

COVID19 POLICING PROJECT

We Released Our Report!

You can access it here: [Unmasked: Impacts of Pandemic Policing](#)

Documenting emerging patterns of criminalization from the start of the COVID-19 pandemic, *Unmasked: Impacts of Pandemic Policing* highlights the ineffectiveness of policing public health guidance, and its disproportionate impacts on Black, Indigenous, and low-income communities already ravaged by the pandemic and economic crisis.

The report offers a way forward beyond polarized positions of calling for more punitive public health measures or simply allowing the virus to continue to run rampant and wreak havoc on vulnerable communities. Recommendations urge policymakers to prioritize meeting individual and community needs for universal access to testing, quality health care, and reliable public health information, safe housing, employment and worker protection, income support, and strategies to support people in following public health guidance.



Continued Uneven Enforcement of Public Health Orders

As the current wave of COVID-19 infection surges across the U.S., public health orders are changing rapidly while enforcement remains dramatically uneven among cities, states, territories, and tribal jurisdictions. Some places are doubling down on civil and criminal penalties for actual or perceived violations of emergency orders, while others refuse to issue or enforce mandates on mask-wearing, social distancing, and gathering limits.

- [New York City](#) has created a color-coded map of COVID-19 risk zones where, depending on the neighborhood, anyone who “encourages, promotes or organizes mass gatherings may be fined up to \$15,000/day.”

- In Idaho, where mask-wearing is still recommended but not required except in long-term care facilities, the [City of Boise](#) announced an order directing local police to fine or arrest those who refuse to wear masks in public.
- The Honolulu Police Department, which to date has issued over [60,000 citations](#) for pandemic-related violations, recently suspended its COVID-19 enforcement team after an audit revealed numerous [overtime violations](#).
- Maryland governor Larry Hogan [deployed state troopers](#) to enforce the governor's executive order. Over Thanksgiving, troopers conducted over [730 surveillance checks](#) of restaurants and bars in Baltimore.
- In Washington, DC, [police allowed multiple groups of unmasked white nationalist Trump supporters](#) to enter a public park—aggressively flouting municipal mask and gathering mandates—to destroy a shrine dedicated to victims of police violence created by the local Black Lives Matter chapter.
- As of December 2nd, states such as [New Mexico](#) and [Oregon](#) have let their two-week statewide “freeze” expire, though both states are closely monitoring county-level risk assessments.

Strategy Session

On November 19th the COVID19 Policing Project hosted a strategy session with our partners to discuss how enforcement patterns are shifting across the country, strategies to resist increasing criminalization as the pandemic surges, and how we are using [Unmasked: Impacts of Pandemic Policing](#) in our organizing and advocacy efforts.

We collectively noted an increasingly neoliberal approach to COVID-19 under which preventing, catching or transmitting COVID-19 is framed as an individual responsibility rather than a collective responsibility or product of our collective failure to provide individuals with what they need to protect themselves and those around them. This has led to intensifying individualized public health-related mandates, penalties, contact tracing and, in one state, criminalization of COVID-19 transmission, while policymakers insist on keeping the economy open and fail to provide any support to individuals and communities bearing the brunt of the pandemic.

INSTEAD OF CRIMINALIZING AND POLICING COMPLIANCE WITH COVID-19 PUBLIC HEALTH ORDERS, WE SHOULD BE GIVING PEOPLE THE SUPPORTS AND CARE THEY NEED TO STAY HOME, STAY CONNECTED, AND STAY SAFE:

- income support, unemployment benefits, and employment protection**
- universal, accessible, no-cost health care, testing, and treatment**
- universal broadband and tablets for distance-based learning and working**
- support with following public health guidance-safe gatherings, supports for essential workers, supports for distance learning, child care, elder care, care for disabled people, anxiety, and isolation**

Read more in the COVID19 Policing Project's report, "UNMASKED: Impacts of Pandemic Policing," at covid19policing.com

Partners reported:

- Using the report in national advocacy efforts around stimulus legislation and transition memos to the incoming presidential administration, and in local organizing to secure support for individuals and communities affected by the pandemic rather than increased surveillance and criminalization;
- Concerns about COVID outbreaks among prosecutors, judges, and court staff while at-risk individuals are required to appear in person in criminal courtrooms or risk a warrant being issued for their arrest, balanced with concerns that closing criminal courtrooms will lead individuals to be forced to spend more time incarcerated or living with the consequences of a pending criminal charge;
- Sheriffs in Washington state continue to exempt themselves from mask mandates, claiming it interferes with their ability to do their jobs, placing people they come into contact with at risk;
- Differential enforcement in New Orleans compared to the rest of Louisiana based on efforts to protect Black and Brown workers working in the hospitality industry, which makes up 70% of the local economy. While a mask mandate with a \$500 penalty is in place, tourists walking up and down Bourbon Street are not subject to enforcement, while people who work in the area or residents who are traveling through the city are being stopped by NOPD and being told to wear masks and issued fines.

“In a pandemic \$500 might be the difference between ‘we are eating this month or paying rent’ ... And I can just foresee people doing the cost benefit analysis, thinking it’s not going to come back to bite them, and then it translates into an escalation and now you’re in jail where uncontrolled spread is even more of a risk, all because of a fine.”

—Tyler Barbarin, Positive Women’s Network

- Concern about the Chicago Mayor’s focus on house parties instead of restaurants as locations of spread out of a desire to keep the economy open;

“We are concerned about seeing similar things as we saw in April, where police were busting house parties and arresting people on the South and West sides [predominantly Black neighborhoods] of Chicago.”

—Sangi Ravichandran, University of Illinois-Chicago

- Concern about rise in neighborhood watch and policing of theft and muggings as people enter into an even more desperate economic situation in a shut down without support;
- In Florida six mayors urged the Governor to implement four recommendations in the midst of a very bad spike, including implementing a statewide mask mandate, allowing

cities and counties to penalize people for violations, and beefing up contact tracing, including use of the Google/Apple contact tracing app without any further information about what happens once a person is exposed or what's being done with contact tracing survey information;

- Virginia was the first state to implement Apple/Google app following an intensive social media campaign intentionally targeting particular communities. While the app doesn't collect GPS data, it uses Bluetooth technology to track and notify you if you come within 6 feet of another enabled device of a person who later reports infection. While the app itself doesn't ask for personal information, Virginians were given no information on where and how long data collected by the app is stored, or who is collecting or has access to it. A coalition in New York has been trying to pass a bill to prevent law enforcement and immigration authorities from having access to contact tracing data or being contact tracers themselves, and although the legislation has passed both houses, it is being blocked by the Governor because tech companies claim it will interfere with rollout of the Apple/Google app.

A few key messages for ongoing advocacy:

- “No surveillance, support!”
- “Defund police, fund COVID support, safe vaccine distribution, etc.!”
- Focusing on regulation of big tech and global impacts in the context of COVID19, using this as an opportunity to focus on larger harms of technology and how it impacts our life.
- Using strategies from fights against big pharma in the context of the HIV pandemic to ensure safe and universal distribution of the vaccine.

“And, as we’re thinking about the invest/divest conversation, how do we ensure when we’re investing that it’s not still carceral ... so how can we uplift abolition technologies? What are we creating so that if folks do have to stay home, if folks do have to access care, how are we doing that in ways that center their dignity and humanity?”

—Cesia Dominguez-Lopez, Color Coded

For more information on abolition technology, check out the hashtags #EmbodyAbolition and #BuildManyWorlds

The Pandemic Housing Crisis

When we recently launched our report [Unmasked: Impacts of Pandemic Policing](#), we intentionally highlighted safe housing for all as a key demand because we know it is absolutely critical to the health and safety of our communities. A [new study](#) published this week bears out this truth; when cities and states ended temporary moratoriums on evictions—thus paving the way for forcing millions of people out of their homes or places of shelter—this caused an

additional 10,700 deaths and at least **433,700 more cases** of COVID-19 in the U.S. between March and September.

At the beginning of the pandemic, [43 state governments](#), including the District of Columbia, banned eviction proceedings when it was estimated that up to [40 million people would be displaced](#) due to losing their jobs and not receiving adequate income support—but many of these eviction moratoriums ended over the summer. Despite a federal directive banning evictions, in accordance with CDC guidelines, [eviction filings are rapidly accelerating](#) and [23 million renters](#) are in jeopardy of losing their housing.



The [catastrophic toll](#) of displacement and housing insecurity further deepens the impacts of both criminalization and COVID-19 on BIPOC, low-income, and unhoused communities. As viral infection and death rates continue to surge across the country, several major cities are conducting [violent raids](#) of houseless encampments, forcing individuals into unsafe, crowded shelters where social distancing is impossible and subjecting them to fines or jail time for violations of emergency public health orders. Evicting people who can't afford to pay their rent or mortgage due to the economic crisis means that many must move in with family members to avoid becoming unhoused. This, too, increases the likelihood of viral exposure and transmission to oneself and loved ones.

As we enter the winter months with no signs of the pandemic abating, housing justice activists are renewing the call to [#CancelRent](#).

Legislation to Make COVID-19 Criminalization Permanent

In [Unmasked: Impacts of Pandemic Policing](#), we investigated how states were using declarations of emergency to enhance or stack charges for certain offenses unrelated to COVID-19, while at the same time using terrorism statutes to increase penalties for alleged acts of viral exposure. For example, our research found that Texas was one such state where the penal code was used to enhance charges for offenses like petty theft simply because they occurred during a declared state of emergency. We also found incidents of COVID-19 enforcement in Texas where police charged individuals with perpetrating “terroristic threats” for allegedly coughing or spitting in the presence of cops.

Now, we are starting to see conservative legislators introduce bills that would make criminalizing COVID-19 a permanent part of state laws. This past month, Republican Texas State Representative Tom Craddick introduced [HB 369](#) relating to the “statute of limitations for

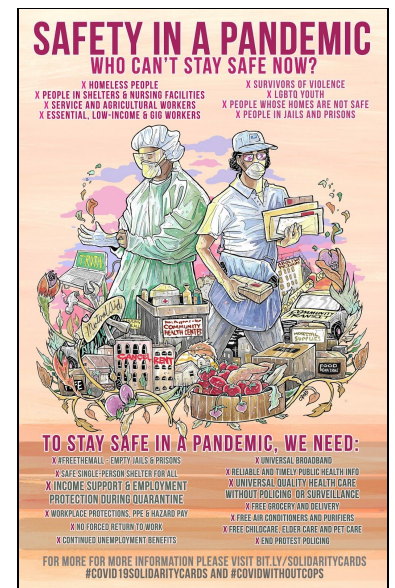
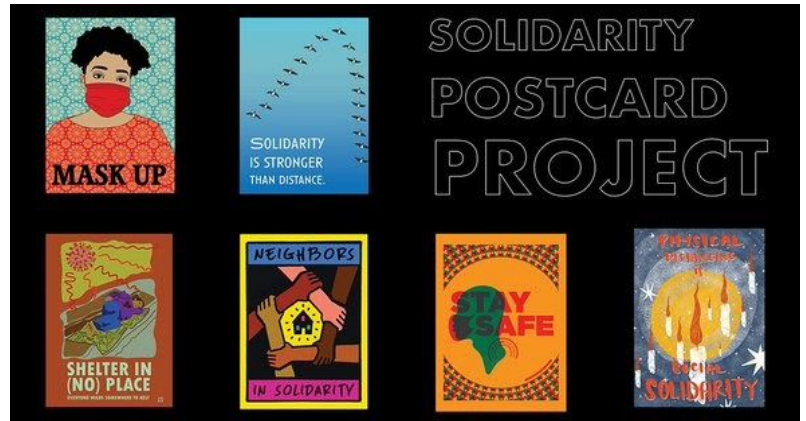
aggravated assaults involving communicable diseases.” If passed, the bill would make alleged acts of exposing other people to COVID-19 an automatic charge of aggravated assault, where the virus could be considered “a deadly weapon that consisted of the defendant’s body part or bodily fluids and was capable of transmitting the disease.” While several states have already invoked permanent infectious disease laws in order to enforce temporary pandemic-related public health orders, the move to draft legislation that would further entrench criminalization of COVID-19 indefinitely has chilling implications for the unfolding pandemic response.

Resources

Check out the [Coronavirus Solidarity Poster & Postcard Project](#), a collection of 2 posters and 20 postcards created by [Interrupting Criminalization](#) using original art from [Cristy Road Carrera](#) and open access artwork generated by [Amplifier](#) and [Forward Together](#) to help spark conversations around coronavirus, criminalization, public health guidance, and community care.

Organizations can request free sets of postcards to distribute in their area through mutual aid networks, political education around COVID-19 and policing, or even just by handing them out on your block.

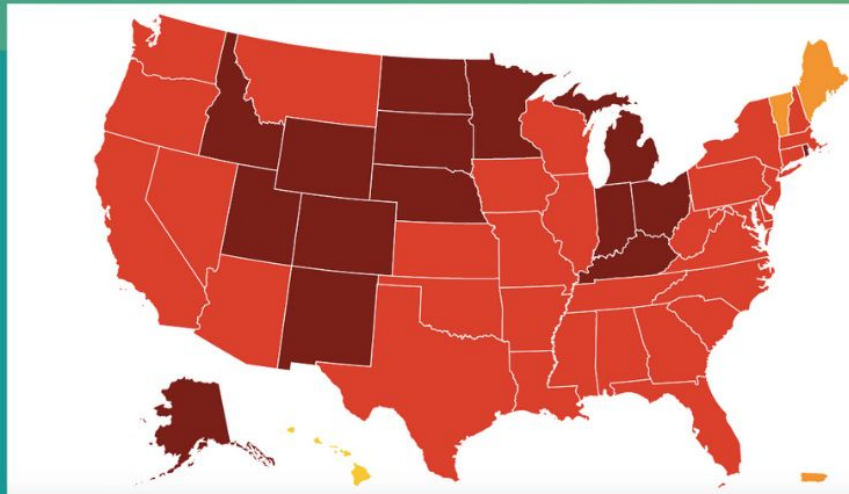
You can also share images on social media using [#COVID19SolidarityCard](#) and [#COVIDWithoutCops](#) or project them onto buildings or legislatures or other key places in your community.



Holiday Travel

COVID-19 public health orders are constantly changing. If you are planning to travel around the holidays, check out our [orders tracker](#) to get the latest information on local and state quarantine requirements for travelers.

STAY INFORMED



As infections surge everywhere, travel restrictions and penalties for COVID-related public health orders are tightening in many places, although orders and levels of enforcement still remain inconsistent across the country. Check our orders tracker for the latest on local and state requirements.

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