

DISTRICT ATTORNEY FORWARDS DECIPHERA INVESTIGATION TO AG'S OFFICE

PATRICK HENRY ONCE SAID THAT LIBERTY IS NEVER SECURE AS LONG AS GOVERNMENT DOES BUSINESS IN SECRET.

The Liberty Sentinel, Nov. 21

(Lawrence Journal-World) The state's top law enforcement officer is taking over an investigation into whether Lawrence city commissioners violated the state's open meetings law when approving tax and other financial incentives for a growing pharmaceuticals company.

Kansas Attorney General Paul Morrison's office has agreed to handle the investigation into complaints regarding commissioners' activities associated with Deciphera Pharmaceuticals.

Commissioners have been accused of meeting in secret to put together a package of financial incentives -- including a never-before-used tax break -- to assist the company in relocating to a building across town, in the East Hills Business Park.

Charles Branson, the Douglas County district attorney, had agreed to conduct the investigation, and had directed city officials to provide him with a written response to the complaints. Branson's office received the response but neither Branson nor the city would make that public.

A day after Mayor Sue Hack conceded publicly that she had made a mistake in not disclosing her financial interest in Deciphera, despite having participated in a closed-door executive session where she had been briefed on details of the proposed incentives, Branson decided to ask Morrison's office to take over.

"I made the decision when it became clear the investigation would be expanded to consider the actions of individual city commissioners," Branson said, in a statement. "As district attorney I have close official and some personal relationships with the city commissioners. Although I am confident this matter could be handled without any question of impropriety or favoritism by my office, I want the investigation results to be free from challenge.

"The public deserves nothing less than complete confidence this matter will be handled appropriately. Turning these matters over removes any concern of a conflict between the investigators and the subjects of the investigation."

In an interview, Branson said: "With the information that's been made available to this point in time, with the fact that the investigation now goes to the conduct of individual

commissioners, as opposed to the conduct of the commission as a whole, I think it puts us in a little different position."

Ashley Anstaett, a spokeswoman for Morrison, said the investigation would be headed by an assistant attorney general who handles cases related to open meetings and other governmental issues.

The alleged violations of the open meetings law could threaten the incentives package -- worth about \$3 million -- that was offered to Deciphera in an effort to keep the company in town. Branson has said that if a violation were proven to have occurred, the agreement that commissioners approved Oct. 23 could be declared null and void.

Deciphera is working on drugs to fight cancer.

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