

# COVID19 POLICING PROJECT



## Protest and COVID-19 policing

As states reopen across the country, police enforcement of COVID-19 public health orders for social distancing, facial coverings, gatherings, and quarantine is decreasing for the moment. However, some public officials are [threatening protesters](#) with charges related to mask requirements, while ignoring that the vast majority of law enforcement officers policing protests—who are experiencing some of the highest infection rates—are not wearing masks, placing protesters at greater risk by surrounding and pushing them into closer proximity, engaging in physical violence against them, and arresting them to be confined in jails in which they can't protect themselves. **Please continue to report instances of police increasing risk of COVID-19 infection through protest policing tactics at [covid19policing.com](https://covid19policing.com). Feel free to use our new [palm cards and flyers](#) to spread the word and encourage people in your networks to report.**

[Public health officials](#) have come out strongly in favor of protests—noting that the public health impacts of police violence on Black communities present a significantly greater danger than protesting with precautions.

When following recommendations to be tested after attending protests, please keep in mind that some states and cities have mandatory quarantine requirements upon testing positive for COVID-19 as well as following exposure or onset of symptoms. **If you are traveling to protest, you may want to wait until you return home to be tested if you don't have the ability to quarantine for 14 days in the location where you are protesting. Check our COVID-19 public health orders tracker for information about state and local quarantine requirements at [covid19-policing.com](https://covid19-policing.com).**

## Contract tracing is an extension of policing the pandemic

Even as direct enforcement of public health orders by police officers is decreasing, COVID-19 policing is quickly expanding under the guise of 'softer' enforcement through swelling ranks of contact tracing ambassadors, who are replacing police officers as the primary agents of COVID-19 enforcement and points of contact with communities.

Contact tracing is a system designed to track individuals who have had contact with a person who's tested positive for COVID-19. Public health officials tout this system as a novel, tech-enhanced approach to curbing the spread of the pandemic. Far from being a new intervention,

however, contact tracing has a vexed history. The [Stop LAPD Spying Coalition](#) examines how contact tracing has been used to surveil Black and Brown communities, queer and trans people, and those in the sex and drug trades during other historic pandemics. Notably, the use of contact tracing in the AIDS crisis led to further harm, criminalization, and scapegoating for communities disproportionately impacted. Learn more from resources from the COVID-19 Learning Community webinar on contact tracing, which we've added to the Community Resource Hub's [online resources](#).

The fact that the Minneapolis police department [announced](#) that it's using contact tracing techniques to monitor and arrest protesters in the streets demanding justice for George Floyd reveals how public health surveillance is a proxy for policing optics.

As record numbers of people face unemployment and housing insecurity, states and cities are taking advantage of the lack of structural support for communities by pushing contact tracing as a large [jobs recruitment](#) site. Of the thousands of contact tracing ambassadors being hired, many are out-of-work correctional officers and sanitation police. These "ambassadors" are charged with providing instruction on self-quarantine for individuals who have tested positive, exhibited symptoms, or been exposed to COVID-19. While the CDC says people should be asked to voluntarily self-quarantine, health departments are authorized to legally [mandate](#) quarantine orders. Depending on local and state quarantine laws, those who are sick or recovering could face arrest or fines for leaving their home, if they even have a place to shelter. **Our enforcement tracker has several examples of quarantine-related arrests. If you are aware of others, please report them at [covid19policing.com](#).**

[In our last update](#), we looked at how police responses to the current uprising for Black lives are perpetrating further violence against protesters and fueling the COVID-19 pandemic. As public health officials tell protesters to get tested and self-quarantine for 14 days, we're going to monitor how the enforcement of state and local quarantine laws could become a tactic used to suppress dissent by subjecting protesters in quarantine to arrest or penalties for leaving their residence to participate in demonstrations.

## **Contact tracing is a conduit for data-sharing between public health agencies and police**

As we've seen by now, numerous state and local [health departments](#) are sharing personal data from those who've tested positive for COVID-19 with law enforcement. Efforts to block law enforcement from accessing this private health information are underway in a number of states—see recommendations below.

Recently, Governor Ducey of Arizona issued an executive order for an "[enhanced surveillance advisory](#)," which authorizes the Arizona Department of Health Services to access confidential patient information and requires laboratories to report positive COVID-19 test results to ADHS. This sets a dangerous precedent as state and local health authorities ramp up their contact

tracing efforts, amassing more and more data on individuals and their social networks that could be shared with and weaponized by police. Contact tracing could become another vector for viral police violence against Black and Brown communities in the midst of the pandemic.

## Recommendations:

- **Ban police and immigration enforcement from accessing contact tracing data.** In New York, legal and public health advocates are [pushing](#) for the passage of a bill, [S. 8450-A/A. 10500-A](#), that would stop law enforcement from obtaining this data.
- **Quarantine should not become another site of policing.** If a person is told by a contact tracing ambassador to self-quarantine after testing positive or being exposed to COVID-19, quarantine should not become a form of punishment, or a means by which to surveil and prevent people from participating in protests.
- **Communities recovering from COVID-19 need resources not cops.** People in quarantine should receive the support they need, including shelter, healthcare, food, caregiving, childcare, and other resources instead of facing the potential threat of punishment if they must leave home or break self-isolation to meet these needs. **States like California and New York have protections in place for people required to quarantine, including employment protections, compensation, and paid family leave, that we can advocate for in every state.**
- **Prevent contact tracing from surveilling participants in Black Lives Matter protests.** When individuals test positive for COVID-19, contact tracing ambassadors should not be allowed to ask them if they or any of their close contacts have attended a recent demonstration.

**Advocates are developing recommendations for hiring, training, privacy, and supports for contact tracing programs—stay tuned!**

In the meantime, please check out the ACLU's guidance for electronic and traditional contact tracing:

- [Principles for Technology-Assisted Contact-Tracing](#)
- [Contact Tracing and COVID-19: Lessons From HIV](#)