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**MONTEREY, CALIFORNIA**

**THESIS**

**IMPROVISATIONS OF COVID-19:  
THE PANDEMIC-ERA MEASURES THAT MAKE  
POLICING BETTER**

by

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September 2022

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**IMPROVISATIONS OF COVID-19:  
THE PANDEMIC-ERA MEASURES THAT MAKE POLICING BETTER**

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## **ABSTRACT**

The emergency of COVID-19 prompted law enforcement agencies to implement different policy changes to minimize the spread of the virus that placed police officers in dilemmas of personal risk. This thesis analyzes the onset of COVID-19 in the Metropolitan Police Department of the District of Columbia as a paradigm for understanding the effects of the virus concerning police officers in the United States. The research finds that some policy changes during the pandemic ushered in job flexibility that boosted officer effectiveness, decreased stress, and revolutionized community engagement. Nevertheless, some were counterproductive and created tension between law enforcement and union leaders. Policy implementation and enforcement to contain the spread of COVID-19 varied from one agency to another, despite the common challenges. This thesis examines the impact of COVID-19 on law enforcement and explores the positive effects of shifts in policy and practice among law enforcement agencies during the pandemic. It shows how policy development—such as virtual technology, teleworking, social distancing, arrest deferments, and citation eligibility—brought about positive changes that made policing better. In identifying whether police responses to the pandemic were effective or counterproductive, this thesis presents recommendations to improve the effectiveness of law enforcement agencies and to help agencies prepare for future pandemics.

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# TABLE OF CONTENTS

<b>I.</b>	<b>INTRODUCTION.....</b>	<b>1</b>
<b>A.</b>	<b>RESEARCH QUESTION .....</b>	<b>2</b>
<b>B.</b>	<b>LITERATURE REVIEW .....</b>	<b>2</b>
<b>1.</b>	<b>Personal Impact .....</b>	<b>2</b>
<b>2.</b>	<b>Operational Impact.....</b>	<b>5</b>
<b>3.</b>	<b>Positive Community Impact.....</b>	<b>8</b>
<b>C.</b>	<b>RESEARCH DESIGN .....</b>	<b>10</b>
<b>II.</b>	<b>U.S. LAW ENFORCEMENT IN THE COVID ERA.....</b>	<b>13</b>
<b>A.</b>	<b>PROBLEMS ACCOMPANYING COVID-19 .....</b>	<b>14</b>
<b>1.</b>	<b>Exposure to Coronavirus .....</b>	<b>14</b>
<b>2.</b>	<b>Leave Denial/Cancellation.....</b>	<b>17</b>
<b>3.</b>	<b>Interstate Traffic Enforcement.....</b>	<b>19</b>
<b>B.</b>	<b>DISRUPTIONS TO POLICE SERVICES .....</b>	<b>22</b>
<b>1.</b>	<b>Limiting Contact with Citizens.....</b>	<b>23</b>
<b>2.</b>	<b>Suspending and Modifying Indoor Roll Calls and Training .....</b>	<b>24</b>
<b>3.</b>	<b>Social Distancing .....</b>	<b>25</b>
<b>C.</b>	<b>VACCINE MANDATES PERSPECTIVES.....</b>	<b>27</b>
<b>D.</b>	<b>CONCLUSION .....</b>	<b>30</b>
<b>III.</b>	<b>THE METROPOLITAN POLICE DEPARTMENT .....</b>	<b>31</b>
<b>A.</b>	<b>THE GENESIS OF COVID-19 WITHIN THE MPDC WORKFORCE .....</b>	<b>32</b>
<b>B.</b>	<b>POLICY DEVELOPMENT.....</b>	<b>35</b>
<b>C.</b>	<b>INNOVATION .....</b>	<b>37</b>
<b>1.</b>	<b>Virtual Expansion .....</b>	<b>37</b>
<b>2.</b>	<b>Arrest Deferment and Citation Eligibility .....</b>	<b>43</b>
<b>3.</b>	<b>Telework Option .....</b>	<b>44</b>
<b>D.</b>	<b>CONCLUSION .....</b>	<b>45</b>
<b>IV.</b>	<b>ANALYSIS AND RECOMMENDATIONS.....</b>	<b>47</b>
<b>A.</b>	<b>FINDINGS .....</b>	<b>47</b>
<b>1.</b>	<b>Counterproductive Measures .....</b>	<b>47</b>
<b>2.</b>	<b>What to Keep.....</b>	<b>50</b>
<b>B.</b>	<b>RECOMMENDATIONS.....</b>	<b>52</b>
<b>1.</b>	<b>Improve Effectiveness.....</b>	<b>52</b>

2.    Prepare for Future Pandemics .....	53
C.    FUTURE RESEARCH.....	55
LIST OF REFERENCES.....	57
INITIAL DISTRIBUTION LIST .....	65

## LIST OF FIGURES

Figure 1.	States That Mandated Police Officers Enforce Travel Restrictions .....	20
Figure 2.	Beginning and End of Interstate Travel Restrictions, 2020–2021 .....	21
Figure 3.	Changes in Police Activities Based on 1,000 Surveyed Police Departments .....	23
Figure 4.	MPDC’s COVID-19 Infections, March 2020 to December 2021 .....	32
Figure 5.	Comparison of Positive Cases, Hospitalization, and COVID-19 Deaths from July 2021 to December 2021 in Three Cities.....	33
Figure 6.	MPDC’s Daily COVID-19 Cases, December 2021 .....	34

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## LIST OF TABLES

Table 1.	Causes of Law Enforcement Deaths, 2011–2020 .....	17
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## LIST OF ACRONYMS AND ABBREVIATIONS

COVID-19	coronavirus disease 2019
CPD	Chicago Police Department
DC	District of Columbia
IRB	Institutional Review Board
MPA	Metropolitan Police Academy
MPD	Metropolitan Police Department (of the District of Columbia)
MPDC	Metropolitan Police Department of the District of Columbia
OAG	Office of the Attorney General
PPE	personal protective equipment
PSA	patrol service area
PSMP	police standard manual for pandemic
TRU	Telephone Reporting Unit
USAO	United States Attorney's Office
VR	virtual reality

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## EXECUTIVE SUMMARY

The coronavirus disease 2019 (COVID-19) caught law enforcement unprepared and transformed the way it does business. Due to the high transmissibility of the virus, many officers died, contracted the virus, and were removed from schedule rotation.<sup>1</sup> Therefore, law enforcement agencies devised different policy changes to reduce the spread of the virus and avoid disruptions to police services. Some of these policies were effective, some counterproductive, and some contentious between law enforcement and union leaders. This thesis critically explores the positive impact of COVID-19 on U.S. law enforcement agencies and their members. It aims to give law enforcement practitioners and policymakers insight into law enforcement policies and practices during COVID-19 and analyze the best practices that should be made permanent. The thesis seeks to answer the following research question: What are the positive effects of shifts in policy and practice among law enforcement agencies during the COVID-19 pandemic?

The outbreak of the virus has shifted law enforcement's responsibilities to include educating the public about the newly enacted COVID law, explaining safety measures to mitigate the spread of the virus, and supporting public health officials. However, the lack of training and preparedness makes it unable to fulfill these duties in an effective manner.<sup>2</sup> Despite the lack of preparedness, the unavailability of proper tools to fight the pandemic, and the imminent risk of the virus, officers had to continue working in the face of danger. As a result, some officers were exposed to the virus, which made them skeptical about the ability of police leaders to protect them against the virus.<sup>3</sup> Research demonstrates that COVID-19 wreaks havoc on law enforcement. However, some benefits of the policy changes and practices during the pandemic are worth keeping beyond the COVID era.

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<sup>1</sup> "Home Page," Officer Down Memorial Page, accessed August 9, 2022, <https://www.odmp.org/>.

<sup>2</sup> Wesley G. Jennings and Nicholas M. Perez, "The Immediate Impact of COVID-19 on Law Enforcement in the United States," *American Journal of Criminal Justice* 45, no. 4 (August 2020): 690–701, <https://doi.org/10.1007/s12103-020-09536-2>.

<sup>3</sup> Jon Maskály, Sanja Kutnjak Ivković, and Peter Neyroud, "Policing the COVID-19 Pandemic: Exploratory Study of the Types of Organizational Changes and Police Activities across the Globe," *International Criminal Justice Review* 31, no. 3 (September 2021): 266–85, <https://doi.org/10.1177/10575677211012807>.

Many policies caused police stress and job dissatisfaction before the pandemic. For example, midnight officers whose shifts end early in the morning should be home sleeping but often wait at the courthouse until it opens to paper a case to a prosecutor, or officers drive long hours to attend court on their days off. Also, officers may drive long hours to work to attend training that could be attended virtually. The pandemic has shown, however, that police agencies could pivot toward largely virtual training and succeed.

Since little research has explored the benefits of COVID-19 for law enforcement, I asked law enforcement practitioners whether any aspects of COVID-19 policy changes have boosted law enforcement, using three broad questions to enable them to talk about their agencies' policies without limitations. The interviewees overwhelmingly agreed that the shifts in policy and practice among law enforcement agencies during the COVID-19 pandemic have ameliorated some of the officers' stressful working conditions. Some of the policy changes have reduced absenteeism and provided a necessary balance between officers' work and family lives.<sup>4</sup> The policies that brought about these changes included

1. Virtual expansion, including court access, training and recruitment, community engagement, and crime briefing;
2. Arrest deferment and citation eligibility, which standardized some arrests and reduced negative interactions between police officers and the community; and
3. Telework options, which improved morale and retention and reduced transportation costs for officers.

This body of research provides an understanding of the impact of the virus on law enforcement agencies and their ability to respond to future pandemics. Therefore, by drawing from this body of research, this thesis presents two kinds of recommendations: improvements to law enforcement agencies' effectiveness (1–3) and preparation for future pandemics (4–7).

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<sup>4</sup> Maskály, Ivković, and Neyroud.

1. Law enforcement agencies must procure all necessary equipment to enable virtual connectivity to secure agencies' resilience during a future pandemic.
2. Law enforcement and union leaders should work in concert regarding policy implementation and emphasize the well-being of officers.
3. Arrest deferment and citation eligibility should be made permanent.
4. Law enforcement agencies should train with public health officials periodically to improve their coordination and increase their preparedness for future pandemics.
5. Law enforcement agencies must have a stockpile of personal protective equipment that can last at least three months for all their officers to alleviate scarcity during a pandemic.
6. Law enforcement agencies must have a uniform manual that enables a standardized and coordinated response across jurisdictions to respond to future pandemics.
7. Law enforcement agencies should have a temporary holding cell to assess the health condition of new arrestees transported to the station.

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Above all, I give glory and honor to my God, for He is the beginning and the end, the Alpha and Omega. He allowed me to start the research in good health and end it in high spirits. To God be all the glory!

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## I. INTRODUCTION

The coronavirus disease 2019 (COVID-19) pandemic has transformed how law enforcement conducts business.<sup>1</sup> Even after federal orders sent most workers home, law enforcement’s critical role in maintaining public order and community safety kept officers on the job in person, responding to service calls and working with public health officials to contain the spread of the virus.<sup>2</sup> Unfortunately, this work exposed thousands of police officers to the virus.<sup>3</sup> Thus, the pandemic exacted a heavy toll on law enforcement and disrupted community engagement and other law enforcement activities.

At the same time, the pandemic also prompted police departments to innovate—by adjusting service delivery, modifying their policies, and tailoring their services to fit the crisis—to continue serving their communities and reducing COVID transmission among and between law enforcement officers and communities.<sup>4</sup> For example, in March 2020, the Metropolitan Police Department of the District of Columbia (MPDC) modified its telephone reporting unit (TRU) guideline to expand the types of reports taken over the phone.<sup>5</sup> Such reports as theft, fraud, defacing public or private property, hit and run accidents, destruction of property, and other misdemeanor crimes—in which evidence and suspects of the crime might not be at the scene—could then be taken over the phone.<sup>6</sup> The

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<sup>1</sup> Wu He, Zuopeng (Justin) Zhang, and Wenzhuo Li, “Information Technology Solutions, Challenges, and Suggestions for Tackling the COVID-19 Pandemic,” *International Journal of Information Management* 57 (April 2021): 1–8, <https://doi.org/10.1016/j.ijinfomgt.2020.102287>.

<sup>2</sup> Wesley G. Jennings and Nicholas M. Perez, “The Immediate Impact of COVID-19 on Law Enforcement in the United States,” *American Journal of Criminal Justice* 45, no. 4 (August 2020): 690–701, <https://doi.org/10.1007/s12103-020-09536-2>.

<sup>3</sup> Since the inception of the virus, reports of 476 officer deaths because of COVID-19 have made it the leading cause of death for law enforcement. In April 2020, police contracted COVID-19 at an alarming rate: 18.6 percent of the New York Police Department were reported sick, over 2,000 police across New Jersey were in isolation, and the Ambridge, Pennsylvania, chief of police died of the virus. Shahin Mehdizadeh and Katy Kamkar, “COVID-19 and the Impact on Police Services,” *Journal of Community Safety and Well-Being* 5, no. 2 (2020): 42–44, <https://doi.org/10.35502/jcswb.139>.

<sup>4</sup> Jennings and Perez, “The Immediate Impact of COVID-19.”

<sup>5</sup> Metropolitan Police Department of the District of Columbia, *Coronavirus 2019 Revised Telephone Reporting Unit Procedures*, EO-20-012 (Washington, DC: Metropolitan Police Department, 2020), [https://go.mpdconline.com/GO/EO\\_20\\_012.pdf](https://go.mpdconline.com/GO/EO_20_012.pdf).

<sup>6</sup> Metropolitan Police Department of the District of Columbia.

department also advised limiting officers on scene to the minimum needed to provide quality police service and conducting as many citizen service calls as possible outdoors, maintaining a distance of six feet.<sup>7</sup> Other modifications to police services across the country included releasing arrestees with minor charges on citations or summonses, suspending certain warrant enforcement, and limiting public contact with the police even in police stations.<sup>8</sup> Some of these improvisations have also represented genuine innovations in the day-to-day work of police, and they may have had a positive effect on police services and community relations. For instance, the MPDC’s monthly community meeting on Zoom—where police apprise the community of any significant crime development—has encouraged greater citizen participation because of the ability to attend from the comfort and convenience of home. Before COVID-19, all such meetings took place in person. Thus, COVID innovations have had many consequences for police effectiveness in service delivery.

## **A. RESEARCH QUESTION**

What are the positive effects of shifts in policy and practice among law enforcement agencies during the COVID-19 pandemic?

## **B. LITERATURE REVIEW**

This section examines the prevailing views of the impact of COVID-19 on law enforcement officers’ personal lives and their agencies’ operational effectiveness. Since COVID-19 is still rapidly evolving, scholarly research on the law enforcement effects is scarce. Still, the initial assessments and accounts almost exclusively report hardship, haphazard improvisation, and diminished effectiveness.

### **1. Personal Impact**

Scholars concur that the police suffer from exposure to the virus and become its transmission agents, too. The rate at which the virus spreads and kills has made COVID-19

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<sup>7</sup> Metropolitan Police Department of the District of Columbia, *Coronavirus 2019 Guidance on Calls for Service*, EO-20-014 (Washington, DC: Metropolitan Police Department, 2020).

<sup>8</sup> Jennings and Perez, “The Immediate Impact of COVID-19.”

the leading cause of death for law enforcement officers—who often contract the virus on the job.<sup>9</sup> For instance, since March 2020, more than 600 officers nationwide have reportedly died due to the COVID-19 pandemic.<sup>10</sup> In spite of the pandemic, law enforcement must still preserve law and order and maintain a positive relationship with the community; however, all these routine police services created an additional risk for officers to contract the virus.<sup>11</sup> Also, assisting health care providers, as Jennings and Perez suggest, adds a “heightened risk of exposure due to their close contact with members of the public.”<sup>12</sup> Pope and Stagoff-Belfort agree with this assertion: “Officers themselves could become vectors of transmission for coronavirus because of the degree of public exposure inherent in policing.”<sup>13</sup> Thus, law enforcement officers have a higher probability of becoming sick or even dying from COVID-19 than any other means due to the nature of their job.

The COVID-19 pandemic also interacted in unexpected ways with community outreach efforts in the wake of the Black Lives Matter movement and protests related to police use of lethal force. Jennings and Perez warn that although many police forces have shifted their focus to building solid community engagement that enhances positive interactions between the community and law enforcement, additional COVID-19 responsibilities boosted the risk of infection.<sup>14</sup> Indeed, as Lum, Maupin, and Stoltz conclude, for those police officers who have to “respond to calls for service and maintain legitimate and positive relationships . . . all of these routine activities place officers at risk

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<sup>9</sup> National Law Enforcement Memorial and Museum, *2020 Law Enforcement Officers Fatalities Report* (Washington, DC: National Law Enforcement Memorial and Museum, 2020), <https://dailymedia.case.edu/wp-content/uploads/2021/01/02214818/2020-LE-Officers-Fatalities-Report-opt.pdf>.

<sup>10</sup> “Home Page,” Officer Down Memorial Page, accessed August 9, 2022, <https://www.odmp.org/>.

<sup>11</sup> Indeed, 74 percent of law enforcement agencies had a plan to handle mass quarantine of officers who fell ill—including a directive to convey the importance of the stay-at-home order to the public in assisting health care officials to contain the spread. Cynthia Lum, Carl Maupin, and Megan Stoltz, *The Impact of Covid-19 on Law Enforcement (Wave 1)* (Alexandria, VA: International Association of Chiefs of Police, 2020), <https://www.theiacp.org/sites/default/files/IACP-GMU%20Survey.pdf>.

<sup>12</sup> Jennings and Perez, “The Immediate Impact of COVID-19,” 3.

<sup>13</sup> Leah Pope and Aaron Stagoff-Belfort, “Public Health and Public Safety: The Critical Role of Police during the COVID-19 Crisis,” *Think Justice* (blog), April 30, 2020, para. 1, <https://www.vera.org/blog/covid-19-1/public-health-and-public-safety-the-critical-role-of-police-during-the-covid-19-crisis>.

<sup>14</sup> Jennings and Perez, “The Immediate Impact of COVID-19.”

for disease infection.”<sup>15</sup> Exposure was a risk of the job, particularly in the first months of the pandemic—not necessarily correlating with the law enforcement officer’s type of assignment or approach.

Ultimately, all contact with other people—the community, peers, superiors—have followed certain stylized, COVID-era practices. For instance, some of the measures adopted at the height of COVID-19 included implementing social distancing, wearing masks, suspending training and recruitment, modifying roll calls, reducing access to police buildings, and encouraging online reporting.<sup>16</sup> Not contracting the virus while engaging the public has become a priority due to additional tools and parameters as part of the regular patrol equipment and doctrine.

Law enforcement officers have experienced many negative psychological consequences in the wake of COVID-19. The sudden disruption of regular activities due to the pandemic likely affected the mental well-being of law enforcement officers.<sup>17</sup> Pitts et al. deduce that the overall culture of policing and the traumatic events police experience regularly subject them to mental health problems exacerbated by exposure to COVID-19.<sup>18</sup> Laufs and Waseem further explain that the proximity of law enforcement officers to people infected with COVID-19 could result in anxiety in the officers when dealing with the defiant public.<sup>19</sup> Grover et al. conclude that law enforcement officers’ demands during COVID-19 would be “emotionally taxing” and could cause traumatic effects now and in

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<sup>15</sup> Lum, Maupin, and Stoltz, *The Impact of Covid-19*, 2.

<sup>16</sup> Jon Maskály, Sanja Kutnjak Ivković, and Peter Neyroud, “Policing the COVID-19 Pandemic: Exploratory Study of the Types of Organizational Changes and Police Activities across the Globe,” *International Criminal Justice Review* 31, no. 3 (September 2021): 266–85, <https://doi.org/10.1177/10575677211012807>.

<sup>17</sup> John Stogner, Bryan Lee Miller, and Kyle McLean, “Police Stress, Mental Health, and Resiliency during the COVID-19 Pandemic,” *American Journal of Criminal Justice* 45, no. 4 (August 2020): 718–30, <https://doi.org/10.1007/s12103-020-09548-y>.

<sup>18</sup> Wayne J. Pitts et al., “Efectos del COVID-19 en la Policía Nacional de Honduras y Lecciones Aprendidas sobre el Bienestar y el Estrés Laboral de los Policías” [Effects of COVID-19 on the Honduran National Police and Lessons Learned about the Well-Being and Work Stress of Police Officers], *Revista Logos, Ciencia & Tecnología* 13, no. 3 (September 2021): 30–45, <https://doi.org/10.22335/rlet.v13i3.1456>.

<sup>19</sup> Julian Laufs and Zoha Waseem, “Policing in Pandemics: A Systematic Review and Best Practices for Police Response to COVID-19,” *International Journal of Disaster Risk Reduction* 51 (December 2020): 1–17, <https://doi.org/10.1016/j.ijdr.2020.101812>.

the future.<sup>20</sup> The authors advise that the trauma of COVID-19 combined with other regular job-related stresses could lead to mental health problems.<sup>21</sup> Generally, then, scholars suggest that the advent of COVID-19 has increased law enforcement officers' anxiety and worsened their psychological issues.

## 2. Operational Impact

The literature concurs that COVID-19 has a negative effect on police operations. Some scholars highlight that COVID-19's negative effect on officers' personal lives also touches police operations. For example, Jennings and Perez argue that calling in sick or caring for sick loved ones hampers law enforcement operations because it reduces the number of officers available to work, exhausting the on-duty officers because of an overload of assignments.<sup>22</sup> Therefore, Lum, Maupin, and Stoltz acknowledge that the pandemic reduced proactive crime prevention and community engagement to limit the spread of the virus among law enforcement.<sup>23</sup> The literature purports that the emergency of COVID-19 drastically affected most law enforcement services and limited their effectiveness.

Additionally, scholars argue that the lack of preparedness for the pandemic and coordination among agencies has negatively affected law enforcement's operational ability. For instance, many law enforcement agencies lacked enough protective equipment and could not obtain sufficient supplies in the aftermath of the pandemic.<sup>24</sup> Also, as a result of the widely divergent responses taken by states and localities to respond to COVID-19,

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<sup>20</sup> Sandeep Grover et al., "Psychological Impact of COVID-19 Duties during Lockdown on Police Personnel and Their Perception about the Behavior of the People: An Exploratory Study from India," *International Journal of Mental Health and Addiction* 20 (2020): 832, <https://doi.org/10.1007/s11469-020-00408-8>.

<sup>21</sup> Grover et al.

<sup>22</sup> Jennings and Perez, "The Immediate Impact of COVID-19."

<sup>23</sup> Lum, Maupin, and Stoltz, *The Impact of Covid-19*.

<sup>24</sup> Jennings and Perez, "The Immediate Impact of COVID-19."

law enforcement's role in response to the pandemic has been abstruse.<sup>25</sup> However, Richards et al. contend that law enforcement resources can dissipate quickly in a pandemic—even for a well-prepared agency—when a community health crisis adds to routine responsibilities.<sup>26</sup> Indeed, according to Jennings and Perez, police officers—who are regarded as the voice of authority to calm the public—could not perform their roles of informing and explaining the COVID-19 order and educating the community about the safety measures put in place because they had insufficient training.<sup>27</sup> Laufs and Waseem maintain that inadequate preparation is often the foremost problem in handling a public health crisis.<sup>28</sup> In the context of the COVID-19 pandemic, for instance, according to Laufs and Waseem, planning and preparing for disasters is crucial to avoid impromptu solutions, but even the best preparation may collapse under stress, drastically affecting police operations.<sup>29</sup> For instance, Laufs and Waseem explain that planning and preparation provide officers an in-depth understanding of the disaster and possible unforeseen developments to avert or mitigate the crisis.<sup>30</sup> In sum, a lack of preparedness crippled the ability of law enforcement agencies to respond to COVID-19 effectively.

Scholars illuminate the impact of a lack of training on officers' mental health during the coronavirus pandemic. Pitts et al. profess that law enforcement was ill-prepared from the inception of the COVID-19 outbreak and lacked basic training on health and safety precautions.<sup>31</sup> Stogner, Miller, and McLean concur and emphasize that COVID-19 caught law enforcement agencies unaware and unprepared for the impact of the virus on their

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<sup>25</sup> Brian A. Jackson et al., *Promising Practices from Law Enforcement's COVID-19 Response: Protecting the Public* (Santa Monica, CA: RAND Corporation, 2021), [https://www.rand.org/pubs/research\\_briefs/RBA108-1.html](https://www.rand.org/pubs/research_briefs/RBA108-1.html).

<sup>26</sup> Edward P. Richards et al., *The Role of Law Enforcement in Public Health Emergencies: Special Considerations for an All-Hazards Approach* (Washington, DC: Bureau of Justice Assistance, 2006), <https://www.ojp.gov/pdffiles1/bja/214333.pdf>.

<sup>27</sup> Jennings and Perez, "The Immediate Impact of COVID-19."

<sup>28</sup> Laufs and Waseem, "Policing in Pandemics."

<sup>29</sup> Laufs and Waseem.

<sup>30</sup> Laufs and Waseem.

<sup>31</sup> Pitts et al., "Efectos del COVID-19 en la Policía Nacional de Honduras."

members.<sup>32</sup> Frenkel et al. elaborate that the lack of preparedness in dealing with the COVID-19 situation caused the reported high levels of stress among law enforcement officers.<sup>33</sup> They advise, “Negative stressor appraisal of the pandemic would increase officers’ strain . . . [yet] feelings of preparedness through training would decrease strain during the pandemic.”<sup>34</sup> In general, research suggests that better training and preparedness would have reduced the anxiety effects of the pandemic on law enforcement officers.

Another group of scholars links operational ineffectiveness to limited or insufficient resources, e.g., budget, personnel, and equipment. For example, Pope and Stagoff-Belfort confirm that 38 percent of law enforcement agencies surveyed by the National Police Foundation reported a lack of access to sufficient personal protective equipment (PPE), which increased their safety risks.<sup>35</sup> Similarly, Lum, Maupin, and Stoltz, who surveyed more than 1,000 law enforcement agencies, report PPE as the primary concern; 90 percent of agency respondents had provided PPE for their officers as standard equipment distributed before the COVID-19 crisis, an effort of undetermined sustainability.<sup>36</sup> Therefore, the inaccessibility of proper tools to fight the pandemic hindered law enforcement’s advantage.

From the survey, the authors gleaned the contradictory levels of preparedness of the agencies. Although some agencies indicated they had ordered PPE at the onset of COVID-19 and tested how to decontaminate and work from home, some departments lacked PPE and relied on supplies from local businesses.<sup>37</sup> Jennings and Perez maintain that even for well-prepared law enforcement agencies, the money allocated for unforeseen hazards against employees who might be exposed or the money to procure safety

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<sup>32</sup> Stogner, Miller, and McLean, “Police Stress, Mental Health, and Resiliency.”

<sup>33</sup> Marie Otilie Frenkel et al., “The Impact of the COVID-19 Pandemic on European Police Officers: Stress, Demands, and Coping Resources,” *Journal of Criminal Justice* 72 (2021): 101756, <https://doi.org/10.1016/j.jcrimjus.2020.101756>.

<sup>34</sup> Frenkel et al., 3.

<sup>35</sup> Pope and Stagoff-Belfort, “Public Health and Public Safety.”

<sup>36</sup> Lum, Maupin, and Stoltz, *The Impact of Covid-19*.

<sup>37</sup> Lum, Maupin, and Stoltz.

equipment, such as PPE, could be exorbitant.<sup>38</sup> Although the levels of preparedness differed across and between agencies, even the highly prepared agencies could not handle the unforeseen effects of the pandemic.

Police management changed the level of demands on police officers in response to the pandemic. For example, departments reduced or outright canceled police arrests, tickets, and training exercises during the COVID-19 crisis.<sup>39</sup> Jorge Colina, former chief of the Miami Police Department, as quoted by Pope and Stagoff-Belfort, articulated his indifference about whether his officers issued tickets. Colina did not want them to interact with anyone without a strong reason: “I don’t care if we don’t issue a single ticket summons in the month of April. . . . I don’t want you to unnecessarily interact with someone if you don’t have to, for your safety and theirs.”<sup>40</sup> In the same way, Jennings and Perez report that law enforcement management across the country instructed officers to limit the number of tickets, police responses, and arrests for misdemeanor offenses.<sup>41</sup> Experts and practitioners have recommended limiting police contact with the public and vice versa to contain the virus. However, they agree that law enforcement must contact the public when necessary to preserve life and maintain order, regardless of the circumstances.

### **3. Positive Community Impact**

COVID-19 stimulated policy changes that reduced over-policing and applied policing more evenly. Public health experts believe that during the pandemic, the general population had much less risk of exposure than did law enforcement.<sup>42</sup> Therefore, law enforcement tactics changed during the emergency of COVID-19.<sup>43</sup> Most scholars agree that these police measures, in some neighborhoods, contributed to mistrust of law enforcement. Evidence consistently shows that these tactics significantly affect

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<sup>38</sup> Jennings and Perez, “The Immediate Impact of COVID-19.”

<sup>39</sup> Maskály, Ivković, and Neyroud, “Policing the COVID-19 Pandemic.”

<sup>40</sup> Pope and Stagoff-Belfort, “Public Health and Public Safety,” para. 8.

<sup>41</sup> Jennings and Perez, “The Immediate Impact of COVID-19.”

<sup>42</sup> Pitts et al., “Efectos del COVID-19 en la Policía Nacional de Honduras.”

<sup>43</sup> Jennings and Perez, “The Immediate Impact of COVID-19.”

communities more likely to be suspicious of law enforcement officers.<sup>44</sup> COVID-19, in some ways, addressed the concern of over-policing in the community. For instance, COVID-19 reduced the number of police–citizen contacts in the community.<sup>45</sup> Also, it standardized the strategy of addressing some minor infractions or crimes regardless of the neighborhood.<sup>46</sup> Jennings and Perez assert that law enforcement officers cannot satisfy their responsibilities—such as arrests, stops, and frisks—without close personal contact with citizens.<sup>47</sup> Laufs and Waseem hold that such contact is impractical in some situations, especially in areas prone to violent crimes, making it necessary to suspend physical interaction with citizens.<sup>48</sup> However, due to the social-distancing regulations of COVID-19, law enforcement officers had to limit face-to-face interactions with individuals to reduce the spread of the virus. Thus, this guideline contributed to fewer law enforcement officers on the street.

Policy changes to limit police exposure to the virus may have had unintended positive consequences. Many police agencies have suspended protocols that place low-level law violators in custody and limited warrants and probation or parole enforcement to control cellblock overcrowding.<sup>49</sup> Law enforcement agencies made these policy changes to protect officers and citizens from contracting the virus.<sup>50</sup> However, such policies have limited excessive police actions in the community or over-policing. For example, this policy has drastically reduced routine interactions between law enforcement officers and citizens, which frequently result in summary arrests.<sup>51</sup> Lum, Maupin, and Stoltz agree that

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<sup>44</sup> Jocelyn Fontaine et al., *Mistrust and Ambivalence between Residents and the Police: Evidence from Four Chicago Neighborhoods* (Washington, DC: Urban Institute, 2017), [https://www.urban.org/sites/default/files/publication/92316/2017.07.31\\_legitimacy\\_brief\\_finalized\\_2.pdf](https://www.urban.org/sites/default/files/publication/92316/2017.07.31_legitimacy_brief_finalized_2.pdf).

<sup>45</sup> Jennings and Perez, “The Immediate Impact of COVID-19.”

<sup>46</sup> Metropolitan Police Department of the District of Columbia, *Coronavirus 2019 Guidance on Calls for Service*.

<sup>47</sup> Jennings and Perez, “The Immediate Impact of COVID-19.”

<sup>48</sup> Laufs and Waseem, “Policing in Pandemics.”

<sup>49</sup> Jennings and Perez, “The Immediate Impact of COVID-19.”

<sup>50</sup> Justin Nix, Stefan Ivanov, and Justin T. Pickett, “What Does the Public Want Police to Do during Pandemics? A National Experiment,” *Criminology & Public Policy* 20, no. 3 (August 2021): 545–71, <https://doi.org/10.1111/1745-9133.12535>.

<sup>51</sup> Jennings and Perez, “The Immediate Impact of COVID-19.”

the COVID-19 outbreak reduced the number of custodial arrests.<sup>52</sup> Police officers have no choice but to cut back on arrests, even if their agencies have told them not to minimize self-initiated contact, due to the courts' modification of bail requirements or refusal to prosecute certain offenses.<sup>53</sup> At the height of the COVID-19 pandemic, many kinds of police–citizen contact that would have resulted in arrest incurred a mere citation or verbal warning.<sup>54</sup> Not being arrested may shape citizens' perception of receiving fair treatment from the police and thus a sense of greater police procedural justice.<sup>55</sup> In return, it may increase satisfaction and trust in the police, giving them legitimacy in the community.

### C. RESEARCH DESIGN

After I decided to write about COVID-19, I considered the negative impacts of the virus on law enforcement. After discussions with my advisors, I focused on the positive shifts in policy and practice among law enforcement agencies during the COVID-19 pandemic. I first searched for open-source information and reviewed the literature on COVID-19 related to law enforcement to gain insight, but few studies had explored the benefits of the pandemic for such agencies. The literature on negative impacts, however, abounded. Thus, the plan I devised to answer my research question involved talking to law enforcement practitioners to see whether any aspects of COVID policy changes boosted law enforcement. Then, I formulated three broad questions to enable potential interviewees to talk about their agencies' policies without limitations.

The first question—How does your agency use available strategies to minimize police service disruption during COVID-19?—was intended to establish what law enforcement agencies had done before COVID-19 that could also be used to mitigate its spread with little or no modification. I set out to understand how law enforcement agencies used existing resources to contain the virus without a change in policy or the need to procure equipment.

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<sup>52</sup> Lum, Maupin, and Stoltz, *The Impact of Covid-19*.

<sup>53</sup> Nix, Ivanov, and Pickett, "What Does the Public Want Police to Do?"

<sup>54</sup> Nix, Ivanov, and Pickett.

<sup>55</sup> Nix, Ivanov, and Pickett.

The second question—What obstacles does your agency face to get optimal efficiency for these efforts?—was designed to provide insight into the impact of COVID-19 on law enforcement and the challenges it has brought to agencies. During the process of this research, I realized that agencies shared many of the same challenges and changes: police officers having to worked long hours or having their leave or days off canceled, equipment shortages, and officers suffering the psychological effects of the virus or knowing a coworker or family member who contracted the virus.<sup>56</sup> Across all police jurisdictions, these challenges and the fear of being infected and spreading the virus increased anxiety and worsened psychological issues among the officers.<sup>57</sup>

The third question—What paths is your agency considering to overcome these obstacles?—was meant to solicit an answer to the research question: How did the pandemic spur innovation across law enforcement agencies? I submitted a determination request to the Naval Postgraduate School’s Institutional Review Board (IRB) for review and determination. The IRB reviewed my interview questions and determined that the research did not involve the use of human subjects (case #4162).

To identify how COVID-19 has affected department operations, I interviewed current and retired law enforcement chiefs from the MPDC who made policy changes as the pandemic unfolded. In addition, I interviewed different frontline law enforcement officers across the country who were directly affected by the virus to understand the improvements in their agencies because of COVID-19. The research interviews took place in person, over the phone, by email, and via Zoom. The interviews with different law enforcement officers shed light on the hidden benefits of COVID-19. Many applauded the flexibility resulting from COVID-19 policy changes.

As most of the interviewees were law enforcement officers and officials of District of Columbia law enforcement, the research used the MPDC’s experience to construct a case study of the inadvertent innovations induced by the virus to improve law enforcement activities. Based on the findings of this research, which also include my personal

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<sup>56</sup> Jennings and Perez, “The Immediate Impact of COVID-19.”

<sup>57</sup> Frenkel et al., “The Impact of the COVID-19 Pandemic on European Police Officers.”

experiences and those of other law enforcement practitioners, the study provides context for the innovations of the COVID era and recommendations for how to build on their progress. My case study considers the officers' flexibility and police–citizen engagement prompted by policy change during the pandemic as a paradigm for positive policing.

## II. U.S. LAW ENFORCEMENT IN THE COVID ERA

COVID-19 brought with it special challenges for normal law enforcement. Of course, police officers face many stressful and dangerous situations in the line of duty.<sup>58</sup> Even during COVID-19, they did not shy away from their professional responsibilities—enforcing traffic regulations, intervening in domestic assaults, patrolling neighborhoods, responding to emergency calls, checking on businesses and vital installations—to protect lives and property. Surprisingly, the emergence of COVID-19, a public health emergency, increased the responsibility and hazards in an already dangerous job; police officers took on additional—sometimes novel—public health care duties. For example, they assisted in distributing food and medical supplies and ensured that COVID-19 test kits were available to vulnerable individuals in their communities.<sup>59</sup> In this way, the pandemic exacerbated an already stressful job.

Amid the uncertainty, especially in the early months of the pandemic, law enforcement agencies started implementing different policies to guide their officers and outline their responsibilities. The implementation of these policies effected changes across all aspects of the police domain. For instance, the advent of COVID-19 prompted law enforcement agencies to modify roll-call and check-off procedures, encourage citizens to file reports online or over the phone, suspend in-person community activities, limit public access to police stations, modify custodial arrests, reduce routine community patrols, increase teleworking, reduce the number of officers who responded to a service call, and so on.<sup>60</sup> In these ways, COVID-19 brought about vast changes in everyday operations.

This chapter identifies and analyzes some of the COVID-era policy changes that had negative effects to better understand the benefits of changes examined in the next chapter. This chapter also evaluates the different policies implemented by law enforcement leaders in the United States to combat the spread of COVID-19 among their members

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<sup>58</sup> “Officer Safety,” National Institute of Justice, accessed March 3, 2022, <https://nij.ojp.gov/topics/law-enforcement/officer-safety>.

<sup>59</sup> Lum, Maupin, and Stoltz, *The Impact of Covid-19*.

<sup>60</sup> Jennings and Perez, “The Immediate Impact of COVID-19.”

directly or indirectly and the politics behind them. It argues that COVID-19 policies created several intractable dilemmas for police officers, including disunity between law enforcement and union leaders. The chapter groups these different policy implementations into three categories: problems, disruptions, and perspectives. The problems section describes law enforcement officers' exposure to the coronavirus, leave denial or cancellation, and interstate traffic enforcement. The disruption section explains how the inception of COVID-19 changed the way police conduct business. Finally, the perspective section deals with law enforcement officers' views and politics behind vaccine mandates.

## **A. PROBLEMS ACCOMPANYING COVID-19**

The arrival of COVID-19 created headaches for law enforcement agencies across the country. Instead of police officers concentrating on reducing crimes and fear of crimes, they worried about how to keep their communities and themselves safe from contracting the virus.<sup>61</sup> COVID-19 as a disease, of course, created another layer of responsibility for law enforcement officers.

### **1. Exposure to Coronavirus**

The emergency of COVID-19 exposed law enforcement agencies to the virus in their normal duties and special public responses, too. To minimize the exposure, police agencies changed policies overnight to reduce their exposure. Officer Antonio Aguilar from the San Francisco Police Department said his agency advised all its officers that for noncriminal offenses, they had to ask complainants to meet them outside of the building to limit their exposure to the virus. He explained, "Instead of going inside the building, we call them to come outside so we avoid potential COVID exposure inside a premise."<sup>62</sup> The MPDC adopted the same policy to limit its officers' exposure. The policy directed the officers, whenever possible, to speak with complainants outside during calls for service

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<sup>61</sup> Nix, Ivanov, and Pickett, "What Does the Public Want Police to Do?"

<sup>62</sup> Antonio Aguilar, email message to author, November 27, 2021.

and interactions.<sup>63</sup> The policy changes arose principally because of the high transmissibility of the virus from direct or indirect close contact with infected persons.<sup>64</sup>

Officers had to respond to service calls regardless of the availability of protective gear; thus, their duties exposed them to the virus. For example, police officers were called on to provide security for medical personnel and facilities and to enforce COVID-19 response measures even when they did not have the proper gear.<sup>65</sup> Notably, at the onset of the pandemic, law enforcement agencies lacked adequate PPE. At the same time, the Los Angeles Police Department moved some of its specialized units, including detectives, from their assignments to a patrol unit to maintain COVID-19 regulations in highly populated areas of town.<sup>66</sup> Many law enforcement leaders across the country acknowledged the shortage of PPE as a unique problem confronting their agencies.<sup>67</sup> For example, Sheriff Daron Hall, president of the National Sheriff's Association, concluded that his agency, Davison County Police Department, needed PPE at the height of the pandemic and confirmed concerns like those voiced by many police departments across the country.<sup>68</sup> In sum, inherently close contact with the community has made police officers more susceptible to the virus.

The lack of PPE at the onset of COVID-19 caused some law enforcement officers to express discontent, formally and informally. The officers' exposure to the virus because of this lack of protective gear made some officers skeptical about their agencies' ability to keep them safe from the virus.<sup>69</sup> Such equipment as gloves, masks, and hand sanitizer was

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<sup>63</sup> "MPD and the Coronavirus (COVID-19)," Metropolitan Police Department of the District of Columbia, accessed August 9, 2022, para. 2, <https://mpdc.dc.gov/page/mpd-and-coronavirus-covid-19>.

<sup>64</sup> Rylan Simpson and Ryan Sandrin, "The Use of Personal Protective Equipment (PPE) by Police during a Public Health Crisis: An Experimental Test of Public Perception," *Journal of Experimental Criminology* (2021), <https://doi.org/10.1007/s11292-020-09451-w>.

<sup>65</sup> Jennings and Perez, "The Immediate Impact of COVID-19."

<sup>66</sup> Jennings and Perez.

<sup>67</sup> Josiah Bates, "Police Departments, Sheriffs' Offices across the U.S. Grapple with COVID-19's Impact on Public Safety—and Their Own," *Time*, April 2, 2020, <https://time.com/5812833/coronavirus-police-departments/>.

<sup>68</sup> Bates.

<sup>69</sup> Maskály, Ivković, and Neyroud, "Policing the COVID-19 Pandemic."

made available within a few weeks after some police organizations and unions filed complaints about the shortage. For instance, the Police Benevolent Association in New York City filed a complaint with the state Public Employee Safety and Health Bureau regarding the lack of PPE for the officers.<sup>70</sup> In short, the lack of PPE created discord between the police and union leaders and made some officers doubt the capability of their leaders to protect them against the virus.

COVID-19 took a huge toll on police officers across the nation. As a result of the outbreak, law enforcement has had a new set of duties and responsibilities to fulfill, including giving directions to the public regarding newly enacted COVID laws, explaining safety measures put in place to mitigate the spread of the virus, and assisting public health officials and protecting them from assault. Their lack of training and preparedness, however, rendered officers incapable of fulfilling these duties effectively.<sup>71</sup> Despite the federal orders that kept law enforcement on the job, working in concert with public health officials, there was no training between the two fields. In some cases, COVID-19 affected law enforcement more than other professions due to its regular close contact with the community. Indeed, occupations that involve close contact with the public are at increased risk of high infection and death.<sup>72</sup> For instance, no event has caused more than 180 deaths of law enforcement officers within a year across the United States in the past decade except COVID-19, as shown in Table 1.<sup>73</sup> In the aftermath of COVID-related illnesses, thousands of officers were taken out of rotation because they either had the virus themselves or cared for a family member who had been exposed to it.<sup>74</sup> Thus, the urgency to improvise and attenuate the spread of the virus became imperative because police agencies could not be sustained at the rate at which they were contracting the virus.

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<sup>70</sup> Bates, “COVID-19’s Impact on Public Safety.”

<sup>71</sup> Jennings and Perez, “The Immediate Impact of COVID-19.”

<sup>72</sup> Neil Pearce et al., “Occupational Differences in COVID-19 Incidence, Severity, and Mortality in the United Kingdom: Available Data and Framework for Analyses,” *Wellcome Open Research* 6 (2021): 102, <https://doi.org/10.12688/wellcomeopenres.16729.1>.

<sup>73</sup> “Causes of Law Enforcement Deaths,” National Law Enforcement Officers Memorial Fund, accessed August 9, 2022, <https://nleomf.org/memorial/facts-figures/officer-fatality-data/causes-of-law-enforcement-deaths/>.

<sup>74</sup> Jennings and Perez, “The Immediate Impact of COVID-19.”

Table 1. Causes of Law Enforcement Deaths, 2011–2020<sup>75</sup>

Cause of Death	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	Total
Aircraft accident	1	3	1	0	3	1	2	0	0	1	12
Automobile crash	44	27	29	34	36	29	32	30	25	25	311
Beaten	3	2	0	0	1	1	6	3	2	1	19
Boating accident	0	1	0	0	0	0	2	0	0	0	3
Bicycle accident	0	0	0	0	0	0	0	0	0	0	0
Bomb-related accident	1	0	1	0	6	0	0	0	0	0	8
Fire-related accident	0	0	0	0	0	0	0	0	1	0	1
Drowned	4	1	2	2	1	2	5	4	1	3	25
Electrocuted	1	0	1	0	1	0	0	0	0	0	3
Fall	4	4	6	0	2	2	0	0	0	0	18
Horse-related accident	0	1	0	0	0	1	0	0	0	0	2
Job-related illness	34	28	35	52	54	49	74	71	38	21	456
COVID-19-related deaths	0	0	0	0	0	0	0	0	0	182	182
Motorcycle crash	5	8	6	6	6	10	6	5	1	3	56
Poisoned	0	0	0	0	0	0	0	0	0	0	0
Shot	73	50	35	51	43	67	46	53	51	45	514
Stabbed	2	5	2	0	0	1	1	0	0	0	11
Strangled	1	0	0	2	0	1	0	0	1	0	5
Struck by falling object	0	0	0	0	0	0	0	0	0	0	0
Struck by train	2	0	0	0	0	0	0	2	0	0	4
Struck by vehicle	10	14	12	10	11	16	10	15	19	14	131
Terrorist attack	1	0	0	0	0	0	0	0	0	0	1
<b>Total</b>	<b>186</b>	<b>144</b>	<b>130</b>	<b>157</b>	<b>164</b>	<b>180</b>	<b>184</b>	<b>183</b>	<b>139</b>	<b>295</b>	<b>1762</b>

## 2. Leave Denial/Cancellation

COVID-19 ravaged police departments with illnesses and the high workload placed on them. Due to the high transmissibility of COVID-19, agencies asked law enforcement officers with any symptoms of the virus not to report to work.<sup>76</sup> For instance, the MPDC advised all officers not to report to work and to follow the advice of the Police and Fire Clinic whenever they experienced symptoms of COVID-19.<sup>77</sup> At the beginning of the

<sup>75</sup> Source: National Law Enforcement Officers Memorial Fund, “Causes of Law Enforcement Deaths.”

<sup>76</sup> Jennings and Perez, “The Immediate Impact of COVID-19.”

<sup>77</sup> This information was derived from the author’s professional experience as a MPDC manager.

pandemic, police officers had their leaves denied or canceled and had to work long hours.<sup>78</sup> As infections ravaged the country, exposing law enforcement officers to the virus, more officers began to call out sick, either for being ill or taking care of ill loved ones.<sup>79</sup> As a result, agencies had a shortage of officers available to work.<sup>80</sup> Therefore, some police agencies instituted a mandatory 12-hour shift or canceled officers' leave or days off.<sup>81</sup> Law enforcement leaders felt disinclined to grant sick or annual leave to their officers to reduce workforce shortages that might have disrupted police services.<sup>82</sup> Overall, leave denials or cancellations provided flexibility for police agencies to have enough police officers on the street for calls for service and other police functions—but at a high cost to the workforce.

Law enforcement agencies could minimize the effects of callouts following passage of the Families First Coronavirus Response Act by Congress. While the law provided leave protection for employees who could not work or telework due to COVID-19, police officers were excluded.<sup>83</sup> Therefore, law enforcement officers had no recourse when their leave was denied or canceled. The law statutorily allowed employers to exclude emergency responders, such as police officers, from obtaining leave protection during COVID-19.<sup>84</sup> The law helped police agencies operate with minimal disruptions to their staffing.

Before COVID-19, law enforcement agencies rarely exhausted their overtime budgets because holding police over happened only occasionally. Unfortunately, making officers work long hours and canceling their preapproved leave happened regularly during the pandemic. For instance, the Marlborough Police Department and other police agencies in the MetroWest of Massachusetts expended their overtime budgets by having officers

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<sup>78</sup> Maskály, Ivković, and Neyroud, “Policing the COVID-19 Pandemic.”

<sup>79</sup> Jennings and Perez, “The Immediate Impact of COVID-19.”

<sup>80</sup> Frenkel et al., “The Impact of the COVID-19 Pandemic on European Police Officers.”

<sup>81</sup> Mitch Dudek, “CPD Cancels Officers’ Days Off This Weekend as Police Union Complains of Staffing Shortage amid COVID Surge,” *Chicago Sun-Times*, January 6, 2022, <https://chicago.suntimes.com/news/2022/1/6/22869023/chicago-police-department-staffing-covid-canceled-days-off-coronavirus-fop-union>.

<sup>82</sup> Frenkel et al., “The Impact of the COVID-19 Pandemic on European Police Officers,” 101756.

<sup>83</sup> “I Am a Health Care Provider or Emergency Responder,” Department of Labor, accessed March 5, 2022, <https://www.dol.gov/agencies/whd/ffcra/benefits-eligibility-webtool/employee/employee-4-4>.

<sup>84</sup> Department of Labor.

work extra shifts.<sup>85</sup> Even if the officers had no proper PPE, they were still required to show up for work because of leave-cancellation policies.<sup>86</sup>

Leave denials or cancellations ensured that enough officers were available for service, but they created problems with social distancing. In some police districts, leave restrictions and day-off cancellations resulted in many officers present at the same time, making it challenging to follow COVID-19 safety precautions.<sup>87</sup> Although the suspension of leave and cancellation of days off may have facilitated burden-sharing between officers, two or more officers riding in a scout car or many officers congregating in the district simultaneously made the officers susceptible to contracting the virus. The congregation of many officers on duty at once prompted complaints that the overabundance of personnel made following safety precautions difficult and requests that management reinstate annual leave to increase work flexibility and resting time.<sup>88</sup> In these ways, insuring sufficient officers during COVID-19 undermined officer safety.

### **3. Interstate Traffic Enforcement**

Another policy change adopted by some law enforcement agencies involved mandating that officers enforce the bans on interstate travel—state-adopted policies that limited the right of Americans to travel to another state—from states with high COVID-19 cases to stop the virus from spreading. As depicted in Figure 1, many states implemented at least one travel restriction for out-of-state travelers, and police officers in those states had to enforce the policy.<sup>89</sup>

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<sup>85</sup> Norman Miller, “COVID-19 Spike Putting Pressure on Police Departments’ Overtime Budgets,” *MetroWest Daily News*, January 19, 2022, <https://www.metrowestdailynews.com/story/news/2022/01/19/covid-19-spike-forces-ma-police-departments-to-use-forced-overtime/9191961002/>.

<sup>86</sup> Maskály, Ivković, and Neyroud, “Policing the COVID-19 Pandemic.”

<sup>87</sup> Frenkel et al., “The Impact of the COVID-19 Pandemic on European Police Officers.”

<sup>88</sup> Frenkel et al.

<sup>89</sup> “Travel Restrictions Issued by States in Response to the Coronavirus (COVID-19) Pandemic, 2020–2021,” Ballotpedia, accessed April 4, 2022, [https://ballotpedia.org/Travel\\_restrictions\\_issued\\_by\\_states\\_in\\_response\\_to\\_the\\_coronavirus\\_\(COVID-19\)\\_pandemic,\\_2020-2021](https://ballotpedia.org/Travel_restrictions_issued_by_states_in_response_to_the_coronavirus_(COVID-19)_pandemic,_2020-2021).

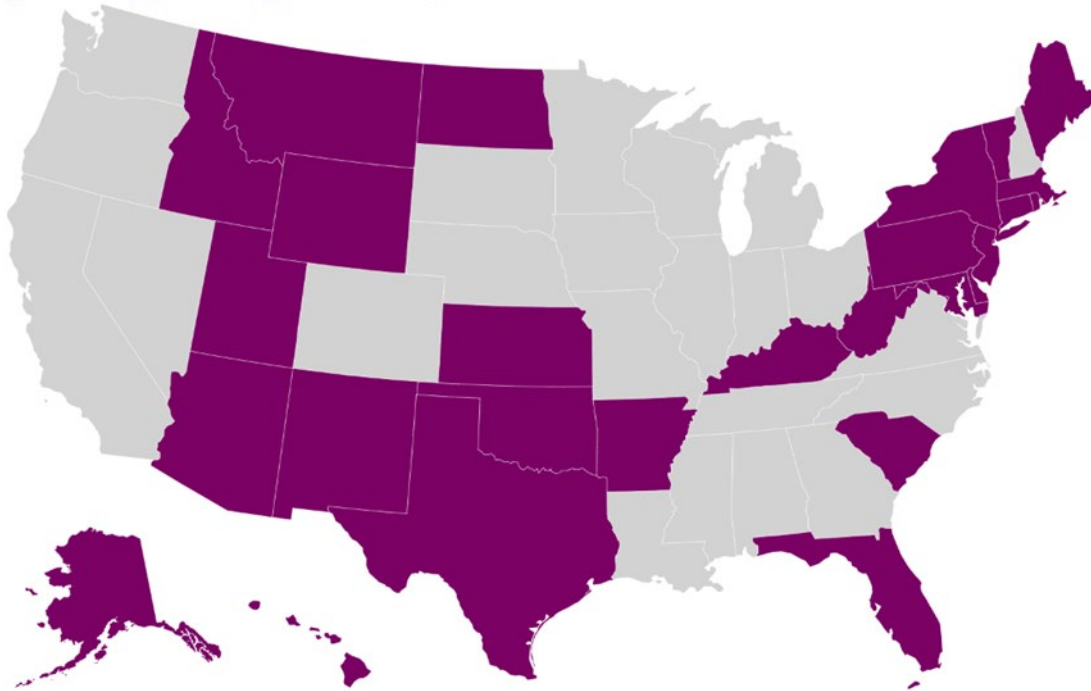


Figure 1. States That Mandated Police Officers Enforce Travel Restrictions<sup>90</sup>

The implementation, commencement, and ending dates of travel restrictions varied from one state to another. For instance, police officers in Texas and Rhode Island had to make out-of-state travelers provide their in-state address.<sup>91</sup> On the other hand, police officers in Florida and North Carolina set up checkpoints at the interstate border and banned the entry of any occupant of a vehicle with out-of-state plate numbers coming from a state with high COVID-19 cases.<sup>92</sup> Law enforcement officers in Florida and Texas required out-of-state drivers and their passengers to sign a form promising to self-quarantine for 14 days.<sup>93</sup> The policy of interstate traffic regulation allowed police officers

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<sup>90</sup> Source: Ballotpedia.

<sup>91</sup> Luz Lazo and Katherine Shaver, “Covid-19 Checkpoints Targeting Out-of-State Residents Draw Complaints and Legal Scrutiny,” *Washington Post*, April 14, 2020, [https://www.washingtonpost.com/local/trafficandcommuting/covid-19-checkpoints-targeting-out-of-state-residents-draw-complaints-and-legal-scrutiny/2020/04/14/3fc0ed42-774e-11ea-b6ff-597f170df8f8\\_story.html](https://www.washingtonpost.com/local/trafficandcommuting/covid-19-checkpoints-targeting-out-of-state-residents-draw-complaints-and-legal-scrutiny/2020/04/14/3fc0ed42-774e-11ea-b6ff-597f170df8f8_story.html).

<sup>92</sup> Michael D. White and Henry F. Fradella, “Policing a Pandemic: Stay-at-Home Orders and What They Mean for the Police,” *American Journal of Criminal Justice* 45, no. 4 (August 2020): 702–17, <https://doi.org/10.1007/s12103-020-09538-0>.

<sup>93</sup> Lazo and Shaver, “Covid-19 Checkpoints Targeting Out-of-State Residents.”

to set up roadblocks at the border of their states to control the influx of out-of-state travelers. This policy assumed that preventing the travel of a suspected infected person from a state with a high transmission rate would diminish infection rates even among police officers. See Figure 2 for the dates when states issued and revoked COVID-19 travel restrictions.

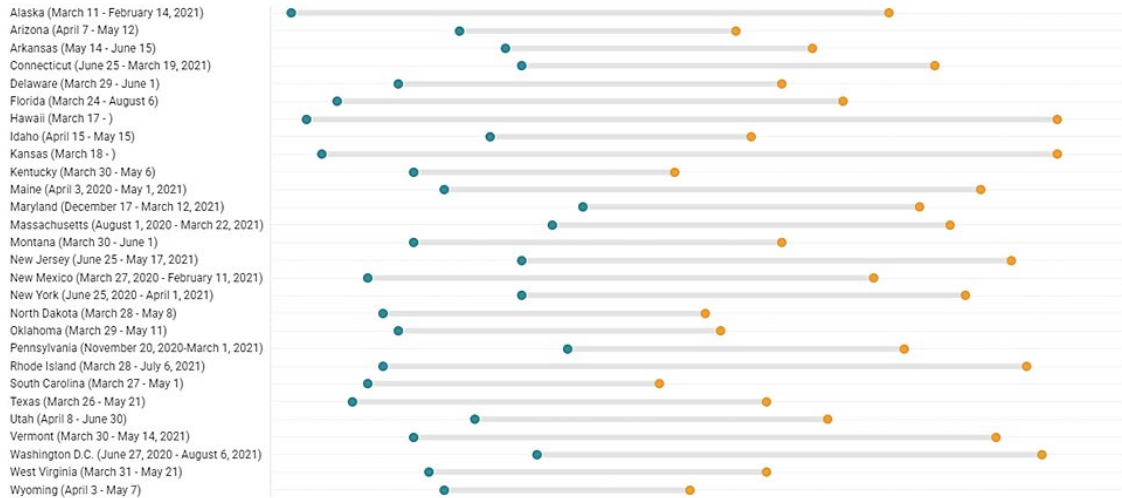


Figure 2. Beginning and End of Interstate Travel Restrictions, 2020–2021<sup>94</sup>

The pandemic put officers’ roles and responsibilities in conflict with legal limits on their behavior. In enforcing interstate traffic policies, officers were forced to balance “stopping vehicles from high transmission states” with protecting against unreasonable seizure or detention.<sup>95</sup> Indeed, officers must have reasonable suspicion before conducting a stop of a vehicle; otherwise, they would be breaking the law. The MPDC defines reasonable suspicion as “a combination of specific facts and circumstances that would justify a reasonable officer to believe that a certain person had committed, is committing, or is about to commit a criminal act; more than a hunch or mere speculation but less than

<sup>94</sup> Source: Ballotpedia, “Travel Restrictions Issued by States.”

<sup>95</sup> Jeffery T. Walker and Craig Hemmens, *Legal Guide for Police: Constitutional Issues*, 11th ed. (New York: Routledge, 2019).

probable cause necessary to arrest.”<sup>96</sup> Still, many officers enforced the policy of prohibition of interstate travel.<sup>97</sup> Moreover, the Fourth Amendment prohibits unreasonable seizures—made without reasonable suspicion of a crime being committed or about to be committed.<sup>98</sup> Therefore, enforcing interstate traffic policies created a constitutional dilemma for the officers and exposure to possible lawsuits.

The lack of a uniform standard paradigm and consistency in response affected law enforcement’s effective coordination strategy for the virus. Despite common challenges in dealing with the virus among law enforcement from different jurisdictions, police agencies responded differently to the pandemic. Policy implementation and enforcement varied from one department to another, depending on the jurisdiction. For instance, some police departments mandated their officers enforce COVID-era regulations while some advised against it.<sup>99</sup> For instance, Florida and North Carolina directed their officers to enforce the ban of out-of-state vehicles entering their states, but some other states did not.<sup>100</sup> According to experts, law enforcement responses must be consistent and well coordinated with other agencies to be effective.<sup>101</sup> Furthermore, disaster plans need to be coordinated among agencies.<sup>102</sup> In sum, a lack of consistency prevented coordination and collaboration among law enforcement agencies, reducing the effectiveness of policies to lessen the spread of COVID-19.

## **B. DISRUPTIONS TO POLICE SERVICES**

The heightened concern about the prevalence of COVID-19 and disruptions to regular crime prevention and law enforcement efforts led law enforcement leaders and

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<sup>96</sup> Metropolitan Police Department of the District of Columbia, *Unbiased Policing*, GO-OPS-304.15 (Washington, DC: Metropolitan Police Department, 2007), 2.

<sup>97</sup> White and Fradella, “Policing a Pandemic.”

<sup>98</sup> Walker and Hemmens, *Legal Guide for Police*.

<sup>99</sup> Kristine Phillips, “Many Face Mask Mandates Go Unenforced as Police Feel Political, Economic Pressure,” *USA Today*, September 16, 2020, <https://www.usatoday.com/story/news/politics/2020/09/16/covid-19-face-mask-mandates-go-unenforced-police-under-pressure/5714736002/>.

<sup>100</sup> White and Fradella, “Policing a Pandemic.”

<sup>101</sup> Jennings and Perez, “The Immediate Impact of COVID-19.”

<sup>102</sup> Laufs and Waseem, “Policing in Pandemics.”

policymakers to implement policy changes. The policy changes aimed to prevent the spread and minimize disruption by implementing social distancing, including suspending indoor roll calls and training; taking reports virtually or remotely; modifying police arrests; and minimizing community engagement.

### 1. Limiting Contact with Citizens

Limited contact with citizens, such as reducing custodial arrest and in-community engagement, became the policy in 70 percent of law enforcement agencies, according to a survey conducted by the International Association of Chiefs of Police and the Center for Evidence-Based Crime Policy (see Figure 3).

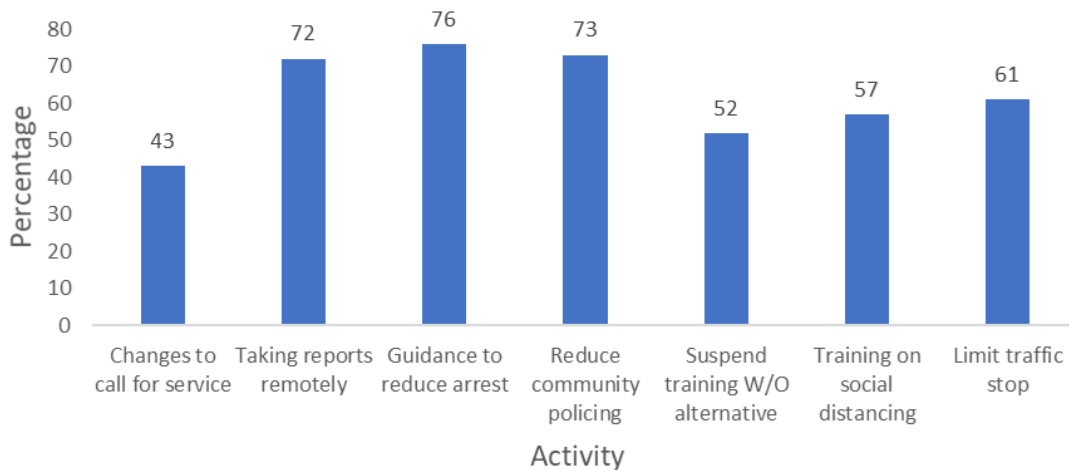


Figure 3. Changes in Police Activities Based on 1,000 Surveyed Police Departments<sup>103</sup>

Law enforcement officers embraced the policy of limiting their interactions with citizens to minimize the impact of the virus. This policy aimed to safeguard the officers’ well-being while ensuring unhindered police service to the community.<sup>104</sup> Police agencies introduced policies and made decisions to keep their officers protected and effective in responding to

<sup>103</sup> Adapted from Lum, Maupin, and Stoltz, *The Impact of Covid-19*, 1–2.

<sup>104</sup> Frenkel et al., “The Impact of the COVID-19 Pandemic on European Police Officers.”

the fluid nature of the pandemic since many officers contracted the virus and called out sick.<sup>105</sup> Overall, the policy's implementation established expectations and guidelines for officers to follow as a paradigm, which helped them navigate the execution of their duties and responsibilities during the virus.<sup>106</sup> Thus, the policy to limit police and citizen contact affected most police agencies and officer interactions.

## 2. Suspending and Modifying Indoor Roll Calls and Training

The initial lack of understanding of the virus delayed law enforcement agencies' response to it. Few evidence-based interventions addressed the effectiveness of non-medical approaches, such as congregating only in spaces with adequate ventilation to mitigate the spread of the virus.<sup>107</sup> However, having learned that COVID-19 could be spread easily through close contact with an infected person's breath or sneeze, law enforcement agencies implemented a policy to cancel roll calls outright or adjusted how roll calls were conducted to facilitate adequate ventilation.<sup>108</sup> For instance, among 200 Illinois police departments, more than 75 percent suspended or changed the protocol to conduct roll calls to minimize the spread of the virus.<sup>109</sup> For instance, law enforcement agencies held outdoor roll calls, limited the number of officers in roll calls, or suspended roll calls altogether. Also, police agencies in Wisconsin, Arizona, New Jersey, Georgia, and Washington, DC, suspended in-person roll calls or held all roll calls outdoors.<sup>110</sup> A study conducted by Kumar revealed that non-medical interventions, such as conducting

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<sup>105</sup> Jennings and Perez, "The Immediate Impact of COVID-19."

<sup>106</sup> Frenkel et al., "The Impact of the COVID-19 Pandemic on European Police Officers."

<sup>107</sup> T. K. Vinod Kumar, "Role of Police in Preventing the Spread of COVID-19 through Social Distancing, Quarantine and Lockdown: An Evidence-Based Comparison of Outcomes across Two Districts," *International Journal of Police Science & Management* 23, no. 2 (June 2021): 196–207, <https://doi.org/10.1177/14613557211004624>.

<sup>108</sup> Simpson and Sandrin, "The Use of Personal Protective Equipment (PPE) by Police."

<sup>109</sup> Maskály, Ivković, and Neyroud, "Policing the COVID-19 Pandemic."

<sup>110</sup> "Responding to COVID-19," Police Executive Research Forum, accessed August 9, 2022, <https://www.policeforum.org/coronavirus#agency>.

outdoor roll call for space and ventilation, reduced the spread of the virus.<sup>111</sup> Nevertheless, not understanding the enormity of COVID-19's threat created a delay in response.

Agencies also modified police training and all indoor activities or suspended them to mitigate COVID-19 spread among law enforcement officers. Specifically, due to training modifications, cancellations, or suspensions, many police departments stopped accepting new recruits.<sup>112</sup> For instance, all academy training was canceled, modified, or suspended in Alabama, Washington, Maryland, Kansas, and many other states.<sup>113</sup> Furthermore, 63 percent of police agencies interviewed by Maskály, Ivković, and Neyroud said they made changes to training in their department policies.<sup>114</sup> Many of these changes—for example, hand hygiene and masking, which are not traditionally related to policing—were incorporated into police officers' training.<sup>115</sup> The introduction of a new or modified training policy was necessary to keep officers abreast of how to stay safe while still serving and protecting their communities.

### **3. Social Distancing**

The social-distancing policy, which required officers to keep a distance of at least six feet from one another and citizens, caused a set of departmental changes, too. Police agencies modified their activities to incorporate social distancing as an additional layer of safety against the virus while allowing officers to fulfill their roles and missions.<sup>116</sup> Nearly all police departments used social distancing in responding to and mitigating the spread of the virus. For instance, the Tempe Police Department in Arizona introduced two-group police systems, each group acting separately from the other and responding to roll calls at

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<sup>111</sup> Kumar, "Role of Police in Preventing the Spread of COVID-19."

<sup>112</sup> Maskály, Ivković, and Neyroud, "Policing the COVID-19 Pandemic."

<sup>113</sup> "Academy Policies and Procedures in Time of Pandemic," International Association of Directors and of Law Enforcement Standards and Training, accessed April 1, 2022, <https://www.iadlest.org/news/covid-academy-policies>.

<sup>114</sup> Maskály, Ivković, and Neyroud, "Policing the COVID-19 Pandemic."

<sup>115</sup> Maskály, Ivković, and Neyroud.

<sup>116</sup> Kumar, "Role of Police in Preventing the Spread of COVID-19."

different times and locations to attenuate COVID-19's spread.<sup>117</sup> Social distancing changed many operations.

For law enforcement agencies, social distancing came in different forms: taking reports remotely, reducing arrests, lessening community policing, suspending training, and limiting traffic stops. Social distancing skyrocketed at the height of COVID-19. A survey of about 1,000 police agencies conducted across the United States by the International Association of Chiefs of Police and the Center for Evidence-Based Crime Policy showed that almost 60 percent of responding agencies had trained their officers on social distancing, and more than 70 percent had advised their officers to complete citizen police reports remotely, reduce police arrests, and cut down on community engagement, as shown in Figure 3.<sup>118</sup> For example, the Naperville Police Department in Illinois introduced a system allowing officers to file police reports on their cell phones, which helped them maintain social distancing.<sup>119</sup> With the same objectives shown in Figure 3, the guidance provided by law enforcement agencies to their officers included modifying calls for service, limiting traffic stops, and suspending in-person police reports when interacting with the community.<sup>120</sup> Social distancing helped limit the virus's spread, enabling police officers to continue to patrol the streets, make arrests, and respond to emergency calls with minimum hindrances.

Many police agencies also closed their stations to the public or limited the number of people allowed into stations to minimize exposure. The agencies conveyed these policy changes to their communities through social media or direct email. For instance, the MPDC advised, "It is important to note that MPD facilities remain open at this time, but to mitigate potential exposure to and spread of the coronavirus (COVID-19) . . . during calls for service and interactions, officers will ask to speak with complainants outdoors when possible."<sup>121</sup> Limiting public access to police stations kept potential carriers of the virus away.

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<sup>117</sup> Police Executive Research Forum, "Responding to COVID-19."

<sup>118</sup> Lum, Maupin, and Stoltz, *The Impact of Covid-19*.

<sup>119</sup> Police Executive Research Forum, "Responding to COVID-19."

<sup>120</sup> Lum, Maupin, and Stoltz, *The Impact of Covid-19*.

<sup>121</sup> Metropolitan Police Department of the District of Columbia, "MPD and the Coronavirus," para. 2.

Social-distancing measures had cascading consequences for community relations. Although measures have been effective, introducing additional tools and guidelines—such as hand sanitizing, social distancing, limiting interactions with the public, and masking in police routines and doctrine—nearly eliminated police–citizen engagement.<sup>122</sup> Likewise, these protocols kept law enforcement officers aloof from the community. Law enforcement officers took measures not to contract the virus and prioritized virus prevention over their duties and responsibilities of engaging the public.<sup>123</sup> Police worried about contracting the virus and taking it home to their families.<sup>124</sup> Therefore, these layers of precaution led to canceling police–youth engagement, such as extracurricular activities with neighborhood youths.<sup>125</sup> For instance, MPDC community activities such as Coffee with a Cop and the Youth Outreach program organized by the Youth and Family Services Division have been suspended since the inception of the virus.<sup>126</sup> Social-distancing protocols discouraged normal law enforcement patrols and outreach, seriously eroding community engagement.

### C. VACCINE MANDATES PERSPECTIVES

The politics of the COVID-19 vaccine mandate reduced the receptiveness of police officers to vaccination. For instance, during a news conference, Los Angeles County Sheriff Alex Villanueva attributed some law enforcement officers’ refusal to be vaccinated to political beliefs.<sup>127</sup> Since the release of the COVID-19 vaccines, most police unions across the United States have aligned with the vaccine skepticism or hesitancy of Republican candidates.<sup>128</sup> In this context, some voices launched a concerted effort to

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<sup>122</sup> Peter Hermann, Dan Morse, and Tom Jackman, “Patrolling the Beat While Keeping a Distance: Police Officers Face New Rules, Rhythms amid Pandemic,” *Washington Post*, March 27, 2020, ProQuest.

<sup>123</sup> Jennings and Perez, “The Immediate Impact of COVID-19.”

<sup>124</sup> Jackson et al., *Promising Practices from Law Enforcement’s COVID-19 Response*.

<sup>125</sup> Maskály, Ivković, and Neyroud, “Policing the COVID-19 Pandemic.”

<sup>126</sup> Jennings and Perez, “The Immediate Impact of COVID-19.”

<sup>127</sup> Kate Gibson, “COVID-19 Is Nation’s Biggest Cop Killer, yet Many Officers Are Vaccine Resistant,” CBS, November 9, 2021, <https://www.cbsnews.com/news/covid-19-is-nations-biggest-cop-killer-officers-vaccine-resistant/>.

<sup>128</sup> Laura Barrón-López, “Democrats’ Coming Civil War over Police Unions,” *POLITICO Magazine*, October 14, 2020, <https://www.politico.com/news/magazine/2020/10/14/police-reform-police-unions-qualified-immunity-democratic-party-420122>.

discredit science and sway public opinion against vaccination and other medical research findings.<sup>129</sup> Politics dampened law enforcement's embrace of the vaccines.

Police unions became active players in COVID-era politics. Purporting that a vaccine mandate would violate officers' rights, some law enforcement officers started fighting the policy. The Montgomery County Police Department's union president told the county executive that up to 300 police officers out of approximately 1,300 would retire or quit their positions if mandated to get a COVID-19 vaccination.<sup>130</sup> The Chicago police union's leader urged the Chicago Police Department (CPD) to violate the mayor's order requiring that CPD officers be vaccinated and upload proof of their vaccination to the department's vaccine portal or be placed on unpaid leave until they complied.<sup>131</sup> Also, the MPDC required that all its members be vaccinated, including a booster shot, and upload the proof to the department's PeopleSoft Oracle application by February 15, 2022, or face likely termination of employment.<sup>132</sup> In these ways, COVID-19 politics pinned officers between police union demands and agency vaccine mandates.

Although the MPDC has not fired any of its officers for noncompliance with the vaccine order, the directive prompted the District of Columbia Police Union to seek a temporary restraining order against the MPDC and District of Columbia government from the DC Superior Court on behalf of its members.<sup>133</sup> The union leaders hoped that the court would rule in their favor. However, the Supreme Court had ruled in favor of state and local

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<sup>129</sup> Danielle M. McLaughlin, Jack Mewhirter, and Rebecca Sanders, "The Belief That Politics Drive Scientific Research & Its Impact on COVID-19 Risk Assessment," *PLoS ONE* 16, no. 4 (2021): e0249937, <https://doi.org/10.1371/journal.pone.0249937>.

<sup>130</sup> Scott Broom, "Police and Fire Unions Predict Exodus of Workers If Montgomery County Vaccine Mandate Passes," WUSA9 CBS, October 5, 2021, <https://www.wusa9.com/article/news/health/vaccine-mandates-montgomery-county-maryland-police-fire-unions-upset/65-c4510a3c-20b3-4fd5-9ccd-7888ab79a445>.

<sup>131</sup> Fran Spielman and Frank Main, "Lightfoot, Police Unions Continue High-Stakes Game of Chicken on Vaccine Mandate for City Workers," *Chicago Sun-Times*, October 13, 2021, <https://chicago.suntimes.com/city-hall/2021/10/13/22725289/chicago-coronavirus-covid-vaccine-mandate-city-workers-police-union-fop-mayor-lightfoot-catanzara>.

<sup>132</sup> Michael Coligan, email message to MPDC, February 10, 2022.

<sup>133</sup> Jack Pointer, "DC Judge Denies Attempt to Block Police COVID Vaccine Rule," WTOP News, February 23, 2022, <https://wtop.com/dc/2022/02/dc-judge-refuses-attempt-to-block-covid-vaccine-mandate-for-police/>.

government officials regarding vaccine mandates in the past. Then, the Supreme Court concluded that the government might compel a citizen to be vaccinated or face a penalty unless they belong to the exempt group.<sup>134</sup> After Judge Zeldin denied the DC Police Union’s request, the union chairman, Gregory Pemberton, informed members via email of the situation and the next action the union would take.<sup>135</sup> He wrote,

Last night, we received Judge Zeldin’s denial of our emergency motion for a Temporary Restraining Order on the vaccine mandate. . . . Even though the Judge agreed that the Mayor’s Order has expired, and also that the Mayor ended the “public health emergency” on February 14, she did not agree with the Union that there is any “irreparable harm” for members being forced to take the vaccine. While this is not great news, it is not the end of the road. . . . This Union will not give up on protecting our member’s rights and protections under the law, and we will continue to fight this as long as we have to.<sup>136</sup>

Police unions won some court cases. For instance, prior to the DC Police Union case, the CPD union filed a restraining order to block the vaccine mandate initiated by Mayor Lori Lightfoot against Chicago police officers.<sup>137</sup> The CPD union won the lawsuit against the city. A judge blocked the enforcement of the vaccine mandate until the parties could address the issue in arbitration.<sup>138</sup> As a result, some officers violated the policy, costing them their jobs. For instance, 36 NYPD officers out of approximately 36,000 were fired in February 2022 for not getting vaccinated against COVID-19.<sup>139</sup> Some officers believe that compelling them to take the COVID-19 vaccine violates their rights and will not follow the order even if it costs them their jobs.

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<sup>134</sup> Scott Bomboy, “Current Constitutional Issues Related to Vaccine Mandates,” *Constitution Daily* (blog), August 6, 2021, <https://constitutioncenter.org/blog/current-constitutional-issues-related-to-vaccine-mandates>.

<sup>135</sup> Pointer, “DC Judge Denies Attempt to Block Police COVID Vaccine Rule.”

<sup>136</sup> Gregory Pemberton, email message to DC Police Union members, February 20, 2022.

<sup>137</sup> Mitch Smith, “Covid News: Judge Blocks Chicago’s Police Vaccine Mandate, for Now,” *New York Times*, November 1, 2021, <https://www.nytimes.com/live/2021/11/01/world/covid-vaccine-boosters>.

<sup>138</sup> Smith.

<sup>139</sup> Mary Kekatos and Aaron Katersky, “Nearly 1,500 NYC Municipal Workers Fired for Not Being Vaccinated against COVID,” ABC News, February 15, 2022, <https://abcnews.go.com/Health/1500-nyc-municipal-workers-fired-vaccinated-covid/story?id=82900617>.

## **D. CONCLUSION**

COVID-19 policy changes created many untenable dilemmas for police officers: working without sufficient PPE put officers at risk of exposure to the virus, denying leave to cover shifts created exposure to risk and stressful overwork, and enforcing traffic mandates put officers in jeopardy of potential legal consequences. Likewise, the vaccine and mask mandate policies created disharmony between the leadership of police agencies and unions. The friction of these policies was so severe that some officers violated their departments' orders, eventually costing them their careers. At the same time, union leaders filed lawsuits in different courts across the country, seeking injunctions to overturn the vaccine mandate.

Nevertheless, some of these policies, such as social distancing, allowed police officers to take reports remotely, either online or via phone, and reduce the burden on the officers and citizens. It allowed citizens to file police reports anywhere while also enabling police officers to review and approve them without leaving their stations. Chapter III continues this exploration of the inadvertent benefits of the COVID-19 pandemic for law enforcement.

### III. THE METROPOLITAN POLICE DEPARTMENT

The MPDC, like most law enforcement agencies around the nation, strived to limit its officers' exposure to COVID-19 without compromising its capability to render police service to the community. With its approximately 4,000 members, the MPDC is divided into seven police districts or precincts. These districts are subdivided into seven or more patrol service areas (PSAs).<sup>140</sup> The PSAs spread officers across the city to bring them closer to the community and reduce the time to respond to a call for service. The inception of the pandemic ushered in policy changes to reduce police contact with the citizens. As with other law enforcement agencies, the MPDC must maintain a healthy workforce to continue responding to service calls during an emergency.<sup>141</sup> Therefore, the MPDC implemented many policy changes to increase officers' wellness and encourage community engagement, which this chapter explores.

This chapter describes the onset of COVID-19 within the MPDC and analyzes how the agency improvised. I chose to examine MPDC policy changes vis-à-vis the virus to understand the policy development and innovative changes of the COVID era that have kept agencies afloat. The MPDC was chosen as a paradigm for understanding the effects of the virus on police officers not only because of its diverse personnel and workload composition but also because Washington, DC, was one of the U.S. cities with the greatest number of COVID cases in the last quarter of 2021.<sup>142</sup> Other law enforcement agencies used similar strategies to the MPDC's to fight the spread of the pandemic among their members, so the MPDC stands in for some of these other agencies as well. This chapter details the genesis of COVID-19 within the MPDC workforce, policy development, and innovation changes during the pandemic. This chapter finds that policy changes during COVID-19 reduced stress and increased productivity, efficiency, and job commitment.

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<sup>140</sup> "Who We Are," Metropolitan Police Department of the District of Columbia, accessed April 16, 2022, <https://mpdc.dc.gov/page/mpd-who-we-are>.

<sup>141</sup> Metropolitan Police Department of the District of Columbia, "MPD and the Coronavirus."

<sup>142</sup> "Coronavirus in the U.S.: Latest Map and Case Count," *New York Times*, accessed March 3, 2020, <https://www.nytimes.com/interactive/2021/us/covid-cases.html>.

**A. THE GENESIS OF COVID-19 WITHIN THE MPDC WORKFORCE**

COVID-19 does not discriminate. It rapidly infected the civilian population in the United States including law enforcement. The first case of COVID-19 in the MPDC surfaced on March 20, 2020, exactly two months after the Centers for Disease Control and Prevention confirmed the first case in the nation.<sup>143</sup> Three days later, the second positive COVID test was announced.<sup>144</sup> By the end of that year, the number of positive cases had reached 130, as shown in Figure 4.<sup>145</sup> Overall, COVID-19 infected hundreds of MPDC personnel; three members died of the virus—two sworn members and one civilian member.<sup>146</sup>

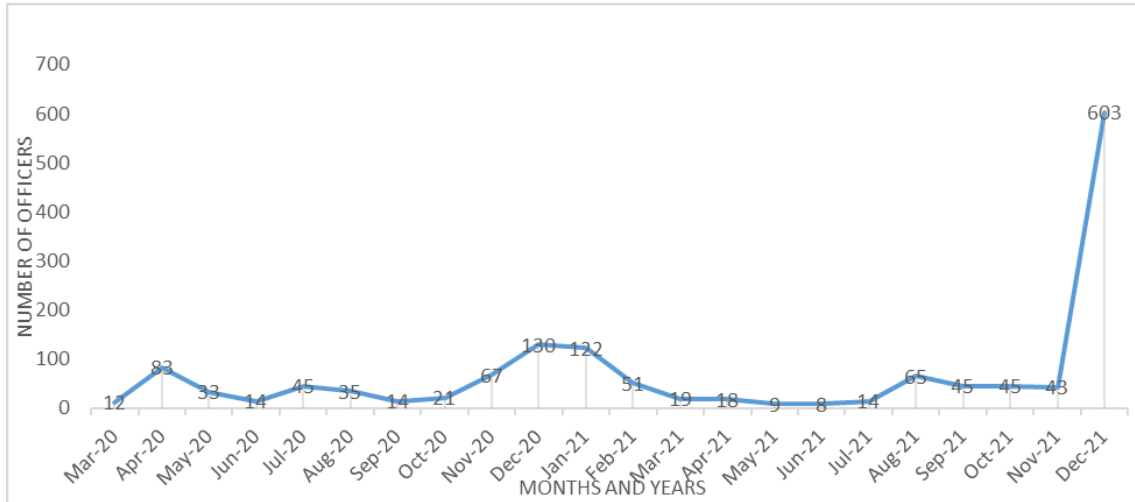


Figure 4. MPDC’s COVID-19 Infections, March 2020 to December 2021<sup>147</sup>

COVID-19 spiked in 2021, and Washington, DC, had the highest incidence compared to other cities, thus greatly affecting the MPDC. December 2021 was the worst

<sup>143</sup> “CDC Museum COVID-19 Timeline,” Centers for Disease Control and Prevention, January 5, 2022, <https://www.cdc.gov/museum/timeline/covid19.html>.

<sup>144</sup> Peter Newsham, email message to MPDC, March 23, 2020.

<sup>145</sup> Matthew Miranda, email message to author, January 5, 2022.

<sup>146</sup> Miranda.

<sup>147</sup> Source: Miranda, email message to author.

pandemic period for the MPDC.<sup>148</sup> In the last quarter of 2021, during the emergence of the Omicron variant of the virus, Washington, DC, reported more cases per capita than any state in the United States.<sup>149</sup> Before then, numerous variants had appeared, including Alpha, Beta, Gamma, and Delta, of which Delta dominated in Europe and the United States.<sup>150</sup> The appearance of Omicron in the United States and DC, in particular, caused an exponential increase in the number of MPDC officers who contracted the virus due to its higher transmissibility than earlier variants, including Delta.<sup>151</sup> As Omicron spread across Washington, DC, continuing into 2022, COVID-19 cases and hospitalizations increased in DC more precipitously than in nearby states, as shown in Figure 5.<sup>152</sup>



Figure 5. Comparison of Positive Cases, Hospitalization, and COVID-19 Deaths from July 2021 to December 2021 in Three Cities<sup>153</sup>

As a result, the MPDC recorded its highest rate of COVID-19 cases during this period.<sup>154</sup> Cases among MPDC officers skyrocketed, as depicted in Figure 4, reaching a

<sup>148</sup> Miranda.

<sup>149</sup> “Coronavirus in the U.S.: Latest Map and Case Count.”

<sup>150</sup> Elisabeth Mahase, “Covid-19: How Many Variants Are There, and What Do We Know about Them?,” *BMJ* 374 (2021): n1971, <https://doi.org/10.1136/bmj.n1971>.

<sup>151</sup> “Omicron Variant: What You Need to Know,” Centers for Disease Control and Prevention, March 29, 2022, <https://www.cdc.gov/coronavirus/2019-ncov/variants/omicron-variant.html>.

<sup>152</sup> “Coronavirus in the U.S.: Latest Map and Case Count.”

<sup>153</sup> Source: “Coronavirus in the U.S.: Latest Map and Case Count.”

<sup>154</sup> Miranda, email message to author, January 5, 2022.

daily high of 111 on December 29, 2021, as shown in Figure 6. Hospitalizations and quarantines among MPDC officers also increased during this period.<sup>155</sup> In fact, the Omicron variant spurred more hospitalizations and quarantines of MPDC officers than any other variant.

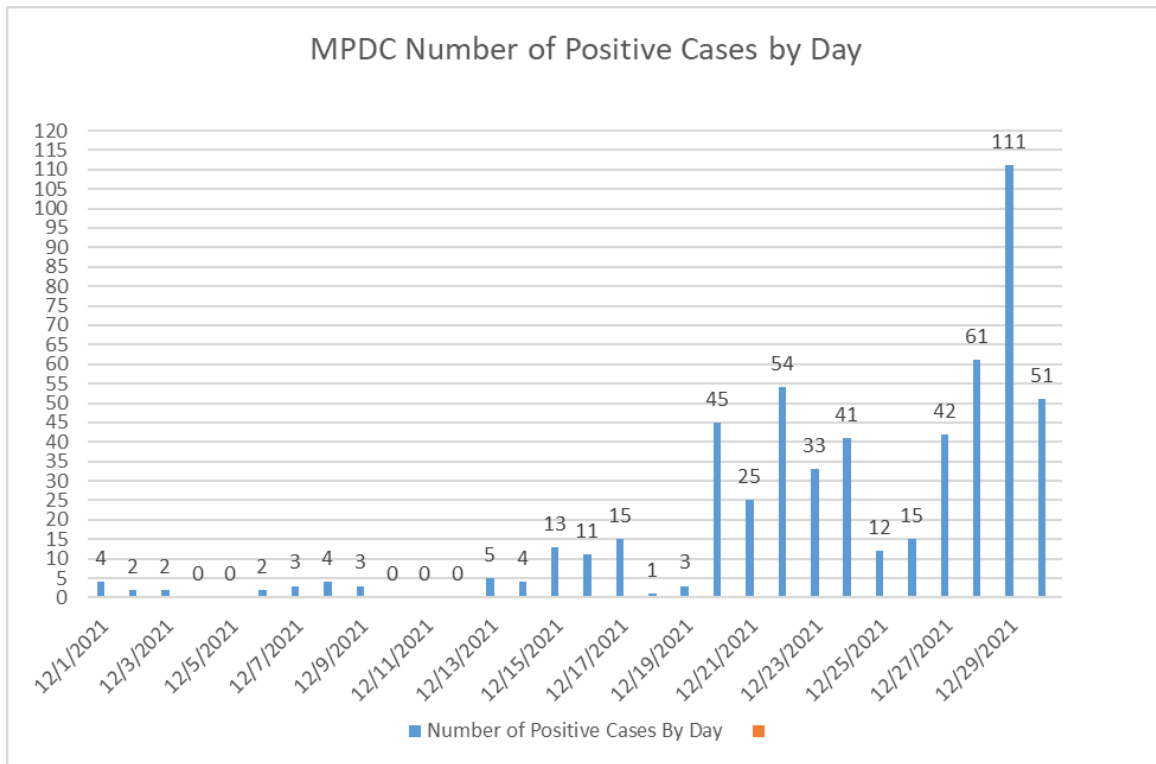


Figure 6. MPDC’s Daily COVID-19 Cases, December 2021<sup>156</sup>

The first casualty of policy development due to COVID-19 was the MPDC’s Annual Awards Ceremony that had been slated for March 17, 2020. In the email sent to all members on March 11, 2020, then–MPDC Chief Peter Newsham announced the event’s indefinite postponement.<sup>157</sup> At the time, MPDC leadership had believed that the department’s members had a minimal risk of contracting the virus while performing their

<sup>155</sup> Miranda.

<sup>156</sup> Source: Miranda, January 5, 2022.

<sup>157</sup> Peter Newsham, email message to MPDC, March 11, 2022.

duties due to low COVID cases in the DC area in early March 2020. Chief Newsham wrote, “While the immediate risk to MPD personnel performing daily, routine activities is considered low, we determined that a temporary postponement of the ceremony would be the most prudent course of action.”<sup>158</sup> The temporary postponement eventually turned into a complete cancellation of the event as MPDC officers began to contract the virus.

## **B. POLICY DEVELOPMENT**

The constantly evolving nature of the pandemic caused the MPDC to roll out its policy development piecemeal. On March 12, 2020, the MPDC developed its first policy on COVID-19 to slow the spread of infections.<sup>159</sup> A day after the first policy rolled out, on March 13, 2020—after Mayor Muriel Bowser declared a state of emergency in the District of Columbia—the MPDC issued a second policy in reference to an emergency telework program.<sup>160</sup> The emergency declaration allowed DC agencies to implement a policy for telework from the following three options: full agency telework, partial agency telework, and no changes depending on the nature and uniqueness of the agency’s function.<sup>161</sup> The MPDC fell under the no-change policy because of its vital services to the community; however, on a case-by-case basis, its officers received permission to telework, but only for administrative functions. On March 16, 2020, in an effort to limit the infection rate among MPDC officers, department leaders announced a dedicated internal website (intranet) for COVID-19 that provided the workforce with updates regarding the pandemic, including major policy shifts in standard protocols and practices that affected everything from roll calls, to training, to arrest implementation as additional guidance for existing and initial COVID policies.<sup>162</sup> The new initiative gave the officers flexibility in handling their interactions with the community concerning calls for service and other police–citizen

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<sup>158</sup> Newsham.

<sup>159</sup> Metropolitan Police Department of the District of Columbia, *Coronavirus 2019 and Influenza Symptom Reporting Protocol*, EO-20-009 (Washington, DC: Metropolitan Police Department, 2020).

<sup>160</sup> Metropolitan Police Department of the District of Columbia, *Coronavirus 2019 Emergency Telework Program*, EO-20-010 (Washington, DC: Metropolitan Police Department, 2020).

<sup>161</sup> Newsham, email message to MPDC, March 11, 2022.

<sup>162</sup> Peter Newsham, email message to MPDC, March 16, 2020.

engagements, such as asking citizens to come to a well-ventilated area, wear a mask, or keep a distance of at least six feet before a meeting. It also provided guidance on such operational issues as arrests, traffic, and court-related activities.<sup>163</sup> Some of the policies instituted by the MPDC brought the following changes:

- Holding roll calls outside, limiting them in duration, and ensuring all members space themselves six feet apart.
- Suspending in-person training until further notice.
- Reducing the number of officers attending firearms qualification to allow adequate spacing between members.
- Suspending bench warrants and other misdemeanor arrest warrants to reduce court congestion and the flow of people into the justice system.
- Closing some facilities, such as pools and gyms at all MPDC buildings, to minimize the spread of the virus.
- Routing non-violent and non-domestic service calls to the TRU or online reporting tool to minimize police–citizen contact.
- Increasing the number of arrestees eligible for citation release to reduce cellblock and prison congestion.
- Encouraging officers to ask citizens to speak with them outside to enhance social distancing and proper ventilation.
- Temporarily suspending in-person and walk-in requests at all police stations for police incidents, offenses, and accident reports.
- Introducing virtual services for community meetings, training, and crime briefings to reduce close contact.

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<sup>163</sup> Peter Newsham, email message to MPDC, March 17, 2020.

- Contracting for medical personnel to medically screen all arrestees when brought in for processing at district stations.<sup>164</sup>

The following section describes how these policy implementations and associated innovations improved the agency, officers, and the community.

## **C. INNOVATION**

Amid the challenges and pressures of working through the pandemic, the MPDC hit upon several innovations that enabled it to continue responding to calls for service and protecting its officers. These innovations, brought by the COVID-19 pandemic to law enforcement agencies across the country, have instituted new approaches to policing.<sup>165</sup> Due to these initiatives, the MPDC has expanded virtual access, introduced arrest deferment and citation eligibility, and allowed telework options, all of which have made policing more effective.

### **1. Virtual Expansion**

COVID-19 pushed law enforcement agencies to invest in virtual technology. Virtual connectivity has increased law enforcement's situation awareness of its communities. For instance, law enforcement leaders can remotely connect with a community member or a political leader to provide information and respond to a question.<sup>166</sup> It also affords law enforcement officers the convenience of training outside the workplace and staying in touch with community members. Therefore, to reduce the spread of the virus, the MPDC became creative and innovative in using virtual platforms to limit contact and minimize infection.

#### ***a. Court Access***

Before the expansion of virtual access, officers had to present all new arrestees, especially all domestic-related arrestees, to court on the date of arrest in the District of

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<sup>164</sup> Newsham.

<sup>165</sup> Jackson et al., *Promising Practices from Law Enforcement's COVID-19 Response*.

<sup>166</sup> Jackson et al.

Columbia—in person. If the arrest took place on Sunday, the officers had to file the case paperwork on Monday morning. That is, they had to present the case to the United States Attorney’s Office (USAO) or the Office of the Attorney General (OAG) and then to a judge. If the arrest occurred when the court was closed, the officers would have to report to the court on the next court business day—even if it were the officers’ day off. In that case, any plans the officers might have made for their day off would be secondary; they would have to wait until they were released from their court assignments.

“Papering” is the process whereby an arresting officer first presents an arrestee’s paperwork to a prosecutor, of either the USAO or OAG, who looks at the facts of the case to determine whether probable cause supports the case’s going to trial. The case is “papered” if it goes to court or not papered if the prosecutor chooses not to go to court. Court business days are always Monday through Saturday except for holidays.<sup>167</sup> Any arrest made by midnight must be papered the following morning. Therefore, any arrest made after court hours will be papered on the following morning. If an arrest is made after the court hours on Saturday, the arresting officer will paper the case on Monday morning.

Before COVID-19, the inflexibility of court filing requirements inconvenienced midnight officers, costing them valuable sleep, but the pandemic has allowed for flexible, virtual filing. Previously, midnight-shift officers would officially clock out at 7:30 a.m., and while court would not be in session until 9:00 a.m., they would arrive earlier to find parking and wait to paper their cases. Accessing the courthouse by the Metro train might have been a perfect solution had all MPDC districts been Metro accessible. The most convenient solution for officers was to drive private vehicles to the courthouse and return home once they were done. Regarding this onerous process, Officer Christopher Gonzalez said, “You know you have to respond to court for an arrest you made in a domestic dispute at the end of your midnight tour, and you have to go back to work the following day. Having that on your mind that you will not have enough sleep is stressful and demoralizing.”<sup>168</sup> In the same context, MPDC Lieutenant Christopher Dove explained that prior to COVID-

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<sup>167</sup> “Date Picker,” U.S. District Court, accessed July 23, 2022, <https://media.dcd.uscourts.gov/datepicker/index.html>.

<sup>168</sup> Christopher Gonzalez, personal communication, November 17, 2021.

19, police officers had to wake up earlier and drive to court to paper a case, but during the pandemic, the officers could speak to the papering attorney on the phone without leaving the house, saving time and money.<sup>169</sup> In this way, COVID-19 gave officers the gift of greater convenience. Virtual court access allows midnight officers to go home and sleep at the end of their shift instead of hurrying up and waiting at court. Thus, the virtual court allows officers, especially midnight-shift officers, to have more time to rest and take care of themselves.

Virtual hearings and papering save travel time and gas money, too. MPDC Assistant Chief Chanel Dickerson said that virtual access has increased officers' morale in many aspects: it has eliminated officers' parking concerns over coming to court, reduced the time an officer stays out of service, allowed midnight officers to conduct hearings virtually from home, and ameliorated the manpower shortage.<sup>170</sup> In that respect, Metro Transit Police Chief Michael Anzallo wrote, "Use of virtual communication has increased as opposed to in-person meetings. This does save travel time and does have some efficiency benefits."<sup>171</sup> Several law enforcement officers agree that virtual court access boosts morale, saves money, saves time, and reduces stress.

#### ***b. Training and Recruitment***

Virtual access to training is another benefit of policy changes brought about in response to COVID-19. Before the pandemic, MPDC officers had to be physically present for most training that took place at the Metropolitan Police Academy (MPA). Some officers who resided as far away as West Virginia, Delaware, and Pennsylvania had to drive hours to attend training.<sup>172</sup> The pandemic showed the MPDC and other law enforcement agencies how virtual options might maximize training and satisfaction. Jessica Bress, former deputy director of the MPA, said that many officers have attended virtual learning

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<sup>169</sup> Christopher Dove, personal communication, November 16, 2021.

<sup>170</sup> Chanel Dickerson, personal communication, January 4, 2022.

<sup>171</sup> Michael Anzallo, email message to author, November 16, 2021.

<sup>172</sup> Dove, personal communication.

and effectively performed their duties.<sup>173</sup> Bress further expressed that the pandemic showed police agencies that they could pivot to a largely virtual academy and succeed.<sup>174</sup> Some police training courses, such as shooting at the range, cannot be taught virtually. However, virtual reality (VR) training can give the same experience as real-life range shooting. It is possible to train officers directly using VR technology; provide customized, realistic scenarios; educate officers in specific fields of study; and increase their skill levels by creating experiences.<sup>175</sup> Many recertification training courses that require only classroom assignments, such as first aid and diversity training, can be completed virtually. Ultimately, as Assistant Chief Dickerson declared, allowing officers to attend training virtually reduces transportation costs for professional staff employees, improves morale, and diminishes turnover and time away from regular duties.<sup>176</sup>

The same basic pattern applies to recruitment as well. Recruit training that requires only classroom instruction, such as law and procedures, criminal investigations, and first aid, can be delivered virtually. Although some agencies suspended recruitment altogether to minimize the exposure to COVID-19, some shifted to virtual access for recruitment.<sup>177</sup> For example, the pandemic prompted the MPDC to screen potential recruits online instead of in person. Virtual screening increased the number of potential recruits who submitted their initial information for the MPDC application process.<sup>178</sup> Some agencies could reach more applicants and streamline the process by offering a virtual alternative to in-person interviews. According to the Police Executive Research Forum, “In some instances, virtual recruitment efforts allowed agencies to expand their applicant pool and make the hiring

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<sup>173</sup> Jessica Bress, personal communication, November 22, 2021.

<sup>174</sup> Bress.

<sup>175</sup> Allen Castellano, “Can Virtual Reality Bridge the Gap between Police and the Community?,” *Police 1*, March 1, 2018, <https://www.police1.com/police-products/virtual-reality-training-products/articles/can-virtual-reality-bridge-the-gap-between-police-and-the-community-nI7Hgo20mqdQD8qX/>.

<sup>176</sup> Dickerson, personal communication.

<sup>177</sup> Police Executive Research Forum, *Lessons from the COVID-19 Pandemic: What Police Learned from One of the Most Challenging Periods of Our Lives* (Washington, DC: Police Executive Research Forum, 2021).

<sup>178</sup> Police Executive Research Forum.

process quicker and more efficient.”<sup>179</sup> Improvisation at the height of the pandemic has made screening in the recruitment application process more efficient.

*c. Engagement*

Virtual engagement, such as virtual community meetings, crime briefings, and virtual or online police reports, is another COVID-era shift in policy that brought law enforcement officers and community members together more easily and more often than before. Specifically, some police agencies relied on social media and video conferencing, for example, to engage the community.<sup>180</sup> Prior to the pandemic, the MPDC usually held a monthly meeting at the police district or in a community center with residents to apprise them of any unusual activities in their community. It was also an avenue for citizens to voice their concerns to the police, if they chose to attend.<sup>181</sup> However, COVID-19 forced law enforcement agencies in many jurisdictions to ban large gatherings.<sup>182</sup> Therefore, the MPDC moved all community meetings to virtual platforms to encourage communication with the community and prevent these precious connections from fracturing.<sup>183</sup>

Indeed, virtual community meetings increased participation. During virtual community PSA meetings that I held during the pandemic, at least 10 people were always in attendance.<sup>184</sup> Having meetings via Zoom or video conference has made these meetings more accessible for community members to listen and communicate in the comfort of their homes.<sup>185</sup> Many residents who would not have joined an in-person meeting could easily participate virtually from any location. For instance, during one of my community meetings, a resident who was running late from an errand parked his vehicle on his way home and joined the meeting.

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<sup>179</sup> Police Executive Research Forum, 10.

<sup>180</sup> Police Executive Research Forum.

<sup>181</sup> At one community meeting that I attended before the pandemic, only two citizens were present.

<sup>182</sup> Jennings and Perez, “The Immediate Impact of COVID-19.”

<sup>183</sup> Hermann, Morse, and Jackman, “Patrolling the Beat While Keeping a Distance.”

<sup>184</sup> I am responsible for organizing at least one community meeting every month with the residents of my PSA to inform them of the events taking place in their community and listen to their concerns.

<sup>185</sup> Dickerson, personal communication.

A crime briefing is a brainstorming session among MPDC personnel to review and analyze crime trends in the city and formulate strategies to reduce crime and the fear of crime. MPDC officials always meet at least once a week at a specific time and location. Since the first wave of the pandemic, crime briefings have gone virtual, allowing more participation and easing the transportation burden. These briefings are convenient, allow fewer resources, and reduce transportation costs.<sup>186</sup> Using virtual platforms to communicate among law enforcement personnel about crime prevention allows a more significant number of officers to participate and reduces stress.

Even police reporting has changed. To reduce the spread of the virus, some police agencies issued a special order that required officers not to respond to most non-violent crimes that required only reports.<sup>187</sup> Before COVID-19, MPDC officers had to respond to most crime scenes to generate a police report. Like many other agencies across the country, the MPDC expanded its TRU and online self-reporting to facilitate easy access to police reports without police being physically present. Now, citizens can file non-violent and non-intrafamily offense reports online or over the phone—including fraud or credit card fraud, defacing public or private property, identity theft, shoplifting, sick or injured persons, simple assaults, property theft, threats, and miscellaneous reports.<sup>188</sup> Before the pandemic, only animal bites, damage to or destruction of property, hit and run (except government vehicles or accidents resulted in serious injury), injury reports (except those in a public space), lost or stolen property, and theft could be filed online or over the phone.<sup>189</sup> In these ways, the basics of police reporting have been updated to the new, customer-service model of self-reporting.

Virtual technology was not without glitches at the start of its inception during the height of the pandemic. Most of these problems resulted from a lack of necessary

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<sup>186</sup> Dickerson.

<sup>187</sup> Nix, Ivanov, and Pickett, “What Does the Public Want Police to Do?”

<sup>188</sup> Metropolitan Police Department of the District of Columbia, *Coronavirus 2019 Revised Telephone Reporting*.

<sup>189</sup> Metropolitan Police Department of the District of Columbia.

equipment to facilitate remote connections with individual police agencies.<sup>190</sup> Another problem arose from the stress of implementing new technological systems with insufficient budgets to finance them.<sup>191</sup> However, the shift in policy makes it easier for citizens to file non-emergency and non-domestic-related police reports during the pandemic.

## 2. Arrest Deferment and Citation Eligibility

The pandemic-era arrest policy limits bad interactions between the police and the community and reduces congestion in prisons and courts. COVID-19 made law enforcement agencies change their arrest policies, which eventually reduced the number of arrests.<sup>192</sup> In some cases, officers might not make arrests but seek warrants instead.<sup>193</sup> Overlooking some arrests or seeking warrants for them—such as drinking in public and minor traffic infractions—ushered in different ways to limit the transmission of the virus in police departments and control prisoner congestion in jails.<sup>194</sup> Pursuing a warrant rather than a custodial arrest put the onus on the court to find a probable cause for the arrest, thereby reducing the number of adverse interactions between officers and the community.<sup>195</sup> These changes in who to arrest have altered day-to-day policing.

The COVID-19 response gave MPDC officers a wide range of systematized discretion in making an arrest, with the potential of reducing mistrust of the police. Based on my experience, if crime is rampant in a specific neighborhood, officers may still be mandated to make all arrests regardless of their severity. The shift in policy regarding arrests standardized the procedure officers need to follow before making an arrest, irrespective of the neighborhood.<sup>196</sup> Issuing a warning in lieu of a custodial arrest reduces

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<sup>190</sup> Police Executive Research Forum, “Responding to COVID-19.”

<sup>191</sup> Geoff Newiss et al., “Taking the Strain? Police Well-Being in the COVID-19 Era,” *Police Journal: Theory, Practice and Principles* 95, no. 1 (March 2022): 88–108, <https://doi.org/10.1177/0032258X211044702>.

<sup>192</sup> Maskály, Ivković, and Neyroud, “Policing the COVID-19 Pandemic.”

<sup>193</sup> Maskály, Ivković, and Neyroud.

<sup>194</sup> Jackson et al., *Promising Practices from Law Enforcement’s COVID-19 Response*.

<sup>195</sup> Smith, “Judge Blocks Chicago’s Police Vaccine Mandate.”

<sup>196</sup> Metropolitan Police Department of the District of Columbia, *Coronavirus 2019 Guidance on Calls for Service*.

police mistrust. Most suspects calm down during an encounter when they realize they may only receive a warning.<sup>197</sup> Standardizing some arrests reduces negative interactions between police officers and the community.

The expansion of citation eligibility is another COVID-era policy to tame the spread of the virus, producing unintended positive consequences, including greater procedural justice. During the pandemic, many law enforcement agencies instituted a policy that would reduce prison congestion and the number of people in the court system.<sup>198</sup> In this vein, the MPDC expanded the number of arrestees eligible for citation release.<sup>199</sup> A citation release means that an arrestee is released from the police station with an agreement to appear in court at a future date. Arrest deferments and citation releases reduce court and prison congestion. As a result, community supervision of arrestees increases, but supervision occurs at their homes or virtually, so they can spend more time with their families instead of being confined to jail.<sup>200</sup> In these ways, gentler policing methods have become widespread.

### **3. Telework Option**

The main objective of allowing officers to work remotely was to decongest police stations, enhance social distancing, and reduce the spread of COVID-19. However, this policy inadvertently increased efficiency. With the aim of lessening virus transmission, law enforcement agencies began to implement the policy by identifying which officers could work remotely.<sup>201</sup> Consequently, the MPDC allowed some of its members to work remotely based on the DC mayor's emergency declaration, which permitted employees to telework as a continuous effort to slow the spread of COVID-19.<sup>202</sup> Although the telework

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<sup>197</sup> Geoffrey P. Alpert et al., *Police Officers' Decision Making and Discretion: Forming Suspicion and Making a Stop* (Washington, DC: National Institute of Justice, 2006), <https://www.ojp.gov/pdffiles1/nij/grants/213004.pdf>.

<sup>198</sup> Jennings and Perez, "The Immediate Impact of COVID-19."

<sup>199</sup> Metropolitan Police Department of the District of Columbia, *Coronavirus 2019 Modification to Citation Release Criteria*, EO-20-011 (Washington, DC: Metropolitan Police Department, 2020).

<sup>200</sup> Jackson et al., *Promising Practices from Law Enforcement's COVID-19 Response*.

<sup>201</sup> Police Executive Research Forum, *Lessons from the COVID-19 Pandemic*.

<sup>202</sup> Peter Newsham, email message to MPDC, March 13, 2020.

option was readily available for the civilian members of the agency, only some sworn members were allowed on a case-by-case basis.<sup>203</sup> As a result, the MPDC maximized the extra office space for effective social distancing.<sup>204</sup> It also improved morale and retention and reduced transportation costs for the officers.<sup>205</sup> Research conducted by Newiss et al. has revealed that teleworking improves officers' mental health and stress levels, resulting in greater productivity and efficiency.<sup>206</sup> Officers who could work remotely always looked forward to resuming their duties, which enhanced their productivity.

COVID-19 prompted work-from-home policies for police officers. Since more officers worked from home, they enjoyed a more harmonious balance between their family and work lives—as well as less absenteeism, on-the-job injuries, and stress.<sup>207</sup> As a result, presenteeism was low and productivity high for the officers who worked from home during COVID-19. In a research study conducted by Maskály, Ivković, and Neyroud, many respondents acknowledged their effectiveness and productivity were high when they worked from home, reducing concerns of presenteeism in some agencies.<sup>208</sup> Working remotely allowed officers to complete paperwork, online reports, and some training, and officers who quarantined due to possible COVID-19 exposure could work from home, too. Working from home delivered a set of benefits for officers.

#### **D. CONCLUSION**

The shifts in policy and practice among law enforcement agencies during the COVID-19 pandemic have ameliorated some of the officers' stressful working conditions. This analysis reveals that these changes during the pandemic have been largely positive—they reduce stress; save money; and increase morale, efficiency, and job commitment. The MPDC implemented many policy changes that allowed improvisation in the department,

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<sup>203</sup> Newsham.

<sup>204</sup> Dickerson, personal communication.

<sup>205</sup> Dickerson.

<sup>206</sup> Newiss et al., “Taking the Strain?”

<sup>207</sup> Maskály, Ivković, and Neyroud, “Policing the COVID-19 Pandemic.”

<sup>208</sup> Maskály, Ivković, and Neyroud.

including expanded virtual technology for court access, training and recruitment, and engagement. The shifts in policy and practices of the MPDC also allowed its members to work from home on a case-by-case basis. Expanding virtual access relieved officers of work-related stress and boosted their morale, as well as streamlined the recruitment process, allowed more recruit outreach, and made the application process more efficient.

The COVID-19 policy on arrests has standardized criteria for location and systematized discretion. Also, the expansion of citation release eligibility has reduced the number of families that would have been separated due to police detention. These alterations have mitigated police mistrust and reduced prison congestion. In addition, the telework option allows officers to be more efficient and productive while mitigating presenteeism. At the same time, it enables officers to spend more time with their families and loved ones. Overall, the implementation of different policies combined with the resilience and perseverance of MPDC officers made the agency withstand the virus.

## IV. ANALYSIS AND RECOMMENDATIONS

This thesis has presented the argument that changes to policy and practice in the COVID era have benefited police agencies and their communities amid the much-discussed “new normal.” Law enforcement agencies should find value in exploring more flexibility in case papering, training, crime briefings, community meetings, arrest deferments, and citation eligibility.

### A. FINDINGS

This research finds that some of the policy changes implemented at the onset of COVID-19 have brought flexibility to policing. Citizens are more attuned to filing a report online or over the phone without coming to the police station or requesting that an officer respond to their location. The flexibility of virtual technology enables more citizens to participate in police–community engagement and helps officers, at the comfort of their stations, to reach more people. Likewise, virtual technology’s flexibility allows officers to attend meetings or training anywhere they want. Nevertheless, the finding reveals that the policy changes come with mixed feelings. Some policies were effective, some counterproductive, and some contentious between law enforcement and union leaders.

#### 1. Counterproductive Measures

Law enforcement agencies implemented myriad containment and mitigation approaches to minimize the spread of COVID-19 among police officers and safeguard against disruption of police services. COVID-19 is like no other disease. Its transmissibility is higher than any recent virus.<sup>209</sup> Within a few weeks of its inception, as early as 2020, it surpassed all known leading causes of police death.<sup>210</sup> Law enforcement officers suffered like everyone else, but in some ways, COVID-19 affected them more than most other

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<sup>209</sup> Silvio Daniel Pitlik, “COVID-19 Compared to Other Pandemic Diseases,” *Rambam Maimonides Medical Journal* 11, no. 3 (2020): e0027, <https://doi.org/10.5041/RMMJ.10418>.

<sup>210</sup> Officer Down Memorial Page, “Home Page.”

professions due to their daily contact with the community.<sup>211</sup> Despite the imminent risk of the virus they perceived, officers were still obligated to work in the face of danger. If they had a sick family member who required them to take some days off, the virus made such leave harder to obtain. The paradox of being at work while being off to care for a loved one created a challenge for the officers. In some cases, the officers could not take the day off due to leave restrictions, so they had no choice but to show up for work. Some of the COVID-19 policies created a situation that subjected the officers to choose between their jobs and their loved ones. Therefore, some COVID-era policies, such as leave denial and cancellation, exacerbated the stress for officers already subjected to elevated levels because of the nature of their jobs.

Given their proximity to the community, law enforcement officers have witnessed the agony of infected people in real time. It has affected them emotionally and increased their stress levels, especially when they see people they know or interact with regularly in the community contract the virus or die from it, knowing it could have been them. When people cannot cope with a stressor like COVID-19, they become frustrated, which leads to fatigue and stress—not to mention the stress brought on by COVID-19’s high transmissibility rate.<sup>212</sup> For law enforcement officers, the chance of being infected with COVID-19 triggered their defense mechanisms to prevent contracting the virus, thus increasing their anxiety in dealing with an unruly public and arrests, which increase the chance of close contact. Furthermore, sticking to a strict social-distancing policy during an emergency may be unrealistic because law enforcement officers cannot opt out of a felony arrest or fail to render first aid to a victim of a crime. Thus, while the pandemic persists, the risk of the virus while on duty will always be a psychological burden on officers’ well-being that impedes their effectiveness. Becoming sick or dying from the virus, not to mention the sudden disruption to law enforcement’s regular activities, affects the emotional state of officers. Thus, due to the high fatality rate of COVID-19 among law enforcement, the pandemic is likely to affect officers’ mental health.

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<sup>211</sup> Pearce et al., “COVID-19 Incidence, Severity, and Mortality in the United Kingdom.”

<sup>212</sup> Frenkel et al., “The Impact of the COVID-19 Pandemic on European Police Officers.”

Most law enforcement agencies adopted social distancing in the United States to lessen close contact between officers and citizens and minimize the virus's transmissibility. On the other hand, leave or day-off cancellations were implemented to ensure there were sufficient officers to handle calls for service. The implementation goals of these two policies were geared toward the well-being of the officers as well as efficacy and uninterrupted police service. My research found that in some police agencies, the policies conflicted with each other, thereby making their implementation ineffective. Through the research, I determined that social-distancing and leave or day-off cancellation policies worked at cross-purposes with one another. For instance, the latter placed many officers on duty at the same time, compromising the available space for social distancing, which might have inadvertently increased the spread of the virus among the officers.

Another counterproductive policy was interstate traffic enforcement. As with other COVID-era policies, this policy conceivably reduced the spread of the virus, by stopping suspected infected persons from entering another state under the threat of COVID-19. If officers had not treaded lightly, this policy could have resulted in blowback for the enforcing officers and their agencies. A citizen who felt his rights had been violated could have sued the officer and agency. This policy's boomerang effects could have caused officers to lose their life savings or freedom.

The modification of citation releases that prompted the release of criminals and citations for arrestees who would have otherwise served jail time except for COVID-19 had good and bad policy outcomes. By one account, citation expansion achieved procedural justice and allowed the public to view law enforcement in a good light. The prisoners or arrestees who would have been removed from their families and put in jail were allowed to stay out of jail, thereby encouraging family bonding and emotional ties. Conversely, it could promote recidivism or worsen the way people perceive the police if the prisoner who had been released went on to commit another crime. For example, a 71-year-old woman was killed in her house by her ex-boyfriend in southeast DC after he was

released early from jail because of the pandemic.<sup>213</sup> Hence, policy changes brought about by the pandemic are not perfect—they have their advantages and disadvantages.

The vaccine mandate intended to protect law enforcement officers' well-being became a source of political rancor. Even though science suggests that immunization is the most effective protection against the virus, police unions have focused on the issue of individual choice—that vaccination should be voluntary. Police unions have claimed that vaccine mandates violate their members' rights and, thus, instructed them to disregard departmental vaccine policies and risk being terminated. At the same time, unions have gone to court seeking injunctions to restrict police agencies from enforcing vaccine mandates. Although the courts denied most challenges against vaccine mandates, police unions have relentlessly acted to block the policy.

Police union leaders joined President Trump and the right-leaning media in pushing back against mask and vaccine mandates during the pandemic. The pushback caused some friction between unions and police leaders. However, since most police union leaders lean right on the American political spectrum, politics plays a role in the pushback.<sup>214</sup> The argument against these mandates was that they violated officers' constitutional rights. The political and politicized rancor diverted attention away from the well-being of officers. Instead of focusing on the efficacy of the policies, police unions fixated on the political talking points of conservative leaders and media.

## **2. What to Keep**

This body of research asserts that COVID-19 has expedited law enforcement agencies' embrace of virtual technology and facilitated new approaches to policing. Virtual technology played an important role in connecting the police with citizens when direct physical policing was infeasible because of the high incidence of COVID-19. For instance, virtual technology, such as Zoom, has helped connect law enforcement officers with the

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<sup>213</sup> Derrick Ward, "DC Woman Killed by Man Who Threatened Her Decades Earlier: Family," NBC4 Washington, December 6, 2021, <https://www.nbcwashington.com/news/local/dc-woman-killed-by-man-who-threatened-her-decades-earlier-family/2902395/>.

<sup>214</sup> Barrón-López, "Democrats' Coming Civil War over Police Unions."

community to discuss the effectiveness of crime initiatives without leaving their offices. In most agencies before COVID-19, nearly all meetings, including community meetings and crime briefings, happened in person. The pandemic has pushed law enforcement agencies to invest in virtual communication technology, thus expanding their virtual connectivity. The use of virtual as opposed to in-person communication has increased exponentially. While Webex, Zoom, and other video-conferencing platforms have existed for years, their use by law enforcement was haphazard until the virus struck. The video-conferencing medium has made these meetings more accessible for community members to listen and communicate from the comfort of their homes. Although virtual communication is convenient and saves time, it lacks the camaraderie and personal interactions experienced in a physical setting.

Many police officers like the flexibility that COVID-19 has brought to their jobs. Even though the virus paved the way for these changes, some agencies are considering making them permanent. Although the virus raises the stress level of law enforcement officers in one situation, it suppresses it in another. The innovation of the COVID era, such as virtual access to training, court, and other community events, has cut transportation costs, reduced stress, and boosted morale for officers. Virtual training, teleworking, and virtual hearings are some of the innovations that inadvertently came to fruition with the policy shifts implemented during the pandemic.

In all, the shifts in policy and practice among law enforcement agencies during the COVID-19 pandemic have ameliorated some of the officers' stressful working conditions. This research shows that law enforcement policy changes regarding arrests, citation releases, training, and recruiting spurred by COVID-19 have made officers more effective in some of their operations. The research also provides insight into how the pandemic has helped law enforcement agencies quickly transition from face-to-face to virtual engagement. At the onset of the pandemic, the fear was that the virus would decimate the interaction between law enforcement and the community. However, this research shows how law enforcement agencies' investment in virtual technology in the wake of COVID-19 created opportunities for law enforcement agencies to engage the community while also protecting life and property.

## **B. RECOMMENDATIONS**

In line with the findings, this thesis presents two kinds of recommendations: those that improve law enforcement effectiveness and those that help agencies prepare for future pandemics.

### **1. Improve Effectiveness**

Law enforcement agencies must procure all the necessary equipment to enable virtual connectivity to secure their resilience during a future pandemic. Virtual access afforded by information technology helped facilitate social distancing during the height of the pandemic. As a result, many officers teleworked, completed reports virtually, and organized virtual community meetings. Police agencies must allocate money annually for unforeseen events, including the outbreak of a pandemic. Also, police agencies need to procure all the equipment necessary to enable virtual connectivity, such as a stable and secure internet connection, laptops, computer monitors, and webcams.

Law enforcement and union leaders should work in concert regarding policy implementation and emphasize the well-being of the officers. Newly introduced policies should be decided between the union and police leadership for smooth implementation. The well-being of officers should take precedence over scoring a political point. For instance, most of the officers interviewed in this research preferred virtual access to court and some training if possible. The police and union leaders should embrace dialogue to discern this kind of overwhelming policy approval by the officers to make it achievable and permanent.

Arrest deferments and citation eligibility should be made permanent. With the perception of procedural justice engendered by the standardization of arrest and citation eligibility procedures, law enforcement agencies should continue this policy to reduce police mistrust in minority communities and build police legitimacy. A policy should be put in place as a paradigm to guide the procedure so as not to erode the legitimacy gained.

## 2. Prepare for Future Pandemics

Law enforcement agencies should train with public health officials periodically to improve their coordination and increase their preparedness for future pandemics. A well-designed training program, especially with the expertise of a health official, will boost the confidence of officers and encourage them to put into practice the skills they gained during the training in the event of another pandemic.

Law enforcement agencies must have a PPE stockpile that can last at least three months for all their officers to alleviate scarcity during a pandemic. The availability of PPE posed a major obstacle to law enforcement preparedness for COVID-19. Many law enforcement agencies had depleted their little stockpile of PPE because they had not envisioned the magnitude of COVID-19's transmissibility. Because some PPE—such as filters for respirators—has expiration dates, law enforcement agencies should assign a coordinator to oversee the equipment and update a plan for continuity of operations that can be adapted to any emergency.<sup>215</sup> Such preplanning should ensure greater preparedness in the future.

Law enforcement agencies must have a uniform manual that enables a standardized and coordinated response across jurisdictions in future pandemics. The creation of a police standard manual for pandemic (PSMP) will enable a standardized, coordinated, uniform paradigm in national efforts to respond to future pandemics and crisis control. South Korean police agencies adopted this standardized approach when COVID-19 ravaged their country. After China, South Korea was initially ranked the world's worst nation for the pandemic response but turned the tide due to the rigorous enforcement capability and consequences for violating COVID-19 regulations.<sup>216</sup> The uniformity of purpose, the consistency in response, and the empowerment of law enforcement agencies to enforce the pandemic-era law helped them reduce the COVID-19 outbreak and bring the pandemic

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<sup>215</sup> Police Executive Research Forum, "Responding to COVID-19."

<sup>216</sup> Food and Drug Administration, *South Korea's Response to COVID-19* (Washington, DC: Food and Drug Administration, 2020), <https://www.fda.gov/media/149334/download>.

under control.<sup>217</sup> If law enforcement agencies were to create and adopt a PSMP, it would strengthen their response to future pandemics.

Law enforcement agencies should have a temporary holding cell to assess the health condition of new arrestees who have been transported to the station. Currently, an officer cannot predict the threat or lessen contamination from a suspected arrestee in police custody. No mechanism in place detects COVID-19-infected prisoners effectively. For instance, in the MPDC, when an officer transports an arrestee to a cellblock, an officer there checks the temperature of the arrestee with a thermometer. If the temperature is 100 degrees Fahrenheit or higher, the arrestee is not allowed in the cell block. Otherwise, the arrestee is allowed to join the general prisoner population. According to the MPDC's COVID-19 policy,

If any arrestee has a fever (100.0° Fahrenheit or higher) or exhibits any signs and symptoms of illness without a fever . . . request the assistance of the District of Columbia Fire and Emergency Medical Services to transport the arrestee to a local hospital. Any arrestee who does not have a fever and does not exhibit any signs and symptoms of illness shall be granted access to the MPDC cell block.<sup>218</sup>

Some asymptomatic arrestees could pass this temperature check and become a vector of COVID-19 to the general prisoner population and officers. To minimize the spread among law enforcement officers and the prison population, law enforcement agencies should construct a temporary holding cell, where new arrestees can be held temporarily and tested for the presence of the virus. Prisoners should be transferred from a temporary holding cell to a cell block only when their test result is negative. Any prisoner with a positive test result should be transported to the hospital for treatment or quarantine, as appropriate. A temporary holding cell would serve as a control to monitor and evaluate prisoners before they are released to the general cell block population to minimize the spread of the virus.

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<sup>217</sup> John Pike, "National Police Agency," *FAS Intelligence Resource Program* (blog), July 18, 1999, <https://irp.fas.org/world/rok/npa.htm>.

<sup>218</sup> Metropolitan Police Department of the District of Columbia, *Coronavirus 2019 Arrestee Transportation and Health Assessment Protocol*, EO-20-034 (Washington, DC: Metropolitan Police Department, 2020).

### **C. FUTURE RESEARCH**

This research was limited to the innovation spurred by COVID-19. It did not examine broad law enforcement policy but policies modified to attenuate the spread of the virus, and it explored how the changes have benefited police agencies, officers, and the community. Policies that prohibit the flexibility of discretionary arrests, mandate in-person reporting to the courthouse, or require that all training be in person do not achieve officer effectiveness. This research suggests that future studies scrutinize law enforcement policies for their effectiveness with officers and in their stress reduction. At the same time, future research should ensure that these policies take advantage of technology to enhance police work and create impactful engagement with the community. These efforts should ultimately consider how to maximize the effectiveness of such policies.

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