

Examining “La Ayuda”: Law Enforcement and Latinos on Long Island during COVID-19

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As part of their response to the COVID-19 pandemic, law enforcement agencies in Long Island’s Suffolk and Nassau Counties reached out to Latino immigrant communities with a message to “educate over enforce.” Yet, this messaging did not echo enough in the lives of immigrant communities who were the most vulnerable and hardest hit populations in the area. Based on fieldnotes from sixteen virtual meetings spanning five months (March–July), which are part of a larger qualitative project, we argue that communication gaps persisted and continued to plague community/police relations in several ways. First, the messaging around education was a one-way street with very little input from community members. Second, “light” enforcement still took place with the issuing of summons on social distancing and requiring mask wearing. Third, the closing down of precincts meant that there was no way to access police services, especially in Spanish, the community’s language. Finally, law enforcement’s response to the community’s needs was “virtually” absent. We conclude this examination with lessons learned so police departments can better serve and protect the immigrant community.

Keywords: policing, COVID-19, Long Island, Latinos, immigration, qualitative

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Nassau and Suffolk Counties occupy the eastern part of Long Island, a thirty-minute drive from Manhattan, New York. Historically, Long Island has been known for its suburbs, beaches, gilded mansions, and an escape from New York City life. However, Long Island is also a place of contrast where the racial and wealth gaps are visibly part of the landscape. Long Island is one of many sites where one could examine police-community relations—as numerous cases throughout the U.S. bear witness to police brutality, violence, and rifts between minorities and the police. Yet, Long Island has not been studied extensively as an immigrant destination even when Latinos account for 17.9 percent of the population in Nassau County and 21.4 percent in Suffolk County (U.S. Census Bureau 2022). Our work is the only one we know that examines Latino-police relations, in real time, during COVID-19. We employ digital ethnography to relate law enforce-

ment’s response during COVID-19 and hope more work is produced to make comparisons on both the national and international scales.

1 Literature Review

1.1 Mapping the National and Local Contexts

This work focuses on the criminal justice response because police were tasked to be first responders and, in the absence of other social support systems (including closing down of nonprofit agencies), they were responsible for maintaining the safety of communities and protecting all. But, what happens when relations with community members are fraught? In this piece, we set aside the white-centric criminology lens (León 2021) to examine relations between the Latino community and the police on Long Island. We examine the police response during COVID-19 through a “crim-

migration”¹ lens (see Arriaga 2016; Coleman 2012; Armenta 2017) where the intersections of ethnicity, racialization, immigration, and language matter. Our focus on Latinos on Long Island is part of a wider project but, for this article, we examine how police as “first responders” navigated community relations during the pandemic.

During the Trump administration, concerns and fear of local police became more pronounced,² and for Latinos, COVID-19 raised the stakes (Leyro and Stageman 2018). The Trump administration was initially in charge of handling the COVID-19 crisis and under his administration, ICE (U.S. Immigration and Customs Enforcement) was still operating as usual. ICE was tasked to search for “undocumented” felons to arrest and send to detention centers. This had been a longstanding practice under the Secure Communities program;³ Trump revived it and in many ways put it “on steroids” (Garcia 2019, 103). It has been noted that Secure Communities is a political ploy (Chand and Schreckhise 2015) that increases the role of the “surveillance” state on the interior parts of the nation (Walsh 2014), extends the power of ICE to intervene in local police work (Provine et al. 2016), and links criminality to “Latinos” and “immigration” (Menjivar and Kanstroom 2014).

The role of ICE has become so central to local police work that the federal government rewards localities cooperating with it and threatens to withhold money from places attempting to safeguard immigrants through sanctuary policies (Capps et al. 2018). This marks a shift from past years where unauthorized immigrants were not deemed criminals but were status violators and not jailed for this “civil” offense. During the Trump administration, the number of immigrants in jail increased, leading to the establishment of for-

profit detention facilities across the nation. While Trump and his administration touted this as a win-win in both combating crime and supporting law enforcement, most studies suggest immigrants commit less crime compared to their native-born counterparts (Hagan and Palloni 1998; Martinez and Lee 2000). Moreover, in many cases where immigrants are processed as criminals, their “real crime” was illegal entry and not an actual criminal offense. As such, the enforcement-heavy climate that some scholars have conceptualized as a “cimmigration regime” helps local law enforcement officials act as immigration agents (Garcia-Hernandez 2013; Vazquez 2015) to “do the work” of the Trump administration. In a “cimmigration” regime, being a noncitizen is the “crime” that then justifies a range of dehumanizing experiences including arrest, detention, and deportation.

Mathew Coleman observes that it is now far more dangerous for undocumented immigrants to drive than to be caught working without papers (2012, 184). The American Immigration Council (2021) found immigrants are worse off in states allowing 287(g) programs. These 287(g) programs⁴ give local police officers permission to arrest a noncitizen for a misdemeanor, such as a driving violation, and then hold the person in custody until ICE picks them up. Hiroshi Motomura comments that, “[in] immigration law, however, the discretion to make an arrest has been the discretion that matters” (2011, 1822). In essence, when local policing work is left to the discretion of the police officer, rather than protecting and serving the communities, their work becomes linked to federal “immigration” agendas therefore paving the way for a “deportation machinery” (Capps et al. 2018).

1.2 Policing of Latino Communities

Several studies examine on-the-ground local enforcers of immigration agendas from local police officers to sheriffs to deputized ICE officials. Armenta’s work on Tennessee local police officers (2017) shows how they

¹ Cimmigration describes a process that marries criminal law with immigration law and utilizes the criminal justice system to enforce an immigration agenda.

² After the death of George Floyd, Trump signed an executive order to curb police misconduct that critics saw as a reactionary and toothless (see Kelly and Naylor 2020).

³ Under Secure Communities, a federal-local partnership emerges where local police officers can run the fingerprints of an arrestee through immigration and criminal databases, and if a “detainer” is identified in the system, police officers can then hold the person for up to 72 hours for ICE to pick them up.

⁴ 287(g) programs allow police officers to arrest a “suspected alien.” This is a common tactic that is used in pretextual stops and results in racial profiling. In effect, 287(g) agreements give local police the green light to act as immigration officials and expand the role of jails, while Secure Communities takes care of the technological aspects, like fingerprinting.

disproportionately profiled Mexican immigrants. Other studies discuss the collateral effects of the 287(g) program on Mexicans living in other states (see Arriaga 2016; Coleman 2012; Donato and Rodriguez 2014). At the local level, the spill-over effects of what has been dubbed a climate of “legal violence” (see Menjivar and Abrego 2012) creates borders anywhere immigrants find themselves residing (Menjivar and Kanstroom 2014). These violent policies produce social suffering for entire families, regardless of legal/illegal statuses, in all aspects of their social life and integration into U.S. society (Jiang and Erez 2017; Szkupinski-Quiroga, Medina, and Glick 2014). While local police and ICE can see this cooperation as a necessary step in combating crime, these operations leave an impact on those that are “policed.” Immigrant communities encountering the local police are very suspicious of law enforcement because of incidents in which the police act as ICE agents or honor ICE requests (Coleman and Kocher 2011; Nguyen and Gill 2016). Furthermore, even when these operations are not routine, they create a climate of fear-engendering daily microaggressions resulting from macro-aggressive policies that are inherently racist (Szkupinski-Quiroga, Medina, and Glick 2014). These incidents produce “a negatively coded hypervisibility for Latinos, which renders them especially vulnerable to interior enforcement and policeability practices” (Maldonado 2014, 1928) that have long-lasting consequences. Following Maldonado’s work (2014), we can begin to construct a nuanced account of Latinos and the poli/ICE by focusing on the specifics of the Long Island site.

1.3 Policing of Latino Communities on Long Island

COVID-19 was far from being the “great equalizer” (Goldin 2021) on Long Island because pre-existing conditions made some communities more vulnerable to policing practices. As background, Blacks and Latinos live in segregated areas in both counties as a result of racist practices that have left a legacy (see Adelman 2003). The leading newspaper in the area, *Newsday*, noted that broker firms and real estate agents continue to steer minority homebuyers into specific neighborhoods that are far apart from whites (Choi et al. 2019). In general, resources (such as good jobs,

good schools, and affordable housing) were scarce in these neighborhoods even before the pandemic occurred. Thus, it was not at all surprising to see the disparate effects of COVID-19 on Latinos once the disease became widespread. According to the COVID Tracking Project, Latinos had the second-highest COVID-19 mortality rate in New York State (following African-Americans).⁵ Latinos’ high risk of exposure on Long Island was due to several factors (Peddie and La-Rocco 2020). For one, many live in crowded housing conditions and work in essential business with few employment protections. Secondly, the initial testing sites were not located in their vicinity and so people had to drive far to be tested. Since Long Island has a small mass transit system, most people drive cars but, up until the passage of the Green Light Law,⁶ undocumented people could not legally drive a car. Thirdly, the undocumented and those living in mixed-status families were initially reluctant to seek medical help because of fears of ICE.⁷ Fourthly, public health officials did not always provide interpretation services to Spanish-speakers so the communication gaps made it especially hard to find help. Thus, what made Latinos particularly “at-risk” of COVID-19 was essentially living in precarity due to inequality.

Maldonado’s concept of “racialized hypervisibility” (2014) helps us understand policing relations on Long Island, specifically, through two incidents. The first is Marcelo Lucero’s murder. Lucero was killed by a group of teenagers in what was allegedly known as “beaner hopping,” a violent practice that involves hunting and assaulting Latinos in parts of Long Island (Buckley 2008). The murder reified for members of the community what it meant to be an immigrant in an area where hate crimes were underreported. Because of this, the Department of Justice (DOJ) formally opened an investigation into the Suffolk County Police Department (SCPD). Consequently, the DOJ now

⁵ The COVID Tracking Project is a volunteer-based tracking data source sponsored by The Atlantic. Accessed August 23, 2021. <https://covidtracking.com/race/dashboard#state-ny>

⁶ This state law allows anyone (age 16 and over) with New York residency, regardless of their citizenship or lawful status in the United States, to apply for a driver’s license or learner’s permit.

⁷ Before the pandemic, there was a controversy in Nassau when ICE proposed moving its trailer to the parking lot of one of the main hospitals in the county.

monitors the SCPD’s policing efforts in the Latino community. We witnessed the tail end of this monitoring, which started in 2014. As of today, there is still work that needs to be done to achieve substantial compliance in all the areas the DOJ agreement identifies. The second incident involved Sergeant Greene, who was accused of targeting Latino drivers only to steal their money (also known as “stop and rob”). Some community members felt that rather than being a “one-person, one-time incident,” Sergeant Greene (who was convicted and sentenced to three years imprisonment for this crime) represented a policing system that discriminated against and targeted immigrants.

Long Island has not adopted the 287(g) program⁸ but both police departments have worked with ICE to combat gang-related crime (Garland 2009; Wolf 2017). Indeed, the best form of exerting social control (Bass 2001) in the post-9/11 climate was to link gangs to terrorism; therefore, it is not surprising that local law enforcement strengthened its gang work alongside a national context of “crimmigration.” In this way, the police and ICE (poli/ICE) could justify their partnerships as standing together to fight the “Central American” gangs. In fact, a “gang” member could be anyone—ranging from an unaccompanied minor to a day laborer. Nassau County’s Commissioner asserted that day laborers worked during the day and did their “gang stuff” at night (Media Matters 2018). In 2007, Nassau County had a policy known as 3610 allowing police to honor ICE administrative warrants and arrest immigrants without probable cause. In November 2018, a New York State appellate court ruled that New York law forbids state and local law enforcement to uphold ICE detainer requests for something minor (like a speeding violation) (New York Civil Liberties Union 2018). Despite this, there are concerns that school resource officers who track gangs at schools do work with ICE (Dreier 2018a, 2018b, 2018c).

⁸ The issue with this policy is that it links immigrants to criminality and thus reinforces the relationship between categories and public policies (see Harcourt 1998).

1.4 Police as the “Protected Class”

Police accountability is extremely difficult to achieve because in many ways police are “the protected class.”⁹ The relationship between the SCPD and local politicians has been well documented throughout the last decade. Even in cases of corruption (Stockman 2021), it has been argued that police were “just doing their job.” In effect, politicians and police departments have an amicable relationship regardless of who is in power and what the political climate is (Lewis and Ramakrishnan 2007; Pickett 2016; Lipsky 1980). There is evidence of police unions “calling the shots” when they contribute money to election campaigns (Stockman 2021). In the wake of George Floyd’s killing, the police department’s budget increased by 16 percent (Lane 2021). Some of this money was used for body cameras but critics argue that this does not help communities feel safer because police have the discretion to deactivate them (as of June 2, 2022, there was no official policy on turning body cameras on/off) (see Lane 2021).

During the pandemic, police in both counties were tasked to be first responders but Vitale (2017) points out police are violence workers and not social workers, and therefore, cannot be the first responders in every situation. Police as first responders is a recent political machination—in the aftermath of 9/11, the President’s First Responder Initiative included the police as first responders (whereas traditionally the list consisted of firefighters, EMTs, and hazardous material personnel) so that police work now includes data sharing with federal agents to counter terrorism.¹⁰ According to legislation proposed in both Long Island counties, police are a “protected class” and can sue a civilian for discrimination against their profession.

Long Island has traditionally been more conservative—regardless of what political party is in power—and attempts to scapegoat immigrants have been long-standing practice (Mahler 1995; Berger 2008). When Trump visited Long Island to speak about “rough[ing] up criminals,” he was not doing some-

⁹ There are bills at the state and federal level to deem police officers as a “protected class” under Hate Crime Laws.

¹⁰ This paved the way for intelligence data sharing between the Department of Homeland Security and local law enforcement (see U.S. Congress Select Committee on Homeland Security, House of Representatives 2003).

thing new. He, in fact, was reiterating a stance shared by many political figures: that immigrants are the “pariahs of the suburban towns” (Mahler 1995). Indeed, we find that even with COVID-19 shutting everything down, Latinos experienced hyper-vulnerabilities while navigating an ineffective police response.

2 Methods

We hone in on one period within a larger project,¹¹ the first five months (March–July) of the mandated COVID-19 shutdown, to examine how an “extreme” situation could result in shifts in both police work and community/police relations. Specifically, we were curious to explore what kinds of dialogues, policy changes, and actions would result when stay at home mandates were in place. Our fieldnotes comprise eleven virtual meetings¹² hosted by community advocates of police reform, as well as five community/police meetings hosted by the commissioners—ranging from one hour to a maximum of three hours long. We adopted a new form of hybrid ethnographic fieldwork called “patchwork ethnography” (Günel et al., 2020). Patchwork ethnography begins from the acknowledgment that “home” and “field” have merged, and therefore ethnographic processes and protocols require shifts to make the most of what one can access. During the pandemic, the analytical spaces were virtual and involved using all forms of online platforms to examine interactions. While conventional ethnography allows researchers to observe, participate, interview, and be “present” in the field, we were not afforded this possibility when the “only” means to follow community members, police, advocates, and government institutions was through virtual spaces. We decided that rather than halting the research project, we would continue following whatever virtual spaces we had access to, and in so doing, we embarked on digital ethnography that offered us a continuity rather than a rupture from our ongoing research (Hjorth et al. 2016).

¹¹ The larger project started in 2018 and involved collecting ethnographic and interview data for an RSF-funded project that lasted three years.

¹² The meetings were mostly on Zoom and the number of participants ranged from a minimum of ten to a maximum of thirty.

To analyze the data, we transcribed some of the meetings that were recorded by the host, but for most of the meetings, we took notes on the computer (what was discussed in the chat room was also copied and pasted to the notes). We analyzed our fieldnotes to look for patterns guided by our two main questions: what are we hearing in regards to police/community relations and what are we seeing in these meetings. We then cross checked each other’s work to organize the thematic codes and the data in our debriefing meetings. For example, we noticed the police meetings were heavy on numbers (deaths, hospitalizations, number of calls to the police, crime statistics, etc.) but when advocates asked for more data on the number of calls that needed Spanish-speaking interpretation, they would say they did not have that data. When advocates followed up with concerns that 911 operators would hang up rather than provide interpretation, the commissioner suggested filing a complaint form. We used a two-prong approach to analyze the data—on the one hand, we analyzed patterns and themes, while on the other hand, we set boundaries around what we were not including (such as interruptions, facial expressions, and use of emojis in virtual spaces). The emerging themes were discovered after sorting and categorizing our data and this allowed us to make conclusive findings. To crosscheck this data, we followed the Facebook pages of the different police precincts—NCPD and SCPD—as well as the nonprofits. Additionally, we followed newspapers and other media forums (WhatsApp, Twitter, and text messages) to get a full picture of the “story.”

The data we gathered bears witness to real-time shifts in both “who” became responsible for the Latino community and “how” help was conceived and enacted. While it is skewed towards the advocacy perspective, it is also telling of the differences in efforts to safeguard and serve the Latino community. We “witnessed” a COVID-19 response that was not isolated from how the police interacted with the community before/after the pandemic. We believe the “regular” contact the police departments had with advocates was out of necessity to manage concerns. Although advocates were making demands to the police, they would feel conflicted when telling their clients to call the police because they knew the relations were chal-

lenging before COVID-19. At the same time, advocates felt that because of COVID-19, it was the right opportunity for the police, as first responders, to safeguard and serve the community.

3 Findings

3.1 “Education as a One-way Street”

Brito et al. (2009) argue that law enforcement’s response plan should entail a “two-way, trust-based” communication with the public during a pandemic. According to the SCPD commissioner, the police were reaching out to the immigrant communities with a message to “educate, not enforce”—a necessary step to create trust and compliance. According to the commissioner, COVID-19 precautions were being transmitted through Spanish-language radio and television, social media posts, and use of vans with signage in Spanish. Indeed, the SCPD commissioner said the preferred policing practice during COVID-19 was to hand out facial coverings instead of issuing summons. Yet, as well intended as the message was, we find the notion of “educating” Latinos was limited in scope. For example, the police used vans to “alert the community on social distancing, hand-washing and staying home” protocols but these vans had previously been used by the police union to signal their support of ICE. In November 2018, the state’s appellate court stated that localities could not hold suspects on ICE warrants alone but the police union responded with a “Support ICE, Protect Our Community” message plastered in a van outside their headquarters. Indeed, we argue, “education was a one-way street” because the police failed to grasp the concerns and needs of the community. In effect, compared to other friendlier ways to “educate” the public, the COVID-19 messaging in Long Island was no different from scare tactics used in the past against immigrants.

Some community members felt the messaging from officials on Long Island was out of touch. We learned some of the county legislators felt the SCPD should distribute facemasks to vulnerable seniors (Finn 2020) even when the data pointed to day laborers suffering higher rates of exposure, lacking health coverage, and experiencing poverty. While the Suffolk County executive claimed they were protecting migrant farmworkers by partnering with local organizations to reduce

contagion, day laborers (who generally work in construction and landscaping) were left out of this effort. Police directives seemed to prioritize some immigrants over others and did not necessarily address the pressing concerns of all the community members. Consequently, we argue the message to “educate” did not capture the range of precarities that immigrants were facing. Therefore, these missteps exacerbated the victimization and marginalization of people that police were tasked to protect and serve.

3.2 “Light” Enforcement

According to police officials, crime rates went down and there was less activity to police during the shutdown. At an April meeting, we learned that Suffolk county officers were tasked with distributing educational materials to non-essential businesses and shutting down those that were not complying. However, since there was no data available that was tracking noncompliance, we could not ascertain what percentage of Latinos were in this category. According to a *Newsday* article (Olson 2020), Nassau was more likely than Suffolk to issue summonses and warnings for lack of mask-wearing and social distancing. Unlike the NYPD, neither county made summons data available for public use but we know that the NYPD was issuing more summonses to Black and Latino individuals compared to whites (Bates 2020). Altogether, these instances of “light enforcement” did not reduce Latinos’ risk of COVID-19. The issuing of summonses appeared to serve as a form of punishment and discipline for what were especially hard-hit communities lacking access to testing sites, including free ones. We surmise that “light enforcement” gave the police an excuse to patrol the “hot spot” zones that were inhabited by Latinos.

Another way “light enforcement” affected Latinos was the police response to homeless day laborers. According to community advocates, police officers removed day laborers from Home Depot parking lots. A news article confirmed that homeless day laborers living in an area dubbed “Mountain” in Freeport were told to evacuate the premises. The central complaint of these individuals was the police gave them only 72 hours to relocate and failed to offer any other viable options (such as shelters and/or organizations that

could help). In effect, many could not find temporary homes or shelters because they were seen as “carriers” of the virus (Garces 2020). We consider that these “light enforcement” efforts to enforce protocols, although not leading to arrests, still created racial disparities in enforcement efforts during COVID-19 concerning “who” was being targeted. If anything, “light enforcement” indicates a lack of concerted efforts to reach out or provide resources to a community that was doubly victimized by both the pandemic and the enforcement measures.

3.3 Closed Precincts

Our fieldnotes indicate the precincts had closed by early spring. Prior to this, they had been open 24/7 but limiting in-person foot traffic. In several of the meetings, advocates were instructed to tell their clientele to call 911 for emergencies and 311 (Suffolk County hotline number) for other services and information. One point of contention was that domestic violence cases were not being effectively handled. In effect, domestic violence cases saw an increase in Long Island with 3,349 cases in Suffolk County during the first month of the pandemic (in comparison, 3,237 cases were reported in the county the year prior) and 2,825 in Nassau County (compared to 2,552 during the prior year; see Brill Legal Group 2020). Advocates felt the police departments had failed to create a pathway to lodge domestic violence reports against abusers. Furthermore, there were no known protocols for handling domestic violence cases given the closing down of precincts. When questioned about what to do with domestic violence cases, the SCPD commissioner said she would follow up (but did not at subsequent meetings). Another point of concern was that the police was not giving domestic violence victims any other help (for example, incident reports can help victims apply for a U-visa¹³ but domestic violence providers were being told that it would take 90 to 120 days to get a copy of the incident report).

What made it especially hard for immigrants to access the police, beyond the closing down of precincts,

was the language barrier. Advocates were especially concerned with the Nassau response because there was no centralized hotline to call for assistance and so community members had to navigate all the bureaucratic agencies while experiencing language difficulties. Indeed, many wondered why, given the promotion of the Nassau Commissioner to Chief of Emergency Operations, there had only been one Spanish press briefing since March. Moreover, the one-to-two week follow-up meetings promised to advocates did not happen.

Another pressing concern at the community/police meetings was how police would help community members in illegal eviction situations given the rent moratorium (this had been put in place by the governor of New York State and was known as executive order 202.8, giving renters a ninety-day moratorium on evictions until at least June 20th). The official police response was that these cases would be treated as a civil matter and so the threatening landlord would not be facing criminal charges (this goes against the law because threatening or harassing the tenant can be considered a Class A misdemeanor that merits jail time and a fine, so treating it as a civil matter waters down the situation). While advocates pushed the police to share their directives, policies, and procedures for handling landlord-tenant disputes, the police’s responses ranged from looking in greater depth at the particularities of the cases to not handling evictions because the District Attorney was in charge of these. For advocates, these police responses were inadequate because they failed to take ownership of the tenant-landlord disputes that as first responders they could very well have handled. Moreover, instead of protecting undocumented immigrants from having to go to court, knowing that they feared the courts due to their status, they still insisted these cases were a civil matter that should be disputed in court. Thus, it was not just simply a matter of the precincts being physically closed that troubled the community but also that they felt ignored when asking for help.

3.4 Virtual Silence

The pressing needs of the community created what we call a “policy in action” response; that is, we witnessed advocates discussing new policies (i.e. Tenant

¹³ The U nonimmigrant status (U-visa) was created for victims of certain crimes who have suffered mental or physical abuse. It was introduced under the Victims of Trafficking and Violence Protection Act of 2000 to also protect survivors of domestic violence.

Safe Harbor Act¹⁴), collecting signatures for measures (for example, Recovery for All¹⁵ and Heroes Act¹⁶), and sharing resources to push through policy changes (such as Public Charge¹⁷). Indeed, at many of the virtual meetings, it was quite challenging to keep up with all the moving pieces involved in the advocates’ call to action. Many were concerned that the on-the-ground tactics had to go virtual, making it difficult to reach populations experiencing a digital divide. We recall hearing the sense of urgency to address the community’s vulnerability and to make sure that no-one in the community was being left behind. One quote that stands out from these meetings is when one advocate said, “this [vulnerability] is nothing new to us, COVID-19 is just the magnifying glass” (Zoom meeting, May 6, 2020).

The advocates wanted the police to reassure immigrants (who were either undocumented or in mixed-status families and could not qualify for relief programs) that ICE activity was halted. At the Nassau meeting, the commissioner reassured the attendees by saying, “I promise you we will step in if that [ICE enforcement] does happen. Immigration is not out there so you are all protected.” However, despite his reassurance, efforts to decriminalize and de-incarcerate were not heeded. In effect, there was a “FreeThemAll” campaign to release the most vulnerable populations from

detention facilities amidst concerns that prisoners were being put in solitary confinement to avoid the spread of COVID-19 in prisons. Advocates pressed police commissioners to temporarily release sick prisoners and/or those with minor sentences. But ICE detention facilities were still operating as usual, even honoring removal proceedings. However, one of the small “wins” from this policy in action was the Protect Our Courts Act¹⁸, which prohibited ICE from making arrests in courts.

Advocates were invested in “getting the word out” through social media platforms (such as Facebook, WhatsApp, YouTube) and doing virtual workshops to inform their clientele. The police did not mention using these venues for the same purposes (even in the Zoom meetings there was hardly any mention of how they were using social media). Instead, we found the social media response was self-serving. For example, on April 7, 2020, NCPD posted on its Facebook account a picture of Commissioner Ryder talking to his “team” about the Coronavirus response. The image shows the all-male and white officers sitting in a conference room with Neil Cavuto’s 4 p.m. show on Fox News and the news story is focused on the fall of oil prices due to the pandemic. While this was just one image, it is just as interesting to notice what was unseen. We did not see any non-white police officers and kept wondering if the responses in the virtual meetings (i.e., “we will get back to you”, “we are not aware of this,” or “we will explore that and respond at a later date”) reflected this lack of diversity in personnel and perspectives. In order to examine who was the intended audience in this virtue signaling, we cross-checked the precincts’ individual websites and the fraternal police organization’s Facebook posts and found very little outreach and/or community-centered support. For example, the only precinct that posted a food drive during the pandemic was the second precinct in Suffolk County. Nassau’s Hispanic Fraternal Group did not have one single post of food drives but did post messages on April 7, 2020, about cardiovascular screening, blood donation, and a video of how police officers were navigating COVID-19.

Our notes indicate a visible lack of police department outreach to vulnerable communities on social

¹⁴ Enacted on June 30, 2020, The Tenant Safe Harbor Act (see New York State Senate 2021) provided, among other things, a prohibition against residential evictions of tenants who suffered financial hardship due to COVID-19 and permitted money judgments for nonpayment of rent under certain circumstances. It was extended through January 1, 2021.

¹⁵ The Recovery for All Act provided a universal right to relief from housing payments for renters and small homeowners during the COVID-19 public state emergency designated by the executive of New York State, and established protections for individuals exercising that right. This bill also authorized financial assistance for residential co-ops, affordable housing providers, landlords experiencing hardship resulting from payments canceled pursuant to this act, and for public housing authorities. (See New York State Senate 2021)

¹⁶ The Heroes Act responded to the COVID-19 outbreak and its impact on the economy, public health, state and local governments, individuals, and businesses.

¹⁷ The Public Charge Act was established by the Trump Administration to discourage people without documented status from applying for public benefits. Under the final rule, a public charge was defined as an alien who has received one or more public benefits, as defined in the rule, for more than 12 months within any 36-month period

¹⁸ See Immigrant Defense Project 2019

media. This meant that relief efforts (if there were any) were not being effectively communicated to the public. We find the social media presence was scattered at best and missing in action at worst. Yet, as Jones (2020) notes, especially in a pandemic, social media can be used as a platform to build trust. But here again, we find a missed opportunity on the part of the police departments. Indeed, what we refer to as “virtual silence” also encompassed the lack of directives, discussions, and even mention of the policy changes that advocates were pushing through. Thus, the police also played their part in being “virtually silent” even concerning legislation that could have helped them connect with the community.

4 Conclusion

Our examination shows that even as police officers were tasked to be first responders, they remained on the sidelines when addressing the Latino community’s concerns. If there was ever a moment to work with advocates, reach out through social media, have online listening sessions with community members, and take action, this was it. These missed opportunities had grave repercussions for community/police relations because trust was not repaired, fears were not alleviated, and the police did not want to communicate with vulnerable populations.

At a virtual conference, one of the activists said: “If police cannot be counted on to help the community during a pandemic, then what do we tell our clients?” This is an important question police need to respond to because their job is essential. We want to conclude with lessons learned to encourage both counties and their respective police departments to do better. *1. Police leadership has to be expansive, diverse, and inclusive.* Police commissioners cannot be the sole leaders of pandemic relief efforts and should create groups in charge of working and outreaching with advocates, church leaders, business leaders, grassroots leaders, sports leagues, etc. Moreover, bilingual officers need to be part of these efforts and should be called on to help address needs/concerns and communicate with the community. Responsibility for handling social media and ethnic media should be clear, to ensure that information is readily available. *2. Transparency is key to policing and community-building efforts.* Data

should continue to be collected and widely disseminated. Police departments can hire personnel to create reports, write news briefs, and conduct check-ins with community members. *3. Policy and change must be central.* Police departments should see themselves as change-makers in policy efforts that improve communities and in calls for more equality. They should be a beacon of hope during a time of crisis so that their actions towards moving better policy show their willingness to build solidarity with underserved communities, not simply because it is mandated by law, but because it embraces everyone’s humanity.

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