interest, public health, and well-being, it is incumbent on all of us to save these natural spaces, as the pandemic has indeed made clear."

"Looking at census tracts across Chicago, the disparities are apparent; low-income residents have significantly lower life expectancy than those in higher-income neighborhoods. This difference in life expectancy is associated with many causes, but one factor is one's environment, precisely the number and density of mature trees," **said Dr. Teresa Horton, a human biologist and researcher.** "The Jackson Park neighborhood is a case in point. In Woodlawn, for example, estimates show that the life expectancy is seven years shorter than residents in the adjacent neighborhood of Hyde Park. Moreover, one clear takeaway from my amicus brief that I hope the court would grasp is that Jackson Park is Chicago's oasis, and it's the trees that make us whole."

“History, nature, and public access to parkland are being reduced or eliminated. Here in Chicago, we have an abundance of vacant land on the South Side outside of a public park that would be an ideal place for the Obama Presidential Center,” **said Brenda Nelms, co-president, Jackson Park Watch.** “We urge the court to halt all road closure and construction work until the legal issues raised in this case have been fully resolved. Our public land and history are held in high regard by Chicago residents and visitors. Complete and grounded review of this legal matter should be allowed to run its full course before further destruction is permitted.”

We were in disbelief when we learned that all the amicus curiae requests made to support the Appellants, in this case, were rejected outright while the requests to file such briefs in support of the Appellees appear to have been summarily accepted,” **said Mary Lu Seidel, Director of Community Engagement at Preservation Chicago.** “The reputation of President Obama and that of the City will be harmed by the destruction of Olmsted’s South Parks design and the environmental resources of Jackson Park that serve both humans and wildlife, particularly if the legal process is circumvented. Speed is not the goal; due process is.”

Background on Preliminary Injunction:

What’s the purpose of the preliminary injunction, and how does it impact the main lawsuit?

- Motions for preliminary injunctions have an interlocutory element, meaning in the case of denial, the party seeking the injunction could seek an appeal while the original complaint/lawsuit is ongoing.
- The intent of the plaintiffs’ motion for a preliminary injunction was to preserve Jackson Park until all the issues in the April complaint are adjudicated.

What are the issues that would be unalterable?

- The clear-cutting of nearly 1,000 mature, carbon-sequestering trees in Jackson Park.
- The disruption of the migratory bird corridor; removing mature trees will harm the migratory bird pattern.
- The four thoroughfares, including Cornell Drive, would be closed from the OPC construction, increasing traffic snarls, elevating idle engines contributing to air quality issues and greenhouse gas (GHG) emissions.
- The long-term effects of smog increase air quality concerns, and the greenhouse (GHG) emissions will further exacerbate public health issues (i.e., asthma and other respiratory issues).

What are the core issues in the main complaint filed in April 2021?

- The federal reviews were fundamentally flawed; specifically, the reviews artificially segmented the OPC project into two pieces. The plaintiffs will argue that this artificial segmentation is integral to what violates the federal statute.
- The City's breach of Public Trust (i.e., the City's deal with the Obama Foundation providing nearly 20 prime acres of land to a private entity and its impact on Chicagoans long-term, among other issues under state law).

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About Protect Our Parks, Inc: Protect Our Parks is a volunteer non-profit organization dedicated to keeping public parkland open to the public. It sounds like a simple idea, but in Chicago, public parks continue to be under threat from all directions.

About the National Association for Olmsted Parks: Founded in 1980, NAOP has devoted itself to the study of, education about, and advocacy for Olmsted parks landscapes. NAOP is the managing partner of Olmsted 200, the bicentennial celebration in 2022 of Olmsted's birth. Olmsted 200 is dedicated to stimulating a national conversation about the need for universal access to parks, recreation, and open space for all communities, including those that have traditionally been underserved. Olmsted 200 offers significant opportunities for local activities in Chicago and around the country.

About Dr. Teresa H. Horton: Teresa Horton, Ph.D. Associate Professor of Research, Department of Anthropology, Northwestern University. Dr. Horton investigates the psychological and physiological mechanisms by which engaging with nature influences mental and physical health. Dr. Horton received her Bachelors of Science degree in Zoology from the University of Washington and her PhD in Biology from the University of Utah.

About Jackson Park Watch: JPW is an Illinois nonprofit organization founded in 2015 and now led by Hyde Park residents Brenda Nelms and Jack Spicer. A virtual organization, it operates within a broad and diverse network of interested individuals and groups. Over 500 individuals receive its periodic Updates, which are widely recirculated to unknown hundreds more. JPW Principles:

- Transparency in decision-making about the Park – no backroom deals
- Meaningful community input on major changes to the Park – no top-down decisions
- Preservation of the Park as a democratic public space – priority to local uses and local users, with maximum grass, trees, and open space
- Development of one comprehensive plan for the entire Park – forestall its division into unrelated segments

About Preservation Chicago: Preservation Chicago is committed to strengthening the vibrancy of Chicago's economy and quality of life by championing our historic built environment. Preservation Chicago protects and revitalizes Chicago's irreplaceable architecture, neighborhoods and urban green spaces. We influence stakeholders toward creative reuse and preservation through advocacy, outreach, education, and partnership.