

## AUDIT SHOWS FEW AGENCIES COMPLY WITH FEDERAL LAW

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

***Liberty Sentinel (April 11, 2007)***

(The Kansas City Star) In case a tornado rips through your town or a flash flood swamps it or a chemical plant explosion covers it with smoke, your county has an evacuation plan.

The law says you have a right to see the plan so you can be prepared for emergencies.

Good luck with that.

In our eight-county metropolitan area, only two counties provided the emergency response plan when asked. The six others threw up a variety of roadblocks.

One promised to mail it and didn't. One handed it over and then took it back. Another said the library might have it, and it did -- a 1965 version.

The Kansas City Star's survey was part of the Sunshine Week 2007 National Audit in which hundreds of reporters and volunteers in 37 states asked for the plan in their communities in January.

Nationwide, the results were much the same as in our area. Officials failed to provide the documents one third of the time, and one in five provided partial reports.

"These emergency response plans are designed so that people will know what actions will be taken in case of a hazardous-materials spill, and I think our citizens have the right to know that our communities are prepared to handle those things," said Lucy Dalglish, executive director of the Reporters Committee for Freedom of the Press, which took part in the survey.

The guarantee of safety is a basic right, said Elizabeth Ann Sanders, president of the Johnson County League of Women Voters.

"The governments that have chosen not to release this emergency information, not only are they hampering the ideals of a democracy, they are also impairing public safety and my ability to be safe," Sanders said. "I cannot understand what would cause them to withhold that information."

The plans are part of the Emergency Planning and Community Right-to-Know Act, which Congress passed more than 20 years ago after the world's largest chemical explosion in Bhopal, India, in 1984. Every state was required to develop, update and make public plans for action.

According to the law, every state must make the Comprehensive Emergency Response Plan available to the public during regular working hours at the emergency management offices. In Kansas and Missouri, each county has an office.

The public should be able to just walk into their emergency management office or the library with no questions asked, according to organizers of the survey.

Most of the arguments public officials used for not releasing the plan, both here and elsewhere, were based on fears that terrorists would use it as a road map.

Advocates for openness point out, however, that each year there are between 30 and 40 serious chemical explosions as a result of accidents.

As part of the survey, reporters here visited emergency management offices in Platte, Clay, Jackson and Cass counties in Missouri. In Kansas, they visited Leavenworth, Wyandotte, Johnson and Douglas counties. They didn't say they were reporters unless asked to identify themselves, which happened in most cases.

Only Douglas and Johnson counties in Kansas have the reports online and readily available for review by the public. Two months after the initial request was made, Platte County officials in Missouri said that they would provide a copy, but only when a written request is submitted.

The five other counties would not let reporters see the plan or would only let them view it while someone stood guard. Also, they would not provide copies to the reporters, although laws say public records may be copied.

***Unfortunately, events do occur in Kansas that our Founding Fathers would deem unacceptable. So, from time to time, you will be receiving "The Liberty Sentinel," an article about open government that may be of interest to you. If you have questions regarding the following information, please contact the contributing newspaper or Kansas Press Association at rgannon@kspress.com.***