



PRESS RELEASE

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**DA's Office Implements Temporary Changes in Response to
COVID-19/Coronavirus Pandemic and
Provides Answers to FAQ's, Consumer Issues, and More**

Answers to Frequently Asked Questions – Criminal Diversion, Traffic Court Questions, Defendants on Work Release, District Court Operations, and Defendants on Work Release

Consumer Issues – Price Gouging, Charity Scams, and Medicare Fraud

Other Resources and Sites for Reliable Information – Local, State, National, and International

District Attorney Charles Branson provided information today on temporary changes at the DA's Office in response to the public health emergency stemming from the COVID-19/Coronavirus pandemic, Kansas Governor Kelly's Statewide Stay-at-Home Order - Executive Order 20-16, and Supreme Court Order 2020-PR-16 Imposing Statewide Judiciary Restricted Operations.

The DA's Office is **temporarily** closed to the public, but the DA and essential staff continue working. The office is working on its existing cases and is proceeding with the specific emergency hearings identified in Kansas Supreme Court Order 2020-PR-16, such as those in care and treatment, child in need of care, and juvenile offender cases. The office is also reviewing the arrests of people recently booked into the Douglas County Jail and deciding whether to file formal criminal charges or release those individuals. (Release means criminal charges were not filed on a particular day; a case may be filed at a later time—for example, after the office receives additional reports, test results, or other investigative materials.)

During this temporary closure to the public, the DA's Office reminds residents if you **believe you are in immediate danger, call 9-1-1**. You can still reach the DA's Office by e-mailing districtattorney@douglascountyks.org and you can access a vast amount of information on the DA Office website, www.dgcoda.org.

DA Branson stated, "I know this is a horribly stressful and difficult time for everyone in our community. My staff and I are working every day to continue finding effective solutions to any issues or hurdles we foresee or that we learn about. It is crucial that the DA's Office provides the community with the highest possible level of service while also protecting the health of victims and their families and loved ones, defendants and their families and loved ones, defense attorneys, my staff, and all the residents of Douglas County."

ANSWERS TO FREQUENTLY ASKED QUESTIONS

Criminal Diversions

The DA's Office understands that the Kansas and Douglas County Stay-at-Home Orders and ensuing economic hardships have created barriers to the completion of certain diversion requirements. We are working to ensure unfair barriers do not prevent the successful completion of a diversion agreement.

While specific details are being developed, the following issues have been identified and will be addressed. In the interim, the DA's Office encourages individuals on criminal diversion to continue to complete requirements not directly impacted by COVID-19/Coronavirus.

Diversion Agreement Community Service Hours that were or become due during the Stay-at-Home Order, as defined below, will be waived.

- Community Service Hours due during the current pandemic will be waived. The waiver period begins February 21, 2020, which is 30 days before the start of the Douglas County Stay-At-Home Order. It will continue until 90 days after all stay-at-home orders have expired or been rescinded

Extension of Time.

- Counseling, substance abuse treatment, DUI Victim Impact Panel, and Batterer's Intervention Programs; the payment of costs; and other diversion agreement conditions will **not** be waived. However, time extensions for completion will be permitted on a case-by-case basis.
- **Questions?**
 - E-mail any diversion questions to: dadiversion@douglascountyks.org.

Traffic Court

Douglas County District Court Administrative Order 20-17 (See number five (5) within the Court's Order) states that all **Traffic Court Cases** scheduled for Friday-morning appearances and hearings **prior to June 1, 2020** will be rescheduled. Notices with new hearing dates will be sent by U.S. mail. Interested individuals can also visit the following District Court webpages for further information or they can contact the ProTem Division at divprotem@douglascountyks.org or (785) 330-2817.

- [Douglas County District Court's COVID 19/Coronavirus Webpage](#)
- [Douglas County District Court's Main Webpage](#)

Some Individuals are Released from the Douglas County Jail due to the Concern Surrounding COVID-19/Coronavirus Pandemic

On Monday, March 23, 2020, DA Branson sent a message to members of the Douglas County Defense Bar and in part advised, "[I]n light of the recent Kansas Supreme Court Order suspending most criminal proceedings and the Health Department's most recent order to shelter at home, my office is reviewing defendants that might warrant consideration for release from the Douglas County Jail under these highly unusual circumstances." (The Governor's statewide Stay -at-Home Order is not referenced as the message was sent prior to its implementation.)

Only the Court has the authority to release a suspect from jail. That said, DA Branson suggested the following individuals be considered for Emergency Motion to Release from Jail:

- Defendants serving a jail sentence only;
- Defendants being held on misdemeanor cases who are not subject to other holds;
- Defendants being held on non-person felony matters who are not subject to other holds.

As of April 3, 2020, the Court has released 13 individuals with a total of 15 cases pending before the Court. The DA's Office expects the number of individuals released from the jail will increase as the Court receives and rules on additional motions that may be filed on behalf of defendants by their attorneys.

District Court Operations

See District Court's webpages for the most recent updates.

- [Douglas County District Court's COVID 19/Coronavirus Webpage](#)
- [Douglas County District Court's Main Webpage](#)

Defendants on Work Release

See District Court's webpage for additional information.

- [Douglas County District Court Administrative Order 20-19](#)

CONSUMER ISSUES

Price Gouging

Unconscionable acts-

K.S.A. 50-6,106 makes it an unconscionable act (as defined in K.S.A. 50-627, and amendments thereto) for any supplier to profiteer from a disaster. The statute was enacted by the State of Kansas in response to the events of September 11, 2001. It enables the State to protect its citizens from unjustifiable price increases during a time of disaster, and it carries a penalty of up to \$10,000 per violation.

How long is the law in effect?

On March 12, 2020 Governor Laura Kelly issued a State of Disaster Emergency Proclamation regarding COVID-19. The price-gouging statute will remain in effect through April 11 or until the disaster declaration is lifted (whichever is later), and it is enforced by the Kansas Attorney General's Office and local County and District Attorneys.

How can I make a report?

If you suspect price gouging within ***Douglas County-***

- E-mail all available information regarding your complaint to [Consumer Protection Unit](#). (Make sure to include a best number to reach you.)

If you suspect price gouging ***elsewhere in Kansas -***

Contact the Kansas Attorney General's Consumer Protection Division at www.InYourCornerKansas.org or call (800) 432-2310.

Additionally, any products being falsely advertised as "coronavirus prevention measures or treatments" may also be reported to the AG's Office. At this time, there are no known over-the-counter products that will prevent or treat coronavirus.

- To help STOP COVID-19/Coronavirus the World Health Organization recommends, “Do the Five” –
 - HANDS – Wash them often;
 - ELBOW – Cough into it;
 - FACE – Don’t touch it;
 - SPACE – Keep safe distance (currently a minimum of six feet);
 - HOME - Stay if you can.

Charity Scams

According to the Federal Trade Commission (FTC), scammers are taking advantage of the fear surrounding COVID-19/Coronavirus. Scammers are setting up websites to sell bogus products, and using fake e-mails, texts, and social media posts as a ruse to take your money and get your personal information.

Examples of tricks the scammers use:

- COVID-19/Coronavirus awareness and prevention tips;
- Asking you to donate to victims;
- Offering advice on unproven treatments;
- Malicious e-mail attachments.

Tips from the FTC to keep the scammers at bay and more information:

- Don’t click on links from sources you don’t know. It could download a virus onto your computer or device. Make sure the anti-malware and anti-virus software on your computer is up to date.
- Watch for emails claiming to be from the Centers for Disease Control and Prevention (CDC) or from experts saying they have information about the virus. For the most up-to-date information about COVID-19/Coronavirus, visit the Centers for Disease Control and Prevention (CDC) and the World Health Organization (WHO).
- Ignore online offers for vaccinations. If you see ads touting prevention, treatment, or cures for COVID-19/Coronavirus, ask yourself: if there’s been a medical breakthrough, would you be hearing about it for the first time through an ad or sales pitch?
- Do your homework when it comes to donations, whether through charities or crowdfunding sites. Don’t let anyone rush you into making a donation. If someone wants donations in cash, by gift card, or by wiring money, don’t do it.
- Be alert to “investment opportunities.” The U.S. Securities and Exchange Commission (SEC) is warning people about online promotions, including on social media, claiming that the products or services of publicly-traded companies can prevent, detect, or cure coronavirus and that the stock of these companies will dramatically increase in value as a result.

The FTC offers a tremendous amount of additional COVID-19/Coronavirus information on its website about COVID-19/Coronavirus. You can file a complaint with their online FTC Complaint Form.

Medicare Fraud and Schemes

The Senior Medicare Portal reports on numerous scams related to COVID-19/Coronavirus and advises scams are rapidly increasing. Scammers are targeting older adults and those with long-term health conditions who appear to have a higher risk for serious illness. Scammers commit Medicare Fraud by billing for sham tests or treatments related to COVID-19/Coronavirus.

The [Senior Medicare Portal](#) provides extensive information -including links to reliable sources of information and advises what Medicare covers for COVID-19/Coronavirus.

What can you do to stop Medicare COVID-19/Coronavirus fraud?

- Do not give out your Medicare number to anyone other than your doctor, health care provider, or other trusted representative.
- Protect your Medicare number and treat your Medicare card like a credit card.
- Never provide your Medicare number to anyone who contacts you through unsolicited calls, texts, or e-mails.
- Be cautious of anyone who comes to your door offering free COVID-19/Coronavirus testing, treatment, or supplies.
- Don't click on links from sources you don't know, which could put your computer or device at risk. Make sure the anti-malware and anti-virus software on your computer are up to date.
- Be cautious when purchasing medical supplies from unverified sources, including online advertisements and e-mail/phone solicitations.
- Ignore online offers for vaccinations. If you see ads touting prevention products or cures for COVID-19/Coronavirus, they are most likely a scam.

OTHER RESOURCES AND SITES FOR RELIABLE INFORMATION

- [Lawrence-Douglas County Health Department](#)
- [Douglas County Coronavirus Response Hub](#)
- [Douglas County Agency Services Amid COVID-19/Coronavirus Pandemic](#)
- [City of Lawrence, Kansas](#)
- [Baldwin City, Kansas](#)
- [Eudora, Kansas](#)
- [Bert Nash Community Mental Health Center](#)
 - [Additional Crisis Counseling Resources](#) (click on Resources in Response to Coronavirus Pandemic)
- [Northeast Kansas Regional Notification System](#)
 - Health and safety alerts
 - Alerts can be through SMS text messages, email, mobile phones, landlines, etc.
 - Free!
- [Center for Disease Control](#)
- [Environmental Protection Agency](#)
 - Information on disinfectants and COVID-19
 - Drinking water and waste water information
- [World Health Organization \(WHO\)](#)

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*Rule 226 - Kansas Rules of Professional Conduct
3.6 Advocate: Trial Publicity
3.8 Advocate: Special Responsibilities of a Prosecutor