



WJLA TV / DT WASHINGTON, DC

Checkpoints, arrests: These states are enforcing stay-at-home orders

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March 31, 2020

As of Tuesday, 32 states and the District of Columbia had implemented some form of stay-at-home order to enforce social distancing and help slow the spread of the coronavirus.

With public health and safety on the line, many state orders have specified penalties for violating the orders, including fines and even prison time. Other states have gone further to enforce restrictions and have started police patrols and set up checkpoints to stop interstate travelers.

RHODE ISLAND: ENLISTS POLICE, NATIONAL GUARD FOR CHECKPOINTS

At the end of last week, Rhode Island resorted to some of the most extreme enforcement measures aimed at preventing the spread of COVID-19 from neighboring New York, the state with the most confirmed cases.

Over the weekend, police and National Guard units patrolled coastal neighborhoods checking door-to-door for vehicles with New York license plates. New Yorkers were also stopped at train stations and on interstate highways.

The actions were part of a stay-at-home order issued Friday by Democratic Gov. Gina Raimondo that called for anyone entering the state from New York to complete a 14-day self-quarantine.

After an outcry from the New York governor and civil liberties group, Raimondo repealed parts of the order Monday. The self-quarantine requirement now applies more broadly to anyone traveling from out of state. The Rhode Island branch of the American Civil Liberties Union (ACLU) said the new order was still "deeply troubling."

Under the revised order, police and National Guardsmen are stopping cars entering the state from the south on interstate highways. Guardsmen are also posted at train stations, bus stations and the T.F. Green International Airport to inform visitors about the self-quarantine policy.

In addition, residents of New York, New Jersey and Connecticut are currently advised to avoid domestic travel for 14 days through April 11. The recommendation by the Centers for Disease Control and Prevention came after President Donald Trump floated the idea of a tristate quarantine.

As of Tuesday, Rhode Island had approximately 600 confirmed cases of COVID-19 and eight deaths.

FLORIDA: CHECKPOINTS AND ARRESTS, NO STATE LOCKDOWN

Viral images of Florida's sandy beaches packed with visitors became the epitome of what not to do during a pandemic. Yet despite some Floridians ignoring social distancing recommendations and orders for the southern part of the state to stay home, Republican Gov. Ron DeSantis has yet to institute a statewide order.

However, on Friday, DeSantis ordered checkpoints set up on interstate highways to monitor out-of-state travelers. The measure was largely aimed at individuals coming from New York, Louisiana and other hard-hit states where travelers might unwittingly transmit the virus.

Under the executive order, anyone traveling to Florida from out of state must self-quarantine for 14 days, unless they are essential or emergency personnel. They are also required to have a written form that includes where they are traveling from and where they plan to quarantine.

Florida Highway Patrol and county sheriffs' offices were enlisted to operate the checkpoints. Out-of-staters who fail to self-quarantine as directed could face second-degree misdemeanor charges including a fine of up to \$500 fine, imprisonment for up to 60 days or both.

In Tampa, where residents are expected to abide by social distancing guidelines, the Hillsborough County Sheriff's Office demonstrated how seriously it takes the restrictions on gatherings. On Sunday, officers arrested megachurch Pastor Rodney Howard-Browne after he held two large church services Sunday and even bused in worshipers.

Officials said they warned the pastor about the "dangerous environment they were creating for their members and the community." After ignoring the warnings, Howard-Brown was booked on charges of unlawful assembly and violating quarantine orders during a public health emergency.

As of Tuesday, Florida had approximately 6,300 confirmed cases of COVID-19 and nearly 80 deaths.

TEXAS: ENFORCED SELF-QUARANTINE FOR TRAVELERS

In Texas, Republican Gov. Greg Abbott has issued several executive orders aimed at stopping out-of-state travelers from bringing COVID-19 into the state but has yet to issue a statewide stay-at-home order.

An executive order signed last week required all air travelers coming into the state from New York, New Jersey, Connecticut and Louisiana to self-quarantine for 14 days.

This week, Abbott issued a more expansive order for individuals traveling by car to self-quarantine if they are coming from California, Connecticut, Louisiana, New Jersey, New York, Washington or from Atlanta, Chicago, Detroit or Miami.

The Texas Department of Safety was said to be "vigorously enforcing these orders." Travelers must fill out DPS forms identifying where they plan to self-quarantine. They are subject to follow-up check-ins from troopers. According to Texas DPS, violators could face fines and up to six months of jail time.

On Thursday, he announced an executive order requiring a mandatory self-quarantine for air travelers arriving to Texas from airports in New York, New Jersey, Connecticut and New Orleans.

As of Tuesday, Texas had approximately 3,300 confirmed cases of COVID-19 and 50 deaths.

NEW YORK: FIRST ARREST FOR VIOLATING LOCKDOWN

In the middle of a public health crisis that has killed more than 1,550 New Yorkers and infected at least 76,000 more, New York City took its first major step in enforcing social distancing orders. On Saturday night, police arrested the 56-year-old owner of the Miami II Sport Cafe in Brooklyn after receiving several complaints about an unlawful gathering.

Vasil Pando's cafe appeared to be closed from the outside, but inside there were reportedly more than a dozen people drinking and gambling. Pando was not only found to be violating the ban on bars and restaurants serving patrons, he was also serving alcohol without a license.

Pando was charged with the illegal sale of alcohol, reckless endangerment, promoting gambling and criminal nuisance.

Democratic Gov. Andrew Cuomo's March 22 stay-at-home order mandating social distancing did not specify consequences for violations. At a briefing last week, Cuomo warned, "These provisions will be enforced...These are not helpful hints.

PATCHWORK OF ORDERS RAISE CIVIL LIBERTIES CONCERNS

The patchwork of executive orders and ways of enforcing lockdowns has inevitably led to confusion on the part of the roughly 265 million people ordered to stay off the streets.

Will law enforcement be patrolling for violators? Can people be stopped indiscriminately? Will residents have to carry documents justifying their reasons for leaving home, as it's being done in France and Italy?

"At a national level and at a state level, there just haven't been consistent guidance about what these orders mean and how people should respond," said John Floyd, a criminal defense attorney based in Texas.

President Donald Trump has shied away from issuing a federal lockdown. The White House has issued social distancing guidelines that have been extended through April 30.

In most cases, state stay-at-home orders require all but essential businesses to close their doors or work remotely. Essential businesses vary by state but tend to include groceries, pharmacies, health care, child care, transportation, banks, warehouses and shipping operations. The Department of Homeland Security has guidance identifying the critical infrastructure workforce.

The orders also tend to limit the activities outside the home to seeking medical help, getting groceries, medicine or supplies and going outside for exercise or fresh air, as long as social distancing rules are observed.

Even within states, there can be confusing discrepancies in social distancing orders and how they are enforced. In Texas, Harris County's enforcement of social distancing has been "very piecemeal," according to Floyd, who is based in Houston.

He raised concerns about "selective enforcement" of social distancing rules. In recent days, Floyd said he has received several calls from people who had been detained for apparently no

reason, asked for their IDs and searched. They were told it was related to the county order asking everyone to stay home.

"These orders have to be more explicit," he said. "There are a lot of unanswered questions and we're running into a lot of uncharted territory."

While many states have statutes to enforce quarantines and take similar actions under a state of emergency, the potential response to COVID-19 has raised concerns among civil libertarians.

Cato Institute fellow Trevor Burrus, who researches civil and criminal law, anticipated tougher policing measures to enforce social distancing as the crisis escalates in more parts of the country.

"I expect most people will abide by the orders to some degree but when the death toll breaks 100,000 and stadiums turn into morgues, I expect more Draconian measures to come," Burrus said.

"Of course, the civil liberties concerns in the face of a quarantine need to be weighed against other costs and benefits," Burrus continued. "So, we'll see how things change in terms of what people are willing to accept based on their perception of the risk."

SOME STATES CLARIFY ENFORCEMENT BY POLICE

As states prepare to experience a peak in COVID-19 infections and deaths in the coming weeks, political leaders and law enforcement will be expected to communicate the seriousness of social distancing orders, including how those measures will be enforced.

In Washington, Democratic Gov. Jay Inslee warned that the state would start cracking down on violations of the "Stay Home, Stay Healthy" order. The governor said his office received thousands of calls about nonessential businesses remaining open despite the public health crisis.

He outlined the consequences of violating the order. The first step will be a warning from local law enforcement. The second step will include citations, suspension of permits and even revocation of business licenses.

Washington State Patrol has also made a point of communicating to the public on social media to "squash" rumors about how officers were enforcing the stay home order.

"WSP troopers are not being asked to detain, arrest, ticket or establish checkpoint for the stay at home order," explained Trooper Chris Thorson. He continued that troopers "are not stopping cars and asking people their private business about where they're going."

In Minnesota, Democratic Gov. Tim Walz's stay-at-home order warns that a person who "willfully violates" the restrictions "must be" be charged with a misdemeanor, including a fine of up to \$1,000 or jail time not exceeding 90 days.

In a letter to law enforcement, the Minnesota Department of Public Safety Commissioner explained that the order "does not encourage or recommend that an officer stop a person... simply for being out of their home." Stops should be related to "other criminal conduct," the commissioner said.