

District Attorney Marc Bennett
18th Judicial District of Kansas



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WICHITA, KAN. – On March 6, 2014 the City of Wichita informed this office that one of its advisory committees, the Airport Naming Committee, held two meetings without prior notification to the public. The naming committee was created by action of the Wichita City Council at a weekly public meeting on November 5, 2013. Its two meetings were held at Wichita City Arts on December 17, 2013 and January 22, 2014, thus raising the question of whether there was a violation of the Kansas Open Meetings Act. That act requires that meetings of certain governmental bodies be open to the public, and that notice of the meeting be given to any person requesting such notice.

An investigation was undertaken to determine whether an open meetings act violation had occurred. The City of Wichita reported it had not received any specific requests for notification of naming committee meetings, nor could it find evidence that it had received any blanket requests for notification of all meetings required to be open to the public from any members of the public or from media sources. A check with primary local media sources confirmed that no meeting notification had been requested specifically in regard to the airport naming committee. No written evidence could be found to establish any blanket requests for meeting notification from any source. One media source indicated a reporter had made a general request for the public meeting information received by his predecessor. Other media sources indicated they were unsure as to whether any blankets request for notice had been made, but noted they generally received notice of meetings from the City.

Lack of meeting notification can constitute a violation of the open meetings act if a request for notification has been made to a public body or agency. However, absent a request for notification, a failure to give notice does not trigger a violation of the act. The City states as a matter of practice it routinely provides notice of meetings open to the public to all local media outlets. Such a practice is commendable, but a lapse in its execution does not equate to an open meetings violation. Under the facts and circumstances present in this situation, we find that a violation of the Kansas Open Meetings Act has not been established.

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