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What's public about government without Sunshine?

Sweet Springs
Herald
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Life without Sunshine would be devastating to the world. Public government without sunshine would also be devastating to the citizens and tax payers.

The Missouri Sunshine Law was created to provide for an open government. The Sunshine Law governs the actions of public governmental bodies and any department of any political subdivision.

Last Friday morning, we received a notice of a special meeting to be held by the Sweet Springs R-7 Board of Education. The meeting was set for 6:15 p.m. that evening.

The law requires at least a 24 notice of the time, date and place of each meeting and its tentative agenda. Notice includes making copies of the notice available upon request to representatives of the news media at the same time notice is posted.

We received our notice of the school board's special meeting on Friday morning, less than 24 hours. This has not been

the first time.

When a governmental body must hold a meeting with less than 24 hour notice, it must be stated at the meeting the reasons why it was not possible to give such notice. This was not done.

The law also states law enforcement records are subject to the same

presumption of openness that applies to other public records.

We have consistently requested the Sweet Springs Police Department's incident, accident and arrests reports, of which we do not receive. We are being given a report, a specially-prepared report, just for us, so to speak. Several years back, the Missouri Attorney General's representative spoke to council members, city attorney and police chief on the requirements of the Sunshine Law. They were informed that if the police department has two types of incident reports, both must be given to those who request the reports. This was made very clear.

To this day, both reports are not being released. We continue to receive what we consider to be an incomplete incident report or as the chief of police has referred to it, a press release. This does not comply with the law.

The law also applies to any committees of these governmental bodies, special boards, task force, or city boards.

The boards of the city, such as park, planning and zoning, library, are also subject to the law. We have requested minutes from these boards, and very rarely receive them. We have been informed that several do not have quorums or do not meet. Some of the boards have





not been filled, appointments not made. It is the duty of the mayor to fill the boards. Without the boards being active, business cannot be handled properly.

The penalties for violation of the Sunshine Law are:

If the court finds, by a preponderance of evidence, that the public

body or a member of the public body has knowingly violated the Sunshine Law, the court:

- * Shall subject the member or body to a civil fine of up to \$1,000; and

- * May order the member or body to pay all costs

and reasonable attorney fees to any party successfully establishing a violation.

If the court finds, by a preponderance of evidence, that the public body or member has purposely violated the Sunshine Law, the court shall:

- * Subject the member or body to a civil fine of up to \$5,000; and

- * Order the member or body to pay all court costs and reasonable attorney fees.

Isn't it time that Sweet Springs' governmental bodies knowingly comply with the Sunshine Law?

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