

**Pumphrey Law Scholarship Application Essay: The Effects of COVID-19 on the Justice
System**

Annalise Giordano

University of South Florida

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The criminal justice system and those who are a part of it commonly deal with surprise, spur of the moment action, strong discretion, and unknown outcomes. No matter what outlet of the criminal justice system one looks at, these factors are a part of the everyday job. However, even when these things are encountered on a daily basis, the system itself cannot be prepared for everything. The COVID-19 pandemic is a prime example of this, as the system has had to make quick decisions that have long term impacts. These long term impacts affect law enforcement, and courts, correctional facilities and supervision. While these are all different outlets of the criminal justice system, they are all interconnected. The long term effects in one outlet can impact another, sometimes unintentionally or indirectly.

Usually, the way people come in contact with the criminal justice system is through law enforcement. They are the frontline workers of this system. They often deal with crisis situations, leaving it up to them to both control the situation and offer help. The Coronavirus has made carrying out everyday law enforcement action difficult. For example, part of law enforcement's job is ensuring safety by patrolling large crowds, busy streets, and well populated areas. To protect themselves and others, it has been advised by the Center for Disease Control and Prevention that a distance of six feet be maintained at all times if possible (What Law Enforcement Personnel Need to Know... , 2020). While social distancing has become a new part of everyday life, this makes policing more difficult. When such a distance is kept, it can be difficult to communicate and deescalate situations. Simply talking to an individual can now turn into a stressful situation. However, this does allow for policing to become less invasive and less physical. More personal space lessens the abuse potential.

The COVID-19 guidelines may be changing the way law enforcement acts during the time of the pandemic, but it is likely that these changes could carry on into the future and

become long term effects and change. For example, “In Florida, the Miami-Dade Police Department instructed officers to issue citations for all misdemeanors, unless in the case of exigent circumstances, and temporarily restricted the enforcement of evictions citywide” (Jennings & Perez, 2020). Because the “tough on crime” era is slowly fading out due to changes in social morals, norms, and beliefs, it is very possible that this change could be more permanent- even though it may not seem like it now. Citations in lieu of arrest can cut the amount of close physical contact and exposure. Citations such as fines or appearances increases public safety.

Citation appearances transition into the next outlet of the criminal justice system- courts. The regular court appearances often seen on television seem like a thing of the past due to the Coronavirus. The close quarters and factory-line type operations deems unsafe for these times. Some of the common changes courts are making to ensure safety in combating the Coronavirus are restricting or ending jury trials, suspending in-person proceedings, restricting entrances to the courts, encouraging or requiring teleconferences and videoconferences, and extensions on court deadlines and fines (Criminal Justice System Responses to COVID-19, 2020).

The state of Florida has four phases in which their courts will be reopening and operating. Phase one details “in-person contact is inadvisable, court facilities are effectively closed to the public, and in-person proceedings are rare” (Supreme Court of Florida, 2020). Phase two builds on that saying, “in-person contact is authorized for certain purposes but requires use of protective measures” (Supreme Court of Florida, 2020). Phase three has not been met yet, but states “an effective vaccine is adequately available and in use and in-person contact is more broadly authorized” (Supreme Court of Florida, 2020). The final and fourth stage reads “– COVID-19 no longer presents a significant risk to public health and safety” (Supreme Court of Florida, 2020).

While it may take a while for the courthouse and its regulations to get back to normal, we could see some of these changes overlap in the future. Because the courthouse and its workers are often booked with cases and overwhelmed with hectic schedules, these abrupt but necessary changes may help alleviate these factors in the future. The state of Florida's courthouses could be more technologically advanced in the future due to forced use of videoconferences and cases could be cleared quicker because it has been proven court proceedings can be done remotely.

After a court date, individuals may be sentenced to correctional facilities and supervision. The Coronavirus also has impacted these facilities, their employees, and their inmates as well. These facilities need to be dealt with in a very careful manner, as outbreaks can be serious in an enclosed space. Due to the actions taken by law enforcement and the courts, the correctional facilities can feel long term effects as well. Because police officers are trying to issue citations rather than arresting, jail admissions may lower. This is a positive thing, as budget cuts and overcrowding plagues the criminal justice system as a whole. On top of this big chain effect, places may be releasing people from jails and prisons when possible, reducing unnecessary contact, and reducing or suspending prison visitation (Criminal Justice System Responses to COVID-19, 2020). For example, Florida facilities suspended personal visits on March 11th, but still allowed legal visits (Park, 2020). Florida facilities began to allow limited visits with some restrictions on October second (Park, 2020).

Overall, it is clear the Coronavirus has impacted the different outlets of the criminal justice system in many different ways. However, it can be seen that while the virus has left many negative impressions, its long term effects on the criminal justice system may actually be positive. Policing tactics may change and be less invasive, courts may be able to process cases

faster, and the populations of incarceration facilities may shrink, which will help reduce overcrowding and reduce the impact of overcrowding.

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