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# WALPOLE POLICE DEPARTMENT

• TOWN OF WALPOLE •  
COMMONWEALTH OF MASSACHUSETTS



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## Walpole Police Public Service Announcement Re: COVID-19

Dear Walpole Community,

Due to the Coronavirus (COVID-19), our community and country are experiencing an unprecedented impact on the quality of life we are accustomed. These are trying times, which may generate fear, anxiety, and many unknowns, especially for our more vulnerable people, but together we will press through this Pandemic and get back to a sense of normalcy in our town. It is crucial for all of us, as a community, to practice all health and safety recommendations provided by the CDC, DPH and BOH, and minimize the spread of this terrible virus. Be patient, protect against the spread, and soon enough we will have put this difficult time behind us.

Because of COVID-19, many changes have occurred within our community, especially in public health and safety, and many questions arise as to how we will address this situation. It has been a learning curve, but our first responders have trained, adapted and applied what they need to know in order to continue safeguarding our great community. As a result, there are many questions the community may want to know from us, so we have gathered some of the more frequently asked questions and hopefully this will shed some light on our public health and safety strategy in Walpole.

Respectfully submitted,

Chief John Carmichael  
Walpole Police Department

1. **What is COVID-19:** Covid-19 is a strain of a coronavirus, which actually is a very common virus that causes the common cold. This strain only infected animals until it mutated and now is infecting humans.
2. **What is the Response to COVID-19?** On March 10, 2020, Governor Baker issued a written declaration of a “state of emergency” (SOE) concerning COVID-19, which established Executive Order 591; pursuant to Chapter 639 of the Acts of 1950 (Civil Defense Act); and MGL 17, § 2A.
3. **What does this declaration mean?** The SOE authorizes the Governor, during a declared emergency, to exercise any and all authority over persons and property necessary...including but not limited to authority over public assemblages in order to protect the health and safety persons, regulating the sale of articles of food and household articles, and policing, protection, and preservation of public and private property.

4. **Is there a penalty for violating the Governors Order?** Chapter 639 states “whoever violates any provision of any such executive order or general regulation issued or promulgated by the governor, for the violation of which no other penalty is provided by law, shall be punished by imprisonment of not more than one year, or by a fine of not more than five hundred dollars, or both.”
5. **Following the State of Emergency, what actions were taken?** On March 23, 2020, Governor Baker issued (COVID-19 Order No.13). This order became effective as of March 24, 2020 and remains in effect through April 7, 2020.
6. **What does Order No. 13 entail?** In summary, Order No. 13 entails the following:
  - a. Maintains essential workforces, listed in Exhibit A of the Order. The list is comprehensive, but essential businesses include, public safety and healthcare, gas stations, grocery stores, pharmacies, housing construction, and transportation services.
  - b. Requires temporary closing of non-essential businesses with brick and mortar locations. Businesses that do not meet COVID-19 essential business criteria, must close.
  - c. Prohibits on premise consumption of food or drink; however, take out is permitted so please continue to support our local businesses!
  - d. Limits gatherings prohibiting assemblages of more than 10 people. This exclusion includes gatherings at Churches, Athletic Events, Concerts, Parades, Festivals, Weddings, Funerals or other similar activity that would bring 10 or more people together.
  - e. Prohibits assemblies of less than ten people during athletic or recreational activities that brings participants in close, physical contact.
7. **How are the Provisions of Order No. 13 Enforced?** The Governor’s Order identifies the Department of Public Health (DPH) and Local Boards of Health (BOH) as agents and primary enforcement mechanism pursuant to MGL c. 111 § 30, and...“if necessary . . . [may employ] the assistance of State or Municipal Police.”
8. **What is the Penalty for Violating Term of the Governor’s Order?** Violations of the terms of the Governor’s Order or the DPH Guidance may result in a criminal penalty pursuant to Section 8 of Chapter 639 of the Acts of 1950 or a civil fine of up to \$300 per violations.
9. **How are the Enforcement Procedures applied?** Enforcement Procedures for Violations of the Governor’s Order per the “Revised Guidance Regarding the Order by the Governor, Prohibiting Assemblages of More Than 10 People and On Premises Consumption of Food and Beverages,” issued March 23, 2020, “shall be punished in the following manner”
  - a. The first offense shall result in a warning;
  - b. The second offense may result in a civil citation and a fine of up to \$300. This would be enforced under MGL c. 40 § 21D via non-criminal disposition violations, written on a Town of Walpole Civil By-Law Ticket, citing M.G.L. ch.639, §.8.
  - c. Additional offenses, which are repeated and willful, may be subject to criminal penalties including a fine up to \$500 or term of imprisonment or both.

**10. Could someone be arrested for violating the Order?** Under c. 639, § 8 violators refusing to abide by the Governor's Order or DPH Guidelines could be subject to arrest for breach of peace (*Gorman, 288 Mass. at 298*); however, the Walpole Police Department will not be arresting people unless an offense was overtly egregious.

**11. How is the Walpole Police Department handling violations of COVID-19 Order?**

The Walpole Police Department addresses violations by employing our community policing, problem-solving oriented philosophy. Our goal IS NOT and WILL NOT be to carry out punitive enforcement action. WPD works in close partnership with our community, our Selectboard, Town Administration, and the Walpole Board of Health to support, educate, and encourage best practices to maintain a safe and healthy environment, with the aim of minimizing the spread of this awful virus. Officers on patrol routinely try to reinforce safe and healthy practices provided by the State, through education and community engagement.

**12. Can I go outside and exercise?** The Governor's Order does not prohibit uninfected people from walking or enjoying public areas, parks, trails, walking, running, biking, or everyday leisurely activities. It is suggested that people account for public health guidelines when doing so.

**13. How can I do my part to maintain public health, and protect my community, especially our most vulnerable population?** We can all do our part to minimize the COVID-19 spread by abiding by the recommendations provided by the Governor's Advisory, DPH Guidelines and Local BOH, which suggests:

- a. Social Distancing - Always maintaining six feet between people.
- b. Avoid - touching surfaces typically touched by others.
- c. Stay Home - which means:
  - i. Only leave home for essential needs, fresh air and exercise, grocery store or pharmacy.
  - ii. Use mail order and, if possible, try to fill prescriptions for 90 days.
  - iii. People may visit gas station, pick up take-out food, and receive deliveries (e.g., Amazon, UPS).
  - iv. Practice using remote communication such as telephone or video chat instead of visiting friends or family — especially those in hospital, nursing home, or other residential care setting.
  - v. Reschedule non-essential medical care and, if possible, do remote health care visits.
  - vi. Avoid arranging play dates for children.
  - vii. Grocery stores and pharmacies must provide at least one hour per day only for customers 60+ — our most vulnerable group's potential exposure.
  - viii. Individuals with any signs or symptoms of COVID-19 should remain in their homes, and request assistance with accessing essential services, such as food or medications.
  - ix. Mass.gov and Town of Walpole Website provides many updated services and Government links to assist citizens with day to day adjustments.

**14. How are officers and staff protecting themselves?** Police operations has changed drastically; however, WPD remains vigilant in carrying out our public safety duties and maintaining the highest standard of policing as possible. The department has developed and trained on multiple policies, procedures and general orders necessary to educate personnel and apply our response

to field and internal operations. While many changes have occurred, the following summarizes precautions for our front line first responders:

- a. Our main lobby at station is secure; however, walk-ins may communicate to dispatchers via vestibule intercom system. Some officers are in station for walk-in emergencies.
- b. Some non-emergency police reports may be taken over phone.
- c. Applications and records processing are being done through website, mail-in process.
- d. Officer limiting face-to-face contact & employing personal protective equipment when necessary.
- e. Using summons process as preferred criminal violation response dependent on nature, severity, & victim(s).

**15. Can the Police enforce quarantine or isolation of infected people?** While the Board of Health is the primary enforcement mechanism, the BOH may request the assistance of the Walpole Police Department. WPD will follow some basic options in preventing the spread of COVID-19, as suggested by Massachusetts police trainer, Attorney John Sofis Scheft:

- a. WPD will seek voluntary compliance through commitment to our community policing philosophy. The Walpole Police Department encourages voluntary compliance (isolation and self-quarantine), and we will collaborate with BOH, document the incident, send report BOH, and consider whether a stronger intervention is necessary.
- b. Community Caretaker Doctrine: In the case of COVID-19, WPD may remove an individual from a public setting, detain them pending the arrival of public health officials, transport the person to a medical facility for evaluation, and/or transport the person home to initiate self-quarantine. Officers would only take action necessary to deal with the exigency and, be guided by medical and/or public health professionals.
- c. State of emergency arrest or complaint. The state of emergency SOE and Department of Public Health (DPH) regulations authorize local Board of Health (BOH) officials to issue verbal “quarantine orders.” WPD is authorized to assist BOH in enforcing oral “isolation and quarantine” orders per 105 CMR 300.210(G). Refusing to obey or violating an order issued by a BOH during this SOE is a crime under c. 639, § 8, and if in the presence of officers, a clear “breach of peace.”
- d. Infectious disease warrant. Under c. 111, § 96, a magistrate may issue a warrant authorizing any police officer, under the direction of BOH, to remove any person infected with COVID-19 or a “carrier of [COVID-19]” and subject(s) of the warrant may be brought to a hospital or other proper location.

**16. Is the Walpole Police Department aware of the location of quarantined individuals?**

It is vital for public health and safety for first responders to know when, where, and with whom they may encounter COVID-19. In Walpole, the BOH notifies the police department of the addresses of positive COVID-19 patients. The department maintains this information confidentially until the state of emergency is lifted. State law authorizes local BOH and other health officials to notify the police and other first responders about the identity and physical location of quarantined individuals under. Federal law (HIPAA) — does not prevent the communication of personal health information to first responders if necessary to deal with the threat of COVID-19.