



# KANSAS JUSTICE INSTITUTE

April 21, 2020

Sent via Electronic Mail Only (pat@bbwwlaw.com)

Patrick Walsh, Esq.

Attorney for Osage County Health Department

103 E 9th Street

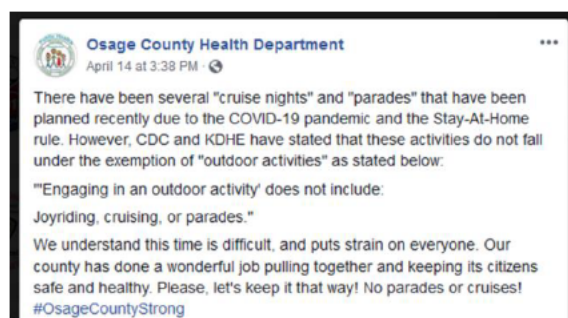
Lyndon, Kansas 66451

Dear Mr. Walsh,

Kansas Justice Institute<sup>1</sup> appreciates the time and consideration you have given to the car parading issues we raised in previous correspondence. We credit Osage County for recognizing the constitutional implications involved.

Based upon our conversations, and after having discussed the matter with my client, we propose the following:

1. Permanent deletion of the April 14, 2020 Facebook post:



2. Confirmation that car parades, cruises, and joyriding are not prohibited by the Osage County Health Department.

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<sup>1</sup> Kansas Justice Institute is a non-profit, public-interest litigation firm committed to protecting individual liberty and the constitutional rights of all Kansans.

3. The Osage County Health Department immediately posts the following “Q&A” at its two county Facebook pages<sup>2</sup>:

Q: Are car parades, cruises, and joyriding prohibited?

A: No, they are not prohibited by any stay at home order issued by the Osage County Health Department. In addition, according to guidance issued by the Adjutant General, the Governor’s stay at home order does not prohibit “joyriding, cruising or parades” so long as the “occupants of the vehicle reside in the same residence and vehicles do not stop and congregate.”

Should the Osage County Health Department act consistent with the above, by 10:00 a.m., April 22, 2020, KJI and its client will consider the matter satisfactorily resolved.<sup>3</sup> If you need additional time, please advise.



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<sup>2</sup> <https://www.facebook.com/osagecohealthdept/> and <https://www.facebook.com/Osage-County-Covid-19-110249017270887/>

<sup>3</sup> KJI and its client reserves all legal rights and remedies available should circumstances change. For example, in the unlikely event Director Patterson later imposes a county-wide prohibition on all car parades, cruises, or joyriding, this proposed resolution would not preclude any further legal action.