

MONTPELIER POLICE DEPARTMENT

Law Enforcement COVID – 19 Response	Related Policies: COVID
<i>This policy is for internal use only and does not enlarge an employee’s civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.</i>	
Applicable Vermont Statutes:	
CALEA Standard:	
Date Implemented: April 9, 2020	Review Date: April 9, 2020

I. Discussion: In light of the public health risk that Coronavirus Disease 2019 (COVID-19) presents and the pressing need for law enforcement agencies. The purpose of this policy is to outline considerations with respect to law enforcement operations during this ongoing state of emergency. Law enforcement, like healthcare is going to be an essential function during the current state of emergency. As with other emergencies and natural disasters consideration has to be given to how law enforcement will function during the emergency. In order to maintain a high level of public safety it is essential that law enforcement consider how operations will impact close contact spread of Covid19 and what steps can be considered to aid in controlling the virus, while maintaining the public safety.

II. DEFINITION: Coronavirus disease 2019 (COVID-19) is a respiratory illness that can spread from person to person. The outbreak first started in China, but cases have been identified in a growing number of other areas, including the United States.

A. Data suggests that symptoms may appear in as few as 2 days or as long as 14 days after exposure to the virus that causes COVID-19. Symptoms can include fever, cough, difficulty breathing, and shortness of breath.

B. The virus causing COVID-19 is called SARS-CoV-2. It is thought to spread mainly from person-to-person via respiratory droplets among close contacts. Respiratory droplets are produced when an infected person coughs or sneezes and can land in the mouths or noses, or possibly be inhaled into the lungs, of people who are nearby.

- C. Close contact increases your risk for COVID-19, including:
- a. Being within approximately 6 feet of an individual with COVID-19 for a prolonged period of time.
 - b. Having direct contact with body fluids (such as blood, phlegm, and respiratory droplets) from an individual with COVID-19.
- D. To protect yourself from exposure:
- a. If possible, maintain a distance of at least 6 feet.
 - b. Practice proper hand hygiene. Wash your hands with soap and water for at least 20 seconds. If soap and water are not readily available and illicit drugs are NOT suspected to be present, use an alcohol-based hand sanitizer with at least 60% alcohol.
 - c. Do not touch your face with unwashed hands.
 - d. Have a trained Emergency Medical Service/Emergency Medical Technician (EMS/EMT) assess and transport anyone you think might have COVID-19 to a healthcare facility.
 - e. Ensure only trained personnel wearing appropriate personal protective equipment (PPE) have contact with individuals who have or may have COVID-19.
 - f. Learn your employer's plan for exposure control and participate in all hands training on the use of PPE for respiratory protection, if available.
- E. Recommended Personal Protective Equipment (PPE):
- a. Law enforcement who must make contact with individuals confirmed or suspected to have COVID-19 should follow CDC's Interim Guidance for EMS. <https://www.cdc.gov/coronavirus/2019-ncov/hcp/guidance-for-ems.html>.
- F. The minimum PPE recommended is:
- a. A single pair of disposable examination gloves,
 - b. Disposable isolation gown or single use/disposable coveralls*,
 - c. Any NIOSH-approved particulate respirator (i.e., N-95 or higher-level respirator); facemasks are an acceptable alternative until the supply chain is restored, and
 - d. Eye protection (i.e., goggles or disposable face shield that fully covers the front and sides of the face)

e. *If unable to wear a disposable gown or coveralls because it limits access to duty belt and gear, ensure duty belt and gear are disinfected after contact with individual

G. If close contact occurred during apprehension:

a. Use flex-cuffs where possible and dispose of after use. **DO NOT USE A KNIFE TO REMOVE FLEX-CUFFS FROM A SUSPECT. SIDE-CUTTERS ARE AVAILABLE IN BOOKING OR USE OTHER APPROPRIATE SCISSOR TYPE CUTTING INSTRUMENT.**

b. Clean and disinfect duty belt and gear prior to reuse using a household cleaning spray or wipe, according to the product label.

c. Follow standard operating procedures for the containment and disposal of used PPE.

d. Follow standard operating procedures for containing and laundering clothes. Avoid shaking the clothes. Remove your clothing outside your home where possible and place in a plastic trash bag. Wash with hot water and detergent and dry.

H. Triage Calls: Prioritization of calls for service:

a. Consideration of limiting law enforcement operations to those calls of a serious nature where there is an immediate need for investigation i.e. murder, rape, robbery, arson, kidnapping or where there is a threat of injury to a person i.e. domestic assault, assault in progress, murder, rape, robbery, arson, kidnapping, serious property crimes in progress, etc. Note this is not meant to be an exhaustive list but should convey the idea that if no person is in danger than law enforcement should not respond and expose officers.

I. Consideration of limiting pro-active enforcement.

a. On every person to person contact officers are potentially exposed to persons who are contagious. In every traffic stop, every pedestrian stop, and any other contact, the officer will be in close proximity to the subject and may be handling items, i.e. license and registration that the subject just handled. As such, officers can become exposed and be placed under a 14-day quarantine or worse (depending on current CDC and Vermont Department of Health guidance). In such events the overall numbers of public safety personnel available will thereby be diminished leaving not enough officers available to handle serious public safety events. I would note that common practices in natural disasters, officers are placed in a fixed-position and do not respond to most calls for service during the heightened phase of the storm. Our current storm is Covid19 and a similar approach makes sense.

- J. Consideration of handling calls where no one is in danger online via department website or telephonically.
 - a. Reports of thefts, property, damage, and even minor vehicle accidents can be taken over the department website or by telephone. One consideration for agencies with school resource officers is to utilize SROs as part of this function while schools are not in session.
 - b. Consider instructing officers to exercise discretion and avoid arrests for minor offenses that do not endanger others including property crimes. A concern for law enforcement is the spreading of Covid19 to officers, to corrections personnel, and to other persons housed in the jail. Additionally, with courts throughout the country being closed, these arrests will only further backlog the system. Limiting the number of persons housed in a jail or correction facility also plays a role in reducing the potential spread of Covid19 in jails.
- K. Where charging with a crime is necessary, consideration should be given to citing and releasing the individual rather than taking the subject to a lockup facility.
- L. Consider matters of transportation. Due to the responsibility law enforcement has to the health and safety of arrestees, it must be recognized that vehicles must be disinfected after the transport of a prisoner so that the next arrestee will not be exposed. Thus, limiting the number of transports by discouraging non-essential arrests reduces the number of exposures.
- M. Consider the temporary use of flex-cuffs in place of handcuffs. One of the most common spread points being cited is by hand to hand contact. Handcuffs have always been considered by law enforcement to be a breeding ground for germs leading officers to routinely disinfect their handcuffs. In order to minimize handcuffs as a potential carrier of Covid19, officers should be encouraged to use plastic flex-cuffs instead of handcuffs for purposes of single-use and disposal rather than trying to disinfect handcuffs.
- N. Officers should be provided with and directed to use latex gloves on all calls for service that they respond to and be provided with a trash receptacle in their vehicle where the gloves can be disposed following each call.
- O. Officers should be directed to maintain safe distances during interviews and other contacts with victims, witnesses, suspects, or any citizen with whom they have contact.

- P. Officers who are assigned to duties in the station should be directed to disinfect their work area at the start and completion of each shift, to include telephones, computer keyboards and any surfaces the officer touches. Agencies, to the extent possible should limit the use of shared workspaces during this emergency.

- Q. Officers, particularly with shared vehicles, should be directed to disinfect the passenger compartment of their vehicle at the start and end of each shift. This process should include computer/MDT keyboards, all accessory buttons, door handles, and any other surfaces generally touched.

- R. As noted, every arrest has the potential to expose an officer who will be in close contact with the individual during searching and handcuffing, as well as transport and booking. When officers become exposed or ill due to exposure they will not be available to handle urgent public safety matters. Thus, exposure and contacts should be limited to serious calls where there is threat to the safety of some individual or the crime is of such a serious nature that it must be immediately investigated.

- S. Every contact that law enforcement has with any member of the public has the potential for exposure to Covid19. In much the same way that the healthcare profession may be overburdened by a spike in patients, public safety will be dramatically impacted by a spike in exposed officers who are forced into quarantine. As with weather related disasters where law enforcement activities are limited during the height of the storm, law enforcement must consider using these same principles during this health-related emergency.