

Governor's Task Force to Re-Open Florida

Industry Working Group Related to Agriculture,
Finance, Government, Healthcare, Management and
Professional Services

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The Florida Police Chiefs Association (FPCA) is the nation's pre-eminent law enforcement professional association, speaking for more than 900 of Florida's top law enforcement executives, and providing guidance and leadership for the future of law enforcement and our communities. The FPCA serves municipal, airport, port authority, college, university, railroad, and tribal police departments, as well as private businesses and security firms and federal, state and county law enforcement agencies across every region of the state. For more information about the FPCA, please visit www.fpca.com

CLARITY OF DIRECTION

- State government must be a source of uniform, consistent, coordinated, and specific guidance not open to interpretation, and easily followed by local elected officials.
- State government must communicate their decisions early to provide our agencies with the lead time necessary to adapt and properly – and safely – implement an Order.
- We recommend that Re-opening should be done in phases to manage what we expect to be a surge of pent up demand for business, recreation, and entertainment. Depending on what restrictions are implemented to control these operations including any social distancing provisions chosen to retain or create, the unintended consequences of these actions could overwhelm already fatigued law enforcement agencies across the state.
 - Avoid opening only a select group of activities, which will naturally lead to people flocking to and overloading those venues.
 - Specifically address restrictions on **private** recreational areas such as pools, gyms, tennis courts, and condominium common areas. These proved to be a substantial source of problems and helping peacefully to resolve them strained resources.
 - Specifically address public recreation areas, especially beaches and boat ramps where we have already seen problems.
 - Be uniform across the state to avoid situations where citizens congregate in the least restrictive locations and jurisdictions.

THE CONTINUING ROLE OF LAW ENFORCEMENT

- State government must make its expectations on law enforcement very clear. These Orders and the role of law enforcement in assisting or enforcing them, whether regulating social or commercial activities, must not unnecessarily curtail the constitutional privileges and protections of our citizenry. While this decision is ultimately up to our state leaders and elected officials at this point, we would recommend against making law enforcement the “distancing police.”
- To the extent law enforcement is made responsible for policing those restrictions, we need very specific guidelines so that front-line officers understand the restrictions, which businesses and activities they affect, and how to enforce them.
 - For example, if restaurants re-open with certain social distancing rules, there need to be clear guidelines everyone can understand (i.e. half of the fire code allowance). Otherwise, the confusion will lead to disputes, and that will lead to more calls to law enforcement agencies.
- Overall, we must remain mindful that placing this burden on law enforcement agencies will cause them more problems and risk a long-term loss of support from the communities they serve.

THE CONTINUING ROLE OF LAW ENFORCEMENT

- Even as law enforcement agencies work to help ensure the public health, our main job is to deter and stop crime. We have reports of State Attorneys asking law enforcement not to submit non-arrest criminal cases until the pandemic is over. While we understand the workforce burden, we should protect the rights of all crime victims and not sacrifice the rights of any citizens, especially while we also work to buttress confidence and trust in our leaders and institutions.
- Even with specific, standardized guidelines, law enforcement agencies will likely be subject to increased litigation, especially if law enforcement is given the job of further enforcing social distancing rules. One can easily predict the accusations – and lawsuits – alleging the impairment of civil liberties. Local governments will bear the burden of defending those lawsuits. State government should review the applicable liability laws and consider making appropriate changes.
- Finally, we should allow police academies to continue to operate, ensuring that law enforcement agencies maintain a full pipeline of trained professionals.

FIRST RESPONDER SAFETY

- Law enforcement officers understand their oath of service means sacrifice. Right now, that sacrifice means willingly exposing themselves to COVID-19-positive and potentially positive members of the general public.
- Their exposure will only increase as the state reopens and public activity resumes, particularly larger events that may involve large crowds. And of course, law enforcement officers must still return home to their families and their children, jeopardizing their own families' health.
- As a result, we should prioritize protecting our first responders so they can protect others. We can do that two ways:
 - Adequately supplying law enforcement personnel with necessary personal protective (PPE) gear.
 - Adequately supplying rapid, reliable COVID-19 testing for first responders that occurs every two weeks, at low or no cost, which is consistent with the White House Re-Open America plan.

FUNDING

- Just like for private industry, financial resources are now a concern for government agencies. Law enforcement is dealing with those repercussions as well, whether with tangible issues like supplying PPE gear, or intangible issues like staffing overtime to replace officers quarantined as suspected COVID-19 cases. As more first responders become infected (SEE: First Responder Safety), those costs will only escalate.
- The State should also review funding for the homeless and the accompanying problems of drug addiction and mental health. The burden on law enforcement relative to these social problems has increased significantly over the years, but pandemic-related issues have only further highlighted these problems.

Questions?

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