



VIRGINIA RISK SHARING ASSOCIATION

Law Enforcement Considerations
Coronavirus 2019 (COVID-19)

The purpose of this document is to outline considerations with respect to law enforcement operations during this ongoing state of emergency. Law enforcement, like healthcare, is going to be an essential function during the current state of emergency. As with other emergencies and natural disasters, consideration must be given to how law enforcement will function during this time. In order to maintain a high level of public safety, it is essential that law enforcement consider how operations will impact close contact spread of COVID-19 and what steps law enforcement can consider to assist in controlling the virus.

1. Consider limiting law enforcement operations to those calls of a serious nature where there is an immediate need for investigation (i.e. murder, rape, robbery, arson, kidnapping), or where there is a threat of injury to a person (i.e. domestic assault, assault in progress, murder, rape, robbery, arson, kidnapping, etc.)

This is not meant to be an exhaustive list but should convey the idea that if no person is in danger, then law enforcement should not respond and potentially expose officers.

2. Consideration of limiting pro-active enforcement. On every person-to-person contact, officers are potentially exposed to persons who are contagious. In every traffic stop, pedestrian stop, and any other contact, the officer will be in close proximity to the subject and may be handling items, i.e. license and registration, that the subject just handled. As such, officers may become exposed and be placed under a 14-day quarantine, or worse. In such events the overall numbers of public safety personnel available will thereby be diminished, leaving not enough officers available to handle serious public safety events.

In common practices in natural disasters, officers are placed in a fixed-position and do not respond to most calls for service during the heightened phase of the storm. Our current storm is COVID-19, and a similar approach makes sense.

3. Consider handling calls via telephone when there is no one in danger. Reports of thefts, property, damage, and even minor vehicle accidents may be handled via telephone. One consideration for agencies with school resource officers is to utilize those officers as part of this function since schools are not in session.
4. Consider instructing officers to exercise discretion and avoid arrests for minor offenses that do not endanger others, including property crimes. A major concern for law enforcement is the spreading of COVID-19 to other officers, corrections personnel, and other persons housed in the jail. Additionally, with courts throughout the country closed, these arrests will only further backlog the system.

Limiting the number of persons housed in a jail or correction facility also plays a role in reducing the potential spread of COVID-19 in those facilities.

5. Where charging with a crime is necessary, consideration should be given to citing and releasing the individual rather than taking the subject to a lockup facility.
6. Consider matters of transportation. Due to the responsibility law enforcement has to the health and safety of arrestees, vehicles must be disinfected after the transport of a prisoner so that the next arrestee will not be exposed. Limiting the number of transports by discouraging non-essential arrests reduces the number of exposures.
7. Consider the temporary use of flex-cuffs in place of handcuffs. One of the most common ways the virus spreads is through hand-to-hand contact. Handcuffs have always been considered by law enforcement to be a breeding ground for germs, leading officers to routinely disinfect them. In order to minimize handcuffs as a potential carrier of COVID-19, officers should be encouraged to use plastic flex-cuffs instead of handcuffs for purposes of single-use and disposal rather than trying to disinfect handcuffs.
8. Officers should be provided with and directed to use latex gloves on all calls for service that they respond to and be provided with a receptacle in their vehicle where the gloves can be disposed of following each call.
9. Officers should be directed to maintain safe distances during interviews and other contacts with victims, witnesses, suspects, or any person with whom they have contact.
10. Officers who are assigned to duties in the station should be directed to disinfect their work area at the start and completion of each shift, to include telephones, computer peripherals, and any surfaces the officer touches. Agencies, to the extent possible, should limit the use of shared workspaces during this emergency.
11. Officers, particularly with shared vehicles, should be directed to disinfect the passenger compartment of their vehicle at the start and end of each shift. This process should include computer/MDT keyboards, all accessory buttons, door handles, and any other surfaces generally touched.
12. As noted, every arrest has the potential to expose an officer who will be in close contact with the individual during searching and handcuffing, as well as transport and booking. When officers become exposed or ill due to exposure, they will not be available to handle urgent public safety matters. Thus, exposure and contacts should be limited to serious calls where there is threat to the safety of some individual or the crime is of such a serious nature that it must be immediately investigated.
13. Every contact that law enforcement has with any member of the public has the potential for exposure to COVID-19. In much the same way that the healthcare profession may be overburdened by a spike in patients, public safety will be dramatically impacted by a spike in exposed officers who are forced into quarantine.

As with weather-related disasters where law enforcement activities are limited during the height of the storm, law enforcement must consider using these same principles during this health-related emergency.