



**OFFICE OF THE DISTRICT ATTORNEY
EIGHTEENTH JUDICIAL DISTRICT**

MARC BENNETT
District Attorney

ANN SWEGLE
Deputy District Attorney, Administration

JUSTIN EDWARDS
Deputy District Attorney, Trial Division

RON PASCHAL
*Deputy District Attorney, Juvenile
Division and Ethics Coordinator*

May 24, 2017

Chief Sara Morris
Wichita State University Police Department
1845 Fairmont
Wichita, Kansas 67260

Re: May 4, 2017 Disturbance

Chief Morris,

Tuesday, May 23, 2017, the Wichita State University Police Department presented the Office of the District Attorney the investigation into an alleged disturbance in the Rhatigan Center on Wichita State University campus, May 4, 2017, following a student government banquet.

The individuals involved were alleged to have acted in violation of K.S.A. 21-6203, Disorderly Conduct; K.S.A. 21-5412, Assault; and K.S.A. 21-5413, Battery, all misdemeanors.

After reviewing the evidence presented and the applicable law, the determination of the office of the District Attorney is that the evidence presented is insufficient to support the filing of charges.

Regarding the allegation of a verbal disorderly conduct, the accounts of witnesses who would have been within earshot were not consistent. Given the available accounts, insufficient evidence exists to establish beyond a reasonable doubt that the alleged statement was made and made with the requisite criminal intent.

Regarding the allegation of assault, witnesses described a situation in which third parties stood between and, attempted to remove both the alleged victim and the alleged

Sedgwick County Courthouse, 535 N. Main, Wichita, Kansas 67203
Telephone: 316-660-3600; Toll Free: 1-800-432-6878; Fax: 316-660-3674

suspect who engaged in a verbal altercation. Under these facts, insufficient evidence exists to establish beyond a reasonable doubt essential elements of the crime of assault.

Finally, regarding the allegation of battery, insufficient evidence exists to establish beyond a reasonable doubt the allegation that the alleged suspect intentionally caused physical contact with the bystander or that the alleged suspect recognized the risk of physical contact and then recklessly disregarded the same.

Thank you for your time and attention.

Sincerely,

A handwritten signature in blue ink, appearing to read "Marc Bennett".

Marc Bennett
District Attorney