

PUBLIC ACCESS COUNSELOR

Email: publicaccess@ilag.gov

From:

Kathy Sands

Date: 3/29/2026

Re: Alleged Open Meetings Act Violation – Wayne County Housing Authority

Executive Summary

During the public comment portion of the Wayne County Housing Authority meeting on Feb 6, 2026, counsel Hannah Lamore instructed a public speaker that questions to the Board were not permitted and that no response would be given, despite the topic involving official Board actions on the agenda. The speaker was not disruptive and asked a legitimate question regarding the trespass of Resident Commissioner Ron Baker that was currently on the agenda.

This restriction was **not based on any adopted or recorded Board policy** and effectively prevented public participation, contrary to **5 ILCS 120 §2.02(g)** and Illinois Public Access Counselor precedent.

Further, as highlighted in **PAC Case 2025 PAC 87549**, the Public Access Bureau determined that the Wayne County Housing Authority violated the OMA when it did not conduct public comment in accordance with established rules. The Lamore intervention expands this pattern by imposing unrecorded, ad hoc restrictions.

Legal Basis

1. PAC Precedent – Improper Restriction of Public Comment

Illinois Public Access Opinion 26-001 (PAC Op. 26-001) found an OMA violation where a public body impermissibly restricted a speaker during public comment by prohibiting legitimate speech without a valid rule, where the speaker was not disruptive. Interruptions or control of the microphone in such cases violate the OMA.

2. Requirement for Established Rules

Section 2.02(g) of the OMA provides: *“Any person shall be permitted an opportunity to address public officials under the rules established and recorded by the public body.”* PAC precedent (Public Access Opinion 19-002) holds that restrictions on public comment must be **established and recorded** to be enforceable. Informal or ad hoc directions are insufficient.

3. Application to Current Case

Counsel Hannah Lamore enforced a rule—“**no back-and-forth**”—that does not exist in any adopted or recorded Board policy. By doing so, she:

- Blocked a legitimate inquiry about official Board actions.
- Signaled commissioners not to respond.
- Effectively restricted public participation in a manner inconsistent with OMA requirements.

Enforcing an **unrecorded rule** constitutes an OMA violation per PAC precedent.

Transcript of Public Comment - <https://www.youtube.com/watch?v=mUcLcrM1Qyk>

1. **Dixie Locke, Chairperson:** Okay, are we ready to start? Okay. This is the agenda for the regular meeting. Okay, those present, Doyle Hacker.
2. **Doyle:** Here.
3. **Dixie Locke, Chairperson:** Tim McBride.
4. **Tim:** Present.
5. **Dixie Locke, Chairperson:** Dixie Locke, I'm present. Kim Musgrave.
6. **Kim:** Present.
7. **Dixie Locke, Chairperson:** And Ron Baker, absent. Okay, call to order. Okay, public comment.
8. **Kathy Sands, Public Speaker:** I do have one question I might ask. Um, what was the reason he was threatened with trespass, Ron Baker? What was the reason?
9. **Hannah Lamore, Counsel:** Public comment is not for back and forth. It's just an opportunity to be heard. So you're welcome to make the comment.
10. **Kathy Sands, Public Speaker:** Oh, but I'm not, I don't necessarily get an answer, is that what you're saying?
11. **Hannah Lamore, Counsel:** Correct, it's not for back and forth.
12. **Kathy Sands, Public Speaker:** Okay, so I'm not going to get that information today on the reason he was trespassed?
13. **Hannah Lamore, Counsel:** This is just the public comment portion of the meeting.
14. **Kathy Sands, Public Speaker:** Okay, I would like that information from the board. If you have minutes or something of that order of a record. That's all I have.

Additional Concern:

Failure to Document Substantive Discussion: Under **5 ILCS 120/2.02** and PAC precedent, meeting minutes must “fully and accurately” reflect discussions and actions taken. The February

6, 2026, minutes only note that Kathy Sands spoke, with no record of her question or the imposing of this restriction to public comment by operational counsel.

Requested Relief

I request that the Public Access Counselor:

1. Determine whether the Wayne County Housing Authority's restriction of public comment on February 6, 2026, constitutes an OMA violation.
2. Require the Board to produce any adopted or recorded rules relied upon to limit public comment during the meeting. If no such rules exist, the Board should provide a written confirmation.
3. Require the Board to amend or supplement the February 6, 2026, meeting minutes to fully and accurately reflect the public comment, including the question asked by Kathy Sands and the restriction imposed by counsel Hannah Lamore, in accordance with **5 ILCS 120/2.02**.
4. Provide guidance or enforcement to ensure that public participation rights under the OMA are fully protected in future meetings.

Signature:

Kathy Sands