KANSAS JUSTICE ADVOCATE

TO: Katy Sexton
FOR: City's Ethics Board Members
FROM: Mary Dean
SUBJECT: Mary Dean's Rebuttal to the Ethics Board's Decision
DATE: February 18, 2025

(G) Section 2.07.030-Code of Ethics Address constituents concerns and needs, striving to provide the highest level of service with equity, neither granting special favor nor discriminating against any citizen).

Sec. 2.04.020.-Installation of officers.

(a) OATH OF MAYOR. Before assuming the duties of the office, the mayor shall take the oath of office administered by the city clerk or a duly appointed or elected federal, state or municipal judge as follows: "I do solemnly swear that I will support the Constitution of the State of Kansas and will faithfully and impartially discharge the duties of the office of Mayor in and for the City of Wichita, Kansas, so help me God."

The 14th Amendment to the United States Constitution:
No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

On February 13, 2025, **Mary Dean (Complainant)** received via email the Ethics Board's decision to my complaint against Wichita Mayor Lily Wu. As per the policy I was given 7 days to respond to the Ethics Board's decision. Mary Dean's rebuttal is below:

Rebuttal to Wichita City Ethics Board's Position on Mayor Lily Wu's Response

The Wichita City Ethic's Board has chosen to give Mayor Lily Wu credit for responding to a single deadline, even though she had been repeatedly contacted through more than 11 letters from various sources prior to the final communications dated on 12/20/2024 (see attached document). This selective acknowledgement of her response fails to address the mayor's consistent patten of disregarding ethical oversight and transparency.

A genuine commitment to ethical governance requires engagement with all concerns raised by the community, not just a response to one final deadline after repeated inaction. By limiting their evaluation to her last-minute compliance, the Ethics Board overlooks the broader issue: Mayor Wu had ample opportunity to address these concerns much earlier but instead demonstrated a pattern of avoidance.

Additionally, the Ethics Board's failure to properly address multiple requests for answers made by Mary Dean at the conclusion of her representation in City Council meetings raises further questions about their commitment to fairness and accountability. Transparency in government is not just about checking a box with a delayed response-it is about consistently engaging with the public and ensuring that all voices, especially those raising ethical concerns, are heard and respected and not just making appearances at certain events.

To restore trust in the process, the Ethics Board must take a comprehensive view of Mayor Wu's responsiveness (or lack thereof) over time, rather than excusing repeated failures to engage by focusing solely on a single

instance of compliance. Anything less undermines the very process of ethical oversight and weakens public confidence in the integrity of Wichita's governance.

Rebuttal to Wichita City Ethics Board on Mayor Wu's Selective Responses and Accountability

The Wichita City Ethics Board claims that singling out Mayor Lily Wu for scrutiny is inconsistent with their approach to ethical oversight. However, this argument ignores the fundamental principle of accountability-when a public official demonstrates a clear pattern of disregarding ethical responsibilities, they must be held accountable, regardless of their position.

Furthermore, the Ethics Board's argument completely sidesteps the core issue at hand: bias in the mayor's responsiveness to constituents. It should not matter whether the mayor is being called out specifically, especially when her selective engagement disproportionately impacts certain groups, including Black constituents. If Mayor Wu is consistently dismissing or ignoring concerns raised by Black residents or specific individuals like Mary Dean, that is not just a matter of delayed responses, it is an ethical concern that speaks to fairness, representation, and equal treatment in city governance.

Elected officials are accountable to **all** constituents, not just those they choose to engage with. The Ethics Board's failure to address the mayor's **pattern of selective responses**—particularly if there is a racial or political bias in how she engages—sets a dangerous precedent. Ignoring this reality under the pretense of "consistency" undermines the very process of ethical oversight.

If the Ethics Board claims to uphold ethical standards, they must **apply those standards equitably** and acknowledge when a public official is failing to engage with all members of the community fairly. Dismissing legitimate concerns about the mayor's selective responses, especially when they disproportionately affect Black constituents—sends a clear message that the Board is more interested in protecting officials than ensuring ethical governance. That is **inconsistent with their own mission** and unacceptable in a city that claims to value transparency, fairness, and accountability.

Rebuttal to Wichita City Ethics Board on Mayor Wu's Public Confidence Among Black Residents

Public confidence is not maintained through technicalities; it is bult through consistent, transparent, and equitable communication. If the mayor chooses to respond selectively—especially when the issues raised by Mary Dean pertaining to systemic racism subjected to Black residents for decades and even now sends a clear message that certain voices, particularly those of Black residents, do not warrant acknowledgement or engagement. That is not just a failure of communication; **it is a failure of the mayor's leadership and ethical governance.**

Public officials have a duty to ensure all residents feel heard and valued, especially when it comes to issues of racial equity and justice. If Wichita's mayor truly values public trust, the Ethics Board must recognize that the mayor's silence—particularly on matters of systemic racism against Wichita Black residents—**is a failure of ethical responsibility and city governance.**

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Rebuttal to Wichita City Ethics Board on Mayor Lily Wu's Violation of Due Process

The Wichita City Ethics Board has failed to recognize a clear violation of **due process** by Mayor Lily Wu in her refusal to place the **Kansas Justice Advocate, Inc. Reparations Ordinance** on the Mayor and City Council agenda. This action—or rather, inaction—was not just an administrative oversight but a deliberate obstruction of a process meant to ensure democratic participation, fairness, and government accountability.

By **unilaterally preventing** this ordinance from reaching the public agenda, Mayor Wu has denied Mary Dean and the broader Wichita community their right to have a fair and open discussion on an issue of **public concern, racial justice, and historical accountability**. This is not just a procedural failure; it is an **ethical violation** that undermines the democratic process and silences the voices of Black residents advocating for reparations and justice.

Furthermore, **due process is a fundamental principle in city governance**. It ensures that all matters, especially those with significant community interest, are **given fair and equal consideration**. Mayor Wu's refusal to allow discussion or vote on the ordinance **directly contradicts this principle** and raises serious concerns about **bias and selective city governance**. If other ordinances can be placed on the agenda for public debate, why was this one deliberately excluded?

The Ethics Board's failure to hold Mayor Wu accountable suggests a **double standard in ethical oversight.** If denying a group of residents (Black) the opportunity to have their concerns addressed through official channels does not constitute an ethical failure, then what does? The Board's unwillingness to acknowledge the mayor's **pattern of obstruction** sends a dangerous message—that elected officials in Wichita are allowed to selectively **silence** issues they do not personally support, even when those issues have significant **public interest and legal standing.**

Mayor Wu's refusal to place KJA, Inc. Reparations Ordinance on the agenda was not just an **attack on one individual**, but an attempt to suppress an issue that directly impacts **Black residents and the broader conversation on racial justice**. It is a blatant **disregard for public trust, governmental fairness, and ethical leadership.** The Ethics Board's failure to address this injustice only further erodes confidence in Wichita's ability to govern **equitably and without bias**.

To restore integrity and fairness to the process, the Ethics Board must recognize that denying a public hearing on KJA, Inc., reparations ordinance is a **deliberate suppression of due process** and a failure of ethical leadership. Anything less than full accountability for this obstruction is unacceptable.

CITY'S DIVERSITY, INCLUSION, AND CIVIL RIGHTS ADVISORY BOARD (DICRAB)

Mary Dean's decision to refrain from attending further **DICRAB** meetings is both justified and necessary given the pattern of bias, hostility, and disengagement she has encountered. Her concerns are not only valid but also highlight deeper issues within the board's ability to function as a space for meaningful discourse on diversity, inclusion, and civil rights.

First, the lack of commitment from board members raises serious questions about **DICRAB's** effectiveness. The absence of board members at the **June 11, 2024,** meeting signaled a fundamental disregard for the work they

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were appointed to do. A board that claims to be dedicated to civil rights must first demonstrate a basic level of participation and engagement. Without this, its credibility is already in question. **Mary Dean and several others were present, but DICRAB was not.**

Second, **Mary Dean's** experience at the **July 16, 2024**, meeting, where she was met with bias and disdain by one **DICRAB** member when discussing the KJA, Inc., Reparations Ordinance, suggests resistance to serious discussions on racial justice. The purpose of a board like **DICRAB** should be to foster informed, productive conversations—not to create an environment where certain perspectives are dismissed or met with hostility. **(Review DICRAB meeting video)**

The January 21, 2025, DICRAB meeting was an even more blatant demonstration of the board's failure to uphold its mission. The public disrespect and insults directed at **Mary Dean** by board member **Arthur W. Allen** (Mayor Wu appointee) only reinforce the idea that **DICRAB** is not a space where all voices are heard or valued. No one should be expected to participate in a process where personal attacks and antagonism replace professional and respectful dialogue.
(Review DICRAB meeting video)

Recognizing these issues, **Mary Dean** took the appropriate step of seeking dialogue with **Councilmen Hoheisel and Johnson**. Her decision to address the matter directly with elected officials shows that she is committed to finding solutions, not simply walking away. The fact that these concerns had to be raised outside of the board itself further illustrates that **DICRAB** lacks internal accountability and willingness to correct oneself.

Ultimately, **Mary Dean's** refusal to continue attending **DICRAB** meetings is not an abandonment of the cause but a refusal to legitimize a space that is not operating with integrity. True inclusion is not just about having a seat at the tablets about ensuring that all perspectives, especially those advocating for historically marginalized Black communities, are treated with respect and given genuine consideration.

Final Closing Statement to the Wichita City Ethics Board

(G) Section 2.07.030-Code of Ethics Address constituents concerns and needs, striving to provide the highest level of service with equity, neither granting special favor nor discriminating against any citizen).

Presented by Mary Dean

The Wichita City Ethics Board's determination that Mayor Lily Wu did not violate the Ethics Ordinance or Policy is a fundamental failure of ethical oversight and an abandonment of the Board's responsibility to the public. By dismissing this clear violation of due process, the Board is not only excusing city governmental misconduct but also reinforcing the very systemic inequities that ethical polices are meant to prevent.

This Board had the opportunity to uphold fairness, transparency, and equal representation in city government. Instead, it has chosen to excuse the **mayor's obstruction of due process, her suppression of public debate, and her ongoing disregard for Black residents seeking justice**.

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This decision is not just about Mayor Wu—it is the broader principles of democracy, racial equity, and public accountability.

History will remember this moment. It will remember whether the Wichita City Ethics Board chose to stand for **justice, fairness, and democratic principles—or whether it chose to protect power at the expense of the people.**

The people of Wichita **deserve better**. The Black residents of this city **deserve better**. And justice **demands better**. This fight is far from over. The demand for accountability will continue—whether this Board chooses to recognize it or not.

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