The Fight Against the Coronavirus: A Social Distancing Enforcement Strategy

AN ACTIVITY REVIEW OF THE CORONA NATIONAL ENFORCEMENT ADMINISTRATION, MARCH 2021
Abstract

The Covid-19 pandemic outbreak began in Wuhan, a city in China's Hubei Province, in December 2019. In March 2020, with the increased number of Covid-19 cases in numerous countries, the WHO made the assessment that Covid-19 could be characterized as a pandemic.\(^1\)

Law enforcement agencies in countries throughout the world began to enforce relevant laws and regulations aimed at preventing the spread of the pandemic. Countries deployed varied means to achieve this goal, and all utilized the main measures which included: mask-wearing (mandatory or recommended) and preventing gatherings (with the number of people defined as a gathering differing between countries).

In June 2020 the Israeli government decided to establish an administration dedicated to enforcing the corona regulations that will operate within the framework of the Ministry of Homeland Security. Subsequently, in July 2020, the Corona National Enforcement Administration began its operation in the Israel Police. The Administration is a professional and independent entity charged with guiding, directing and coordinating the national enforcement effort.

Managing a national effort in the wake of an unfamiliar epidemiological crisis required different enforcement preparedness and activity which we sought to carry out through the Administration framework. The following document reviews the activity of the Corona National Enforcement Administration from the outbreak through March 2021. It examines the complex circumstances within which it operated, the combined inputs it coordinated and managed, the enforcement data and the ramifications of the enforcement effort.

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\(^1\) WHO Director-General's opening remarks at the media briefing on COVID-19 – 11 March 2020.
Introduction

Strategy is the systematic search for an action plan that will develop the organization’s competitive advantage. A competitive advantage is found in existing differences between the organization and its competitors. Porter maintains that a strategy poses a requirement to develop a different set of activities to deliver a unique mix of product value. Strategy development includes identifying threats and opportunities, the environment in which we want to operate and the system complexity. This external observation must be accompanied by internal observation of the enterprise’s characteristics, resources, missions, capabilities and work methods. According to Porter, a good strategy combines all the activities to create a value chain whose links support each other and is clear to all those engaged in the endeavor².

Going back in time, Carl von Clausewitz said that strategy depends on basic building blocks used for attack, defense, and maneuver. Furthermore, strategy also depends on new and creative combinations. Similarly, Liddell Hart maintained that strategy must upset the enemy’s equilibrium by confronting him with the unexpected. Strategy formulation is a process of planning and analysis, knowledge and learning, compromise between groups, negotiation and coalitions.

Strategy requires system-wide thinking that examines the whole and contends with the great complexity of life. This includes sensitivity to relationships, to mutual relations that accord the complex system its uniqueness³.

Notwithstanding, it seems that absolute strategies cannot be formulated in the modern age. Nowadays strategies are not only used to guide action, but also indicate changes in systems of power, markers of political aspects accompanying the changes. Regarding enforcement strategy, in the rational legal world in which we live, society espouses a punishing approach aimed at deterring bad behavior. The good news is –

as Dan Ariely puts it – that rational people have a moral compass. The bad news is – that you cannot rely on this compass to operate over time⁴.

Public trust is a necessary condition for police effectiveness. Wide-ranging public trust provides the legitimacy which the police needs and enables it to effectively enforce the law. This legitimacy is comprised of two main characteristics: police performance in practice and its fairness in dealing with citizens⁵. Police performance is perceived as the main factor affecting its legitimacy in the eyes of the public. Its ability to deter and apprehend criminals and bring them to justice will enhance compliance with the laws it enforces. However, the way in which the police performs its duties, the fairness and equity underlying its work, is in fact what accords it the legitimacy to act.

For legal regulations, imposed by the government or enacted by the parliament, to succeed, they must be effectively enforced by the police. As an enforcement entity the police has administrative discretion regarding the manner of enforcement. Thus, for example, it can employ deterrence or persuasion, or carry out a combined enforcement strategy.

In general, deterrence assumes that those deterred are rational actors who respond to incentives and punishment, and that severe punishment against recurring violations will clearly convey what is expected of citizens. Deterrence requires investing effort in gathering evidence of violations, in taking action against offenders, even ex post facto, and in investigating and prosecuting - sending a clear message for all to see.

By persuading or encouraging law abidance we seek to prevent social harm. The focus is on maintaining public order and law enforcement based on persuasion and negotiation in the aim of ensuring citizen compliance.

Numerous experts maintain that a combination of the two enforcement strategies will result in satisfactory citizen compliance. Thus, the police must act by means of persuasion and deterrence such that violating or recalcitrant entities will be punished, while compliant entities will be rewarded. The transition from encouraging

compliance and persuasion to administrative and legal enforcement must be gradual and comprehensible so that the majority will respond positively to the persuasion efforts and to the encouragement to comply, while the violating minority, that was not persuaded to abide, will face administrative punishment which will cause them to obey. The minority which then commits a violation, despite the administrative punishment, will face criminal enforcement which may result in heavier and more deterring punishment⁶.

Enforcement of social distancing guidelines in the coronavirus age has unique characteristics. These affect the achievement of long-term compliance as well as the perceived public legitimacy of enforcement entities. Securing compliance in the corona age depends on employing a combination of deterrence strategies and engagement of the individual with a broad community process. Moreover, the police must apply procedural fairness and equity in enforcing the guidelines. In enforcing social distancing guidelines the recommendation is to adopt an approach based on four sequential stages (known as the 4 E’s):⁷

- Engage
- Explain
- Encourage
- Enforce

Citizens who attribute legitimacy to the police and the government will have a greater tendency to obey lockdown orders and police instructions. Perceived police legitimacy is related to assessment of its actions as fair, while trust in the authorities during a crisis such as the corona pandemic depends on whether the health authorities have accurate information, engage in an honest discourse with the public and ensure that the public has the necessary resources to fulfill the guidelines⁸.

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To reduce the danger of social tension under these circumstances researchers recommend framing the crisis and the pandemic outbreak in collective terms and explaining that the policy aims to benefit the community as a whole, with resources prioritized to assist weak population groups. If policy is viewed in these terms, it is reasonable to assume that people will be willing to regard actions taken by the authorities as procedurally fair, and the public will be more accepting in obeying the guidelines. The police and the army must mobilize public support, and it is vitally important that citizens perceive them as helping the community realize its goals, rather than imposing their goals on the community.\(^9\)

**Israel**

On January 27, 2020, Israel’s Minister of Health, by virtue of the authority granted to the Health Minister in Section 20 to the Public Health Ordinance (1940), announced that the disease caused by the coronavirus is infectious and poses a severe public health risk. On March 11, 2020, the World Health Organization (WHO) assessed that Covid-19 could be characterized as a “pandemic”\(^10\).

“Corona laws” were enacted to contend with the spread of the virus in Israel, with provisions aimed at restricting the stay in public spaces and mass gatherings, and criminal offences to be enforced through administrative fines were defined.

The Israel Police mobilized to assist the Health Ministry. The scope of the pandemic and its ramifications were not entirely clear at the time and the police carried out the enforcement activity using criminal tools, helping Health Ministry representatives who are authorized to request the assistance of the Israel Police to enforce a quarantine order. At the time, violation of a quarantine order was considered a possible criminal offence as it violated a legal provision as well as an offence of spreading an infectious disease according to Section 218 to the Penal Law (an offence for which punishment is 3 years incarceration, and if carried out intentionally —

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years). The aim was to prevent the entry of the virus into the State of Israel and endangering the entire population\textsuperscript{11}.

Specifically, as stated in the Israel Police Operational Guidelines published in March 2020:

\textit{“Should the Ministry of Health become aware of an individual violating the order – enforcement is the responsibility of the Ministry of Health. The police officer is only an assisting entity for the purpose of using force in order to enforce the quarantine, should it be required. It derives from this that there must be an entity on behalf of the Ministry of Health that acts with the police officer and guides them as to how to engage with an individual who violates the order, after said Health Ministry representative tried to engage with the person on their own and did not succeed\textsuperscript{12}.”}

The enforcement tools remained criminal for the most part, and gatherings of up to 5,000 persons were permitted.

The Emergency Regulations (Novel Coronavirus – Restriction of Activity), 2020 entered into force in March 2020. These regulations specified restrictions on staying in the public space and the opening of businesses. With the passing of these emergency regulations it was decided that police activity would be carried out on a national basis by means of inspection, prevention and operational enforcement activity carried out by a police station taskforce, in addition to the regular deployed forces of every police station\textsuperscript{13}, and this using administrative tools.

With the imposition of the first lockdown in Israel, from the end of March 2020 through the beginning of May 2020, police enforcement during and after the lockdown was based on new administrative tools. These granted administrative

\textsuperscript{11} Israel Police Preparedness to Contend with a Scenario of the Spread of the Coronavirus - Operational Guidelines, February 13, 2020.

\textsuperscript{12} Israel Police Preparedness to Contend with the Coronavirus – Operational Guidelines No. 5, March 8, 2020.

\textsuperscript{13} Israel Police Preparedness to Contend with the Coronavirus – Operational Guidelines No. 10, March 22, 2020.
enforcement authority to police officers, government ministry inspectors and local
government employees\textsuperscript{14}.

Owing to the political crisis in Israel up until the establishment of the 35\textsuperscript{th} government
of Israel, which was confirmed and sworn in by the Knesset (Israel’s parliament) on
May 17, 2020, the coronavirus crisis was managed by an unelected transition
government, with the Knesset not functioning for a prolonged period of time
following three rounds of national elections.

The Health Ministry initially contended with the spread of the coronavirus by issuing
orders pursuant to the Public Health Ordinance, particularly the Public Health
Ordinance (Novel Coronavirus) (Home Quarantine and Various Provisions)
(Temporary Order), 2020, which imposed a quarantine in specified cases, in addition
to restrictions on gatherings and activities in various places.

With the continued spread of the coronavirus and the increased morbidity and scope
of persons infected, a vital need arose to immediately define wide-ranging
arrangements in various areas. As the Knesset could not be called on, the government
anchored these arrangements in emergency regulations according to Section 39 to the
Basic Law: The Government. Thus the government enacted a range of emergency
regulations aimed at protecting public health and ensuring the supply of essential
products and services while contending with the spread of the coronavirus. Among
other things, emergency regulations were passed to restrict the movement and activity
of individuals, businesses and other entities. These arrangements aimed to reduce, as
much as possible, face-to-face contact of persons, in addition to arrangements which
specified instructions for behavior in the public, private and business spheres\textsuperscript{15}.

\textsuperscript{14} Corona National Administration Guideline No. 1 - Guidelines and Authorities for the Enforcement of

\textsuperscript{15} Emergency Regulations (Novel Coronavirus – Restriction of Activity), 2020; Emergency
Regulations (Novel Coronavirus - Enforcement), 2020; Emergency Regulations (Novel
Coronavirus) (Restricted Area), 2020; Emergency Regulations (Novel Coronavirus) (Home
Isolation in place of State Sponsored Isolation/ Quarantine Alternative to State Quarantine), 2020.
After the establishment of the government, and the imminent expiration of the emergency regulations, the Knesset approved laws extending the validity of the emergency regulations\textsuperscript{16}.

In light of the clear need to replace the vital arrangements with legislation, emergency regulations were enacted as part of primary legislation. The aim was to enable the continued effort to mitigate the spread of coronavirus, imposing restrictions which significantly infringe on basic rights. Accordingly, on July 23, 2020 the Knesset passed the Special Authorities to Combat the Novel Coronavirus (Temporary Provision) Law, 2020. The law grants the government explicit and delineated authority on issues up until then arranged through the emergency regulations, and authorizes the government to enact regulations imposing restrictions on activity in the private and public spheres in a range of areas. The Special Authorities Law states that the government is authorized to issue restricting regulations during a period in which a state of emergency due to the coronavirus is in force, and in order to realize the specified goals:

“…when convinced that this is required in order to prevent infection from the coronavirus among the public and to contain its spread, to reduce the scope of morbidity or to protect at-risk population groups, and all only for the period and to the extent needed in order to achieve said goals and after substitutes for their achievement, rights infringement and effects on the economy were considered…”\textsuperscript{17}.

The regulations of the law are limited in time, the Knesset has the authority to void the declaration of the state of emergency and the regulations require \textit{ex post facto} approval by a Knesset committee in order to ensure effective oversight of the legislative branch over government activity. Following adoption of the Law the government enacted several regulations which specified provisions on a wide range of


\textsuperscript{17} Section 4(a) to the Special Authorities Law.
issues. As of the date of this document, about a year after the outbreak of the corona pandemic, more than 100 legislative pieces pertaining to the coronavirus were passed. This does not include legislation regarding the Judea and Samaria areas as well as additional instructions issued by the Health Ministry.

Frequent amendments were another prominent characteristic of corona legislation in Israel. Thus, for example, the Public Health Ordinance was amended forty-seven times up to March 2021, in addition to dozens of amendments to regulations on various issues (restriction of activity, educational institutions, transportation, workplaces, airports, flights, etc.).

1. Lockdowns
   A. Since the outbreak of the coronavirus pandemic in Israel the government declared three lockdowns during which restrictions were imposed on leaving the place of residence to go out into the public space, in addition to severe limitations on commercial activity, workplaces, public transportation and educational institutions.
   B. The first lockdown began on March 22, 2020, the second on September 18, 2020 and the third on December 27, 2020. Restrictions were stricter and tighter during the lockdown periods.
   C. During all three lockdowns it was prohibited to leave the place of residence or permanent place of stay to go out into the public space, except for activities or purposes specified in the regulations. These included: up to a certain distance from the place of residence for any purpose (in the third lockdown – within a 1000-meter radius); to obtain medications, food and essential products and to receive essential services; a worker or an applicant leaving home to a place of work whose activity is permitted.
   D. Furthermore, the list of exempted businesses whose opening was permitted to the public was significantly reduced, as well as workplaces which received permission for their workers to work on-site.
   E. It was prohibited to open most educational institutions, including kindergartens and schools, except for special institutions or activities
such as special education institutions for children, dropouts and at-risk youth, boarding schools, etc.

2. Restrictions during holiday periods

A. During the Jewish holidays special and severe restrictions were imposed in the aim of reducing, as much as possible, family gatherings and mass events.

B. The main special restrictions that were in force during 3 major holiday periods: Passover, Memorial Day and Independence Day, and the Jewish High Holidays (Rosh Hashanah, Yom Kippur and Sukkot) are detailed below.

C. Passover restrictions -

1) From April 7, 2020 at 19:00 to April 10, 2020 at 06:00, leaving the place of residence to obtain food, medications or other essential service was only permitted in the locality of the person’s place of residence (if food/medication/other essential product/other essential service could not be obtained in the place of residence locality, traveling to a close locality was permitted).

2) Leaving the place of residence within a 100-meter radius for a short period of time was only permitted to an open area. It was also prohibited to visit the place of residence of another person, even if that person resided within the 100 meter range of the place of residence.

3) Public transportation was halted, except for transport services for persons traveling to and from their workplace and for operating a taxi. Furthermore, international civil aviation to Israel was discontinued, except with the approval of the Interior Minister and the Transportation Minister.

4) During the holiday, from April 8, 2020 at 15:00 to April 9, 2020 at 07:00, it was prohibited to leave the place of residence to obtain food (it was still permitted to leave the place of residence to obtain medication or other essential service within the limits of the locality). This order did not apply to localities in which most of the residents are not Jewish.

D. Restrictions on Memorial Day and Independence Day -
1) From April 27, 2020 at 16:00 it was prohibited to leave the place of residence to travel to a cemetery.

2) From April 28, 2020 at 17:00 to April 29, 2020 at 20:00, leaving the place of residence to obtain services was limited to obtaining medications and essential products and to receive essential services, and only in the place of residence locality. Leaving the locality for this purpose was only permitted to a close locality, in the event that obtaining medications and essential products, or receiving an essential service was not possible in the locality.

3) Also, public transportation was halted except for transport of passengers to their place of work and back, and for operating a taxi.

E. Restrictions on the Jewish High Holidays -

1) From September 18, 2020 at 17:00 to September 21, 2020 at 5:00, it was prohibited to stay at a place of residence other than the person’s place of residence, except for purposes specified. This order did not apply to a locality in which most of the residents are not Jewish.

2) From September 25, 2020, leaving the place of residence for any allowed activity or purpose was only permitted in the place of residence locality, unless the location in which the activity or purpose is carried out is outside the place of residence locality, or cannot be carried out in the place of residence locality.

3) From October 1, 2020 to October 12, 2020 it was prohibited to stay in a Sukkah (a structure in which one sleeps, eats and communes during Sukkot) with another person, except for persons residing in the same household.

3. Restrictions on conducting demonstrations

A. On September 25, 2020 restrictions on conducting demonstrations entered into force for the first time. The restrictions stated that in a gathering as part of a demonstration the participants must maintain a distance between them of at least 2 meters, except for persons residing in the same household.
B. From October 1, 2020 to October 13, 2020 leaving the place of residence to participate in a demonstration was permitted only if the demonstration takes place no more than 1,000 meters from the demonstration participant’s place of residence. Furthermore, the gathering restriction (up to 20 persons in an open space) would also apply to a gathering as part of a demonstration.

C. Several entities filed a petition following an amendment to the law which enabled imposing limitations on conducting demonstrations and the regulations issued specifying the restrictions. The Supreme Court ruled that the fines were not legal and instructed the police to act to cancel them.

4. Restricted areas

A. From the date of entry into force of the Emergency Regulations (Novel Coronavirus) (Restricted Area), 2020, several localities were declared restricted areas. Following approval of the Special Authorities Law, the declaration of areas as restricted was approved by the Ministerial Committee for the Designation of a Restricted Area to Combat the Novel Coronavirus.

B. As of the date of this document, 43 declarations and amendments to declarations of restricted areas were issued (18 before entry into force of the Special Authorities Law and 25 after its legislation).

Corona National Enforcement Administration

On June 22, 2020 the ministerial committee for contending with the coronavirus crisis and its ramifications, headed by the Prime Minister, decided to establish a national enforcement administration in the Ministry of Homeland Security. The Administration was charged with coordinating, guiding and directing all the enforcement authorities and entities in the State of Israel in the national enforcement effort to address the corona crisis.

The Administration began its operation in July 2020, formulating national policy for enforcing offences in the aim of preventing the spread of the coronavirus and defining
the purpose of the enforcement - “To increase compliance to Ministry of Health instructions as part of the national effort to prevent the spread of the coronavirus”\textsuperscript{18}.

Section 28(b) to the Special Authorities Law states that every entity authorized to issue an administrative fine and every entity authorized to issue a closing order shall exercise its authority subject to the inspection and enforcement policy to be set forth by the Israel Police Corona National Enforcement Administration.

The policy was formulated in consultation with the Health Ministry and took into consideration, \textit{inter alia}, the need for nationwide enforcement based on equitable criteria, while noting the need to define conditions for enforcement with respect to special population groups, including persons with a disability and minors, as well as the possibility of avoiding the issuing of a fine depending on the circumstances.

According to the Special Authorities Law the Administration’s responsibility areas were defined as follows:

A. Guide the authorized entities to issue an administrative fine in accordance with the law;

B. Consider the need, in every matter, for dedicated training and determine the required training content in the appropriate cases;

C. Conduct training in appropriate cases for police officers and for inspectors who are government employees.

Immediately after approval of regulations and/or an amendment to existing regulations, the Administration’s guidelines were disseminated to all entities authorized to enforce the instructions. These guidelines clarified the instructions passed and the changes made as part of the amendments and reflected the up-to-date legal situation.

The guidelines were immediately disseminated by the Administration to all relevant entities in the Israel Police, in local government and in government ministries. These guidelines were accompanied by presentations which simplified the instructions (integrated into tablets used by the police officers enforcing the corona orders) and by a table consolidating all the administrative offences in force. This was a complex task

\textsuperscript{18} Corona National Administration Guideline No. 7 - National Policy for the Enforcement of Offences to Prevent the Spread of the Coronavirus, dated July 26, 2020.
owing to the frequently changing instructions (at times within hours) and the wide range of entities authorized to enforce them.

It was decided that enforcement authority according to the “coronavirus laws” would be granted to every police officer, and with respect to the offences set forth - also to inspectors who are government employees and to local government inspectors as detailed below:

- Police officer.
- An inspector who is a government employee and is granted inspection authority in accordance with every law, as well as an inspector appointed by the Director of the Israel Nature and Parks Authority according to Section 58 to the National Parks, Nature Reserves, National Sites and Memorial Sites Law - 1998.
- A municipality inspector, including an assisting inspector, authorized in accordance with the Enhancing the Efficiency of Municipal Enforcement and Inspection in the Local Authorities (Temporary Provision) Law – 2011.
- A local government employee authorized according to Section 28(a)(2) or (b)(1) to the Business Licensing Law – 1968.
- A local government employee authorized according to Section 3(a) to the Local Authorities (Environmental Enforcement – Authorities of Inspectors) Law – 2008.

The Corona National Enforcement Administration espoused the approach which maintained that guiding and steering the population regarding the provisions of the corona laws could be carried out by information, discourse and warning. Alongside these tools police officers and additional enforcement entities were granted enforcement authority to use administrative fines, administrative procedures (e.g., issuing closing orders), and in severe cases also criminal procedures. The enforcement entities were requested, inasmuch as possible, to focus their activity on information, discourse and warning tools. Moreover, to employ the enforcement tools in an informed and judicious manner in light of the circumstances and in accordance with the Administration’s guidelines.

All authorized enforcement entities acted according to a uniform enforcement policy set by the Administration. The policy took into consideration the need for equitable
enforcement, while accounting for the coronavirus spread rate, morbidity characteristics, area attributes, risk level posed by each offence and special population groups. The police was the entity that determined the enforcement policy based on data provided by the Health Ministry regarding the morbidity level in the various areas in the country and the infection risk level posed by every offence.

A. Enforcement guided by the characteristics of the area and the morbidity level - the enforcement level and focus of the authorized entities was determined based on the morbidity level in a certain area, with increased enforcement of all offences carried out in areas with a relatively high morbidity level.

B. Areas declared “restricted areas” by the ministerial committee – increased enforcement of all offences by deploying a dedicated force to carry out the task. “Red areas” (according to the morbidity map disseminated from time to time by the Health Ministry) - significant enforcement.

C. Other areas (not defined as red / restricted areas) – enforcement focused on infection hotspots (e.g., gatherings / certain types of businesses), based on data mapped and provided by the Health Ministry.

D. In the remaining locations, activity of the enforcement entities throughout the crisis focused on maintaining public vigilance and alertness to prevent a coronavirus outbreak, with most efforts directed at providing information and engaging in a discourse with citizens.

Enforcement activity guided by the type of offence was conducted with respect to the **quarantine requirement and to restrictions on gatherings**. Overall, significant enforcement was carried out in all areas in accordance with violation of the quarantine requirement, particularly when the violator was a confirmed Covid-19 patient, in light of the danger entailed in violating the order and its ramifications for the scope of infection. Enforcement focused on a material violation of the quarantine order according to the rules detailed in Corona National Administration Guideline No. 7.

Regarding gatherings, the main activity of the enforcement entities focused on organized gatherings. Thus the police engaged with the organizers by way of
discourse in order to prevent in advance gatherings in violation of the provisions of the coronavirus laws. Enforcement was carried out if the gathering event took place despite the discourse.

In areas with particularly high morbidity (red / restricted areas) enforcement was also performed with respect to unorganized gatherings, with a police officer ordering to disperse the gathering. If the congregants refused the police order to disperse – administrative fines were issued (exclusively the authority of a police officer).

Regarding demonstrations and processions the guiding principle was to enable demonstrations while ensuring social distancing between the demonstrators and mask-wearing as required. Enforcement entities focused their activity in places with an especially high risk of infection based on data mapped and provided by the Health Ministry. This activity centered on businesses operating in violation of the restrictions as well as on blunt violations of the “purple badge conditions” which create a significant infection risk (number of people above that permitted, employees not wearing masks, etc.).

Enforcement activity with respect to businesses also took into consideration the need to allow for continued economic activity. Therefore, when the violation could be halted and the risk of infection reduced by means of discourse or a warning, this approach was always preferred over issuing a fine. Closing orders for demarcated places open to the public were only issued in case of a very significant public health danger which could not be prevented other than by a closing order.

The enforcement policy took into consideration special population groups, among them minors and persons with a disability. In general, activity with respect to minors under 16 years of age and persons with a disability was conducted by means of information rather than enforcement (except in cases of violation of a quarantine order by a confirmed Covid-19 patient).

As noted, the Administration’s role was to formulate a broad, system-wide and intersystem professional approach in activity areas that supported operations activity (intelligence and assessment, planning, population, investigations, inter-organizational collaboration, security and licensing, etc.) during the coronavirus outbreak. The Administration led decision making processes in all these areas, while presenting the
organizational directive and translating it into support activities required to wage the national struggle against the virus\textsuperscript{19}.

Examination of the enforcement inputs in view of the morbidity rate led to a focus on five enforcement areas:

- Inspection of quarantine compliance (confirmed patients and quarantined persons due to investigations, persons arriving from abroad and digital contact tracing).
- Inspection of businesses and gatherings, including public gathering and leisure activity venues.
- Quarantine requirement violators.
- Violators of Health Ministry reporting requirement.
- Confirmed patients violating regulations.

Three action modes were defined regarding these enforcement areas - initiating, random, reacting. Three types of forces were deployed - police forces, municipal inspection forces (local government inspectors) and assisting forces subordinate to the police (government ministry inspectors).

Thus, three types of enforcement forces (in various configurations) acted in an initiating, random or reacting mode with respect to the population of persons required to quarantine (confirmed patients and isolated), to various types of gatherings (business and others) and to regulation violators (reporting requirement, quarantine requirement). On the one hand this required engagement with a normative, law-abiding population in order to inspect the law compliance level, mainly using administrative tools. On the other hand, the minority found violating the regulations and endangering the public required both administrative and criminal tools to achieve compliance.

Following study and examination of enforcement policy and plans in different places in Israel and around the world prior to establishing the Administration we redefined

\textsuperscript{19} Operational Procedure – Procedure No. 1.2020 – Operating the Corona National Enforcement Administration. Published in August 2020.
the enforcement goals as well as the Administration’s purpose and roles - planning and coordination of national enforcement activity in contending with the spread of the coronavirus, carried out by Israel Police officers, inspectors from government ministries and local government inspectors.

“Public trust in the police affects the legitimacy of the State in the eyes of the public. The police is in the forefront between the citizen and the government; Citizens who trust the police tend to cooperate with it. Public mistrust in the police may hinder its ability to perform its work, and when police behavior is perceived as unfair this negatively affects the perception of police legitimacy in the eyes of the public. This is all the more accentuated during a worldwide epidemiological crisis.

Steering and guiding the population in all matters regarding the provisions of the corona laws can be carried out by information, discourse and warning. Alongside these tools police officers and additional enforcement entities were granted enforcement authority to use administrative fines, administrative procedures (e.g., issuing closing orders), and in severe cases also criminal procedures. The enforcement entities were requested, inasmuch as possible, to focus their activity on information, discourse and warning tools. Moreover, the enforcement tools should be employed in an informed and judicious manner in light of the circumstances and in accordance with the guidelines. It is our duty to use discretion in exercising the authority granted us, the guiding compass being the purpose of enforcement - assisting in the national effort to prevent the spread of the coronavirus, while balancing additional national interests.

In this complex reality we and the public are on the same front, fighting the same virus. Alongside enforcement, that includes discourse and information, determination is also needed, which sometimes requires use of harsher means. We are obligated to act to reduce morbidity and danger to the public, we must carry this out respectfully and fairly as well as impartially, objectively, uniformly and equitably - to explain even when attentiveness is lacking, to persuade even when backs are turned on us, to warn before we use force, to use force as the last resort20.

From the outset the pandemic was characterized by a crisis of trust on the part of some citizens, in addition to frequently changing morbidity levels, hotspots and

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20 Words of the Head of the Administration as published at the beginning of August 2020.
numerous guidelines and restrictions. Therefore, uniform and equitable criteria were set for enforcement throughout the country. Thus, the enforcement purpose was defined as follows - to increase compliance to Ministry of Health instructions as part of the national effort to prevent the spread of the coronavirus\textsuperscript{21}.

The Corona National Enforcement Administration focused on two main activity areas:

1. **Persons required to quarantine** - confirmed patients, persons exposed to a confirmed patient (self-reporting, SIGINT detection or epidemiological investigation) or persons arriving from abroad and required to quarantine according to the regulations.

2. **Businesses and gathering places** – businesses open to the public, including event and reception venues, restaurants, halls, bars, clubs, nature parties, etc.

The Administration based its police enforcement approach on several parameters:

A. Clear measures are needed for enforcement management.

B. The measures must affect core enforcement activity.

C. Measurement of inputs should be preferred; Outputs should be measured cautiously due to possible undesired biases.

D. Uniformity and continuity – the measures must be valid and identical at all levels of the Israel Police: national, district, sub-district and station.

E. Data reflection and presentation – the measures can be displayed in a dashboard and can be examined.

F. The measures must be based on professional intelligence and data intelligence, and enable prioritized enforcement.

G. The enforcement priority levels require a coverage policy and a performance standard.

Five enforcement priority levels were defined for inspection and enforcement activity based on these parameters – very high (level 5), high (level 4), medium (level 3), low (level 2) and very low (level 1). The commanders as well as the enforcement forces in the field operated according to these priority levels that were presented in a user-
friendly manner, were easy to carry out and based on broad business intelligence. This business intelligence was dynamic and enriched on an ongoing basis. A person required to quarantine or a business that were visited by an inspector were removed from the system for a defined period of time, and if a violation was detected the reverse process took place – they were moved up the priority scale and visited more frequently. As a supplementary measure basic coverage objectives and a required performance percentage were defined as follows:

<table>
<thead>
<tr>
<th>Priority and required coverage</th>
<th>Persons requiring quarantine Very High Priority (level 5)</th>
<th>Persons requiring quarantine High Priority (level 4)</th>
<th>Persons requiring quarantine Medium Priority (level 3)</th>
<th>Persons requiring quarantine Low Priority (level 2)</th>
<th>Persons requiring quarantine Very Low Priority (level 1)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Visits</td>
<td>Visit every 2 days</td>
<td>Visit every 4 days</td>
<td>Visit every 6 days</td>
<td>Visit every 8 days</td>
<td>Telephone once a week</td>
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<td>Period of time removed from required visit list</td>
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<td>3 days</td>
<td>5 days</td>
<td>7 days</td>
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<td>90%</td>
<td>75%</td>
<td>60%</td>
<td>50%</td>
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<tr>
<td>Score 100</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
</tr>
<tr>
<td>Score 80</td>
<td>80%</td>
<td>80%</td>
<td>80%</td>
<td>80%</td>
<td>80%</td>
</tr>
<tr>
<td>Score 60</td>
<td>60%</td>
<td>60%</td>
<td>60%</td>
<td>60%</td>
<td>60%</td>
</tr>
<tr>
<td>Fail</td>
<td>Below 60%</td>
<td>Below 60%</td>
<td>Below 60%</td>
<td>Below 60%</td>
<td>Below 60%</td>
</tr>
</tbody>
</table>

According to the enforcement priority scale low-threshold offences (purple badge) were enforced by local government employees, offences in the business public space by municipality corona units, enforcement of quarantine and gatherings by mission command center forces, and violators and criminal offences by district and national investigation personnel.

It is important to note that the enforcement partnership with local and regional government inspectors had its ups and downs. The extent of enforcement collaboration and coordination with the local government depended on the good will of the head of the local government authority and their operational capabilities. The Administration based its relationship with local government authorities on the
reporting requirement passed in August 2020 with the government’s expansion of the Framework Law\textsuperscript{22}. The expansion stated that every local government in Israel would submit its corona enforcement data to the Administration, and on the 1\textsuperscript{st} of every month all the data would be transferred to the Knesset. The local governments became enforcement partners through a continuous effort of training, visits, guidance and data collection. This was also possible owing to the establishment of a Corona Enforcement Forum\textsuperscript{23} in the aim of focusing and coordinating enforcement activity between all authorized enforcement entities in addition to cooperation between the police station and the local authority in keeping with the specified guidelines, policy and enforcement focus. The Forum convened according to the morbidity level in the locality or the local authority based on the Traffic Light Plan - a city/locality designated as red or orange - once a week, yellow - once every two weeks and green - once a month.

In accordance with the Administration’s approach, police activity determined by the morbidity level priority scale was based on Health Ministry models and adapted to the police systems at the municipal and neighborhood level. The enforcement response entailed heightened intensity and frequency of police activity compatible with the increased morbidity level. This was applied to the inspection of confirmed patients, quarantined persons and violators, as well as to businesses characterized by crowd concentrations and closed areas with high-risk potential. Police activity included providing information and engaging in discourse, as well as operational activity and determined enforcement. The commanders and senior officers were responsible for command and control according to the priority levels and the location.

Enforcement activity was based on corona command centers that operated in every police district, with priority to use force given to high morbidity localities. The activity was headed by the police and coordinated with the local government authority and the operations room it operated. Movement restrictions, if there were any, were enforced based on situation assessments. The morbidity level was a significant

\textsuperscript{22} Amendment to the Special Authorities to Combat the Novel Coronavirus (Temporary Provision) Law, 2020.

\textsuperscript{23} Corona National Enforcement Administration Guideline No. 39 – Establish/Maintain a Corona Enforcement Forum (Reference 106159720).
consideration in the decision to carry out enforcement in lieu of providing information when violation of the law provisions was committed. Police activity was coordinated with that of the local government authority, with an emphasis on coordinating deployment of the local authority’s municipal inspectors. It also took into consideration the locality’s composition and characteristics as well as its morbidity levels. The computer systems were also coordinated in order to support, track and analyze enforcement data.

With the surge in morbidity the Administration formulated an activity approach according to which the police would play a key role in the national effort to reduce morbidity and influence public behavior by enforcing the regulations and rules in order to break the chain of infection. The main narrative was the need to protect vulnerable population groups (the elderly, persons with underlying conditions, weakened populations, persons whose livelihood was negatively impacted). In practice the system sought to manage the chances of infecting and the risks of being infected, honing the process as it carried out its activity.

In this framework efforts were made to engage in a discourse with minorities and various sectors in society. This was conducted through influential entities in the community and organized inspection of persons required to quarantine and gathering places along with police presence and prominence in gathering venues and important routes. Administrative enforcement tools were used in addition to increased contact with the population through random inspections.

The crisis and in turn the police response brought to the surface in-built tensions that affected enforcement activity. The myriad crime and public order police tasks resulted in burnout of the operations force and diversion of activity to more urgent assignments. The police enforcement partners, whether government ministry inspectors who were subordinate to the police or local government employees – decreased their contribution to enforcement in terms of both the quantity of forces deployed and their actual activity.

Government demands to expand enforcement and increase fines continued and intensified, with considerable criticism directed at the police and the Enforcement Administration. At the same time the need for a different order of magnitude in contending with the public and for deployment of additional operational forces was
ignored. Lack of an informational and awareness campaign to support the enforcement efforts, in the aim of rebuilding public trust in the enforcers and backing their activity, was experienced throughout the crisis. On this backdrop attempts were made to recruit additional enforcement forces, new to the enforcement undertaking - police volunteers, police officers working in the community (NCO’s) and youth volunteers. Furthermore, an action plan to establish locality policing (police and local government inspectors) was formulated that would be based on inspection forces provided to the police as well as allocation of additional temporary police positions. These would serve as assisting forces in localities which did not have municipal policing units, with an emphasis on localities in which enforcement activity was not carried out at all.

The decision to establish locality policing units sought to provide a significant local enforcement response that would combine police and local government. These would be set up throughout the country, including in “weak” local government authorities. Activity principles were formulated for these locality policing units in the aim of curbing the spread of the coronavirus and increasing public compliance to Health Ministry instructions.

The idea was to establish about 82 corona policing units in 88 local government authorities throughout the country, similar to the municipal policing model. These would be set up according to the following stages, contingent on the recruitment rate of temporary police officers:

1. In the first stage 44 locality policing units would be established in 50 localities based on the existing temporary police deployment force.
2. In the second stage 22 units would be established in 22 localities.
3. In the third stage 16 units would be established in 16 localities.

Criteria were defined for deployment of these locality policing units:

1. Level A - localities with over 200,000 residents - 15 temporary police officers and 15 inspectors.
2. Level B - localities with 50,000 – 200,000 residents - 10 temporary police officers and 10 inspectors.
3. Level C - localities with 10,000 – 50,000 residents - 5 temporary police officers and 5 inspectors.

4. Level D – localities with 5,000 – 10,000 residents - 5 temporary police officers and 5 inspectors.

Criminal aspects of public behavior were also addressed through guidelines issued by the State Attorney’s Office and the Israel Police Investigation Division, including the role of the Police investigation bureaus in investigations conducted according to Section 218 to the Penal Law and other offences\(^24\). These guidelines were updated from time to time according to changing circumstances and arising needs\(^25\). The guidelines and their updates aimed to address enforcement policy with respect to the corona reality – when to issue an administrative fine and when to open a criminal investigation. Fine offences, which owing to their severity or the circumstances under which they were perpetrated required the opening of a criminal investigation, were also explained. This included recurring cases in which the discretionary latitude afforded the police officer in charge as to whether to impose a fine or open a criminal investigation was expanded. The entity granted the authority to prosecute disease spreading cases and the authority to close such cases was also addressed.

Due to the unique nature of the criminal offence of spreading an infectious disease it was determined that the State Attorney’s office would have the legal authority to consider Penal Law Section 218 cases regarding an indictment decision or, alternatively, a decision to close such a case due to prosecutorial considerations.

Going forward (Update 13) it was decided that in the event of a confirmed patient found violating the quarantine requirement, issuing a monetary fine and exempting the violator from punishment for an act which might spread a disease would not be considered. Accordingly, a criminal investigation must be opened in respect of this offence.

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\(^24\) Guideline of the Coronavirus Investigation Division - Update No. 1, March 5, 2020.

\(^25\) Guideline of the Coronavirus Investigation Division - Update No. 16, January 3, 2021.
March 2020 – March 2021 Data

**Enforcement in Numbers**

**Total Administrative Fines**

$N = 661,874$

**Administrative Fines – Not Wearing a Mask**

$N = 359,270$

Partnersing in enforcement – Lowering the morbidity
**Enforcement in Numbers**

Violation - Prohibition Leaving Place of Residence

N = 244,193

Partnering in enforcement – Lowering the morbidity

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**Hearings - Business Closing**

Total Hearings – Business Closing

N = 1,564

Partnering in enforcement – Lowering the morbidity
Hearings - Warnings

Total Hearings – Warnings
N = 1,914

Enforcement in Numbers - Enforcement among Covid-19 Positive and Quarantined

<table>
<thead>
<tr>
<th>Police - Citizen Interaction</th>
<th>Warnings (issued)</th>
<th>Fines</th>
<th>Month</th>
</tr>
</thead>
<tbody>
<tr>
<td>9,090</td>
<td>0</td>
<td>126</td>
<td>March - 20</td>
</tr>
<tr>
<td>56,950</td>
<td>8</td>
<td>115</td>
<td>April - 20</td>
</tr>
<tr>
<td>15,003</td>
<td>634</td>
<td>72</td>
<td>May - 20</td>
</tr>
<tr>
<td>26,518</td>
<td>860</td>
<td>139</td>
<td>June - 20</td>
</tr>
<tr>
<td>45,262</td>
<td>1,092</td>
<td>496</td>
<td>July - 20</td>
</tr>
<tr>
<td>47,223</td>
<td>759</td>
<td>529</td>
<td>Aug - 20</td>
</tr>
<tr>
<td>47,018</td>
<td>1,164</td>
<td>1,126</td>
<td>Sept - 20</td>
</tr>
<tr>
<td>47,018</td>
<td>2,376</td>
<td>1,421</td>
<td>Oct - 20</td>
</tr>
<tr>
<td>34,368</td>
<td>1,489</td>
<td>1,817</td>
<td>Nov - 20</td>
</tr>
<tr>
<td>99,242</td>
<td>4,569</td>
<td>1,644</td>
<td>Dec - 20</td>
</tr>
<tr>
<td>66,539</td>
<td>347</td>
<td>1,392</td>
<td>Jan - 21</td>
</tr>
<tr>
<td>28,855</td>
<td>92</td>
<td>1,262</td>
<td>Feb - 21</td>
</tr>
<tr>
<td>6,121</td>
<td>23</td>
<td>821</td>
<td>March - 21</td>
</tr>
<tr>
<td>533,367</td>
<td>14,281</td>
<td>11,130</td>
<td>Total</td>
</tr>
</tbody>
</table>

Partnering in enforcement – Lowering the morbidity.
Supervision of Covid-19 Positive and Quarantined

Total Inspections
N = 1,349,939

Partnering in enforcement – Lowering the morbidity

Inspection of Covid-19 Positive and Quarantined

Total Inspections
(By Telephone/Face to Face)

Partnering in enforcement – Lowering the morbidity

30
Enforcement in Numbers - Covid-19 Positive Inspections

<table>
<thead>
<tr>
<th>Percentage of coverage</th>
<th>Total coverage</th>
<th>Total Covid-19 positive</th>
<th>Month</th>
</tr>
</thead>
<tbody>
<tr>
<td>0.5%</td>
<td>25</td>
<td>5,362</td>
<td>March</td>
</tr>
<tr>
<td>188%</td>
<td>18,815</td>
<td>10,025</td>
<td>April</td>
</tr>
<tr>
<td>68%</td>
<td>7,345</td>
<td>1,100</td>
<td>May</td>
</tr>
<tr>
<td>84%</td>
<td>6,497</td>
<td>7,720</td>
<td>June</td>
</tr>
<tr>
<td>65%</td>
<td>25,035</td>
<td>45,455</td>
<td>July</td>
</tr>
<tr>
<td>75%</td>
<td>33,697</td>
<td>44,683</td>
<td>Aug</td>
</tr>
<tr>
<td>84%</td>
<td>10,763</td>
<td>179,141</td>
<td>Sept</td>
</tr>
<tr>
<td>22%</td>
<td>14,124</td>
<td>64,361</td>
<td>Oct</td>
</tr>
<tr>
<td>47%</td>
<td>10,565</td>
<td>22,331</td>
<td>Nov</td>
</tr>
<tr>
<td>37%</td>
<td>36,920</td>
<td>98,144</td>
<td>Dec</td>
</tr>
<tr>
<td>24%</td>
<td>62,892</td>
<td>265,150</td>
<td>Jan</td>
</tr>
<tr>
<td>31%</td>
<td>61,891</td>
<td>198,602</td>
<td>Feb</td>
</tr>
<tr>
<td>5%</td>
<td>27,771</td>
<td>345,678</td>
<td>March</td>
</tr>
<tr>
<td>25%</td>
<td>320,424</td>
<td>1,237,384</td>
<td>Total</td>
</tr>
</tbody>
</table>

Total Covid-19 Positive Inspections

N = 320,424
Covid-19 Quarantined – Inspections

N = 1,029,515

Partnering in enforcement – Lowering the morbidity

Covid-19 Quarantined - Inspections

(By Telephone/Face to Face)

Partnering in enforcement – Lowering the morbidity
Investigations - Enforcement of Section 218 - State Attorney

Covid-19 Cases Transferred to State Attorney's Office

N = 192

Partnering in enforcement – Lowering the morbidity

Police Intelligence – Cumulative Intelligence Report (monthly)

Partnering in enforcement – Lowering the morbidity
Partnering in enforcement – Lowering the morbidity

Municipalities – Monthly/Weekly Report

- On August 17, 2020, the Israeli Knesset approved and published an amendment to the Novel Coronavirus Law. According to this amendment, the various enforcement authorities, including municipalities, are obligated to submit a monthly report to the Corona National Enforcement Administration, which is submitted to the Knesset on the 1st of every month.
- Weekly Report - 419 reports were submitted (cumulative) on average by 61 municipalities per week, as of September 9, 2020.
- Monthly report - 419 reports were submitted in total (September 2020-March 2021), on average by 61 municipalities per week, as of September 28, 2020.
- From September 2020 to April 2021, the enforcement data of 2274 (weekly and monthly average) of all the municipalities in the State of Israel was submitted.
- 155 municipalities (cumulative) submitted their weekly report.
- 151 municipalities (cumulative) submitted their monthly report.
- 227,740 visits to businesses were conducted.
- 78,770 fines were issued (not wearing a mask and purpe page violations).
Enforcement in Numbers - Government Inspectors

Total Phone Calls - Quarantined
N = 65,159

Partnering in enforcement – Lowering the morbidity

Enforcement in Numbers - Government Inspectors

Total Businesses Inspected
N = 20,094

Partnering in enforcement – Lowering the morbidity
Enforcement in Numbers - Government Inspectors

Total Number of Fines
N = 2,014

Graph showing the number of fines per month from May 20 to March 21.

Government Inspectors May-20 – March-21

Graph showing the number of fines per month from May 20 to March 21.

Partnering in enforcement – Lowering the morbidity.
Discussion

The continuing corona crisis in Israel eroded public trust in government institutions in general and in the Israel Police in particular. Distrust of the police continued and increased in 2020 as well. Public discontent and distrust was now accompanied by pandemic fatigue which emerged in many countries around the world. This phenomenon is characterized by demotivation and hopelessness felt by the public due to social distancing and lockdowns, and mainly their enforcement by the various enforcement entities.

It is important to note that trust in institutions and public consent to their exercise of power, particularly police activity, are basic conditions for the effectiveness of these institutions. Wide ranging public consensus grants the police the legitimacy it needs and enables it to effectively enforce the law. Therefore, the police is expected to act by means of persuasion and deterrence, such that violating or recalcitrant entities will be punished while compliant entities will be rewarded. Thus, the combination of the two enforcement strategies produces good public compliance results. The transition from persuasion and encouraging compliance to administrative and legal enforcement must be gradual and comprehensible to the public, so that the majority responds positively to the persuasion efforts and urging to comply, while the violating minority, that was not persuaded to comply, will face administrative punishment which will cause them to comply.

Achieving compliance in the corona age depends on employing a combination of deterrence strategies and to engaging the individual in a broad community process. Moreover, the police must act with procedural fairness and equity in enforcing the instructions. Steering and directing the public regarding the provisions of the corona laws can be carried out by information, discourse and warning. Alongside these tools police officers and the other enforcement entities in Israel were granted enforcement authority through administrative fines, administrative procedures (e.g., issuing closing orders), and in severe cases also criminal procedures.

The Corona National Enforcement Administration was established in the Israel Police, the entity that enforced the corona regulations, as a staff entity charged with
steering public compliance in light of the corona pandemic. As such it had to formulate a broad system-wide and intersystem professional approach in activity areas that supported operations activity during the corona crisis. The Administration was also involved in decision making processes in all these support activity areas, while providing the organizational directive and translating it into support activities needed to wage the national struggle against the virus.

With the onset of the crisis, in the beginning of 2020, the Israel Police was called upon to assist the Health Ministry. The scope of the pandemic and its ramifications were not sufficiently clear and the police carried out its activity using criminal tools, assisting Health Ministry representatives who are authorized to request the assistance of the Israel Police to enforce a quarantine order.

Operationally the Administration was built from scratch in order to enforce the corona regulations. This created the need to put in place an operational, intelligence and IT infrastructure. At the outset the Administration defined two main enforcement activity areas: (1) persons required to quarantine and (2) businesses and gatherings. Going forward measures were defined for this enforcement activity in order to guide the police districts and the entire police command and focus the required enforcement effort. The Israel Police IT systems could not provide a sufficient response to the organization’s needs in light of the pandemic challenge, requiring the development of computer solutions in two areas: to guide police force activity and to provide commanders with an accurate picture at any given time.

The Administration disseminated numerous professional guidelines and organizational procedures as well as about 200 enforcement scheme updates. These included Israel Police enforcement policy regarding enforcement of corona offences, enforcement policy updates adapted for a specific period, and clarifications regarding the various enforcement schemes. Information flowed to the field through four different channels based on a procedure established by the Administration, and became the new standard in guiding the enforcement operations activities. With every change in the provisions of the law and the guidelines an updated Administration guideline was formulated, a presentation was prepared for the enforcement forces, and if needed the policy as well as clarification of certain aspects were also added.
The main aim of this document was to examine the relationship between morbidity and enforcement. Waging a battle against spreading morbidity with thousands of deaths requires enforcement in the broadest sense in order to affect morbidity and reduce the reproductive rate and the percentage of persons testing positive to the virus.

The central question we sought to examine – how can enforcement affect morbidity measures. The approach which guided the Administration was based on changing frequency and intensity of activity with respect to morbidity risk factors, alongside increased contact in the public space and enforcement of lockdowns in their varied formats. Owing to the increased morbidity, between and during the lockdowns, the Israel Police intensified its enforcement outputs and the number of inspections it conducted of persons required to quarantine and of gathering places. It also increased the number of fines imposed for different violations and the number of criminal cases, hearings, closing orders, inspections and police officer - citizen interactions.

It is important to note at the outset that, despite the extensive enforcement data versus morbidity data presented in this document which shows the clear relationship between the two, we do not profess to assert that we found a significant statistical relationship between enforcement and morbidity. Such a relationship must be examined in an in-depth study based on Health Ministry and Home Front Command data in relation to enforcement and public steering data of the Israeli Police and its partners to the effort, based on data polygons and defined timelines.

At the same time, the espoused approach of increasing enforcement owing to increased morbidity should be examined with respect to additional aspects, among them the approach and policy formulated, management of the enforcement effort itself, and familiarity with the enforcement process and its varied applications in a complex environment. This is what we sought to present here, not as a finished and complete product but rather as an interim stage, the beginning of an instructive comparative study on topics that touch on the interface between the behavioral sciences and epidemiological studies grounded in the exact sciences.

Ultimately corona has proved to be an elusive virus with exponential growth and harm. Moreover, the intensity of its damage seemingly does not distinguish between gender, ethnic origin, race and countries with different age compositions.
Nonetheless, it appears that the harm of the virus is significantly reduced in countries and societies with strong norms of compliance with state laws, high levels of public trust in government institutions and elected officials and high social cohesion. Here again, an in-depth study is needed, however it can be said with the utmost caution that the effects of the pandemic in Israel were also influenced by both old and new rifts and tensions in Israeli society.

Enforcement entities and police organizations, in these times and in general, cannot base their activity solely on the law, in the sense of blind compliance. Reality is complex and the legislative undertaking is not the purpose but the means or tool to solve a problem. Although the police is bound by the law and its enforcement it does not operate in a vacuum and must influence the public to obey the law. To achieve this the police must gain the public’s trust. This means trust that its activity is intended to protect citizen safety and property, that its actions are fair and judicious and that it acts for the benefit of the public in its entirety, optimally and fairly. Furthermore, the police must demonstrate proven operational capabilities and achievements in fighting crime so that the public will acknowledge its efforts and criminals will be caught and pay for their actions.

During an epidemiological crisis, in a polarized social and political reality such as that in Israel, the extent of police influence on public compliance is all the more complex.

Moreover, enforcement in and of itself is a secondary endeavor during an epidemiological crisis. It is subordinate to a wide range of activities, among them: information efforts, building compliance consciousness, health-related action to increase the capacity of hospitals to treat severely sick patients, efforts to detect infected persons, contact tracing and quarantine, action to prevent entry of the virus and its mutations into the country, and economic and social efforts to maintain routine economic activity and functioning of the education system. All these are interrelated in the aim of reducing morbidity and mortality from the virus and enabling life to return to the pre-pandemic normal.

In Israel, with its polarized society and public distrust in the state and its institutions, including the Israeli Police (which suffers from decreasing public trust for numerous reasons which will not be discussed here) the enforcement effort became the focus of
discourse and criticism, rendering the police unable to fully exert its influence in fighting the pandemic.

Enforcement must complement the effort to detect infected persons and the infection source and break the infection chain. It cannot serve as the main and only component and cannot influence compliance without other efforts integrating with it, informing it and focusing its activity.

The purpose of the Israel Police is to maintain public order, protect property, resolutely fight crime and road accidents, enforce the law and protect human life. In addition, the Israel Police, which is a national and nationwide police force, must also handle hostile terrorist activity events. Enforcement of the corona regulations among a broad and normative public requires a significant change in the approach to the use of force, as well as altered organizational habits and activity patterns.

The foundation of enforcement rests on agreement and consensus as to what is considered accepted normative behavior, which in turn defines that which is deemed deviant or illegal. A police that seeks to enforce and prevent deviant behavior requires a clear and comprehensible law about which there is consensus and that is legitimate in the eyes of the general public. When this is the case the general public reports violators and violations to the police, and the violators operate, or try to operate, under the radar of law enforcement agencies. Under these circumstances, a violation is usually viewed as deviant, as endangering the social fabric, immoral or at the least as bad for the general good.

This was not the case in the crisis reality in which the Israel Police found itself. The reasons included public distrust in decision makers and state institutions, confusion about ambiguous instructions and how they were arrived at and lack of a media campaign aimed at creating a shared narrative adapted to the various societal sectors. The resulting state of affairs was that violation became the norm and deviating from the regulations a national sport, with the police caught in the middle, grasping on to the remnants of public trust and to its commitment to enforce the provisions of the law.

We found that other police forces in the world avoided or did little to enforce regulations. Some consciously chose to mainly engage in providing information, some mobilized only to enforce movement restrictions and business opening, and few chose
to contend with all the elements of the crisis situation. The Israel Police belongs to the latter group, a record-holder in the number fines per population size, and almost exclusively responsible for all enforcement configurations.

The Israel Police mobilized to support the national effort from the outset of the crisis. Data about Covid positive persons and persons required to quarantine were provided to the police IT systems, after legal and computer issues were resolved, and from there automatically to the patrol vehicles and patrol officers’ computers. The corona regulations, which changed frequently, were immediately translated into operational guidelines and into an administrative fine model which had not been deployed up until then. Thousands of police officers, from different fields, were allocated to the mission at the expense of other missions in order to handle enforcement of the regulations through district mission command centers. Quick training programs were developed for placement of regulation enforcers.

Israel’s enforcement effort relied for the most part on the Israel Police. In contrast to the police, local government authorities and their inspectors mobilized slowly and did not do so in a uniform fashion. Assisting forces for the enforcement undertaking were allocated to the police in small numbers, alongside positions added for the recruitment of temporary police officers. The enforcement priority scale, intended to guide the less experienced enforcement forces to businesses and educational institutions in order to enable the police to focus on volatile and complex events, did not pan out in full and the police was left to contend with all the tasks, attracting harsh criticism from diverse groups.

Summary

As of the writing of this document the corona crisis is far from over and cannot be summarized in retrospect yet, despite the unique vaccination undertaking in Israel. Nonetheless, we can offer five interim enforcement insights which may serve decision makers:

1. Enforcement is a tool for achieving social compliance. It is a complex and varied tool, and its frequent use may erode the effectiveness of the tool itself and lead to fatigue among the public. The many and diverse enforcement tools
include persuasion, discourse and warning, as well as use of force and punishment – all intended, as noted, to achieve compliance. Decision makers must formulate an enforcement directive alongside other directives and present them to the public as part of an overall approach to fighting the pandemic.

2. Managing the crisis and the fight to reduce morbidity requires clear leadership of one entity which is granted the necessary authority. This entity must synchronize the various efforts such that the epidemiological knowledge will guide the quarantine and contact tracing efforts, and these in turn will inform the enforcement efforts, in a continuing feedback process. This is a Sisyphean multi-system and multi-organizational cyclical endeavor.

3. Enforcement requires developing a cadre of skilled designated personnel for this undertaking, a corona police force that this is its role and mission. This means a police force deployed in every locality - coordinated with (but not subordinate to) the head of the local authority and its personnel, as well as with other emergency or homeland entities - that acts to mitigate morbidity at the locality level.

4. Enforcement activity must be supported by a media and information campaign that highlights the complex role of the enforcers and encourage compliance to the law. In modern society the police cannot enforce non-compliant behavior if the public is not a full-fledged partner to the perception that this is indeed deviant behavior, and that it should be reported and condemned.

5. The police enforced social distancing regulations, including mask-wearing, quarantines and preventing business opening and gatherings, through administrative fines. Such enforcement activity against citizens erodes public trust in the police and diverges from its purpose and function. The police should focus on criminal activity and public disorder by investigating and charging persons for violating legal orders and committing criminal offences. Accordingly, a separate, dedicated force should enforce administrative violations, while working closely and in tandem with the police to achieve the common goal of curbing the coronavirus pandemic.
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**Keywords:**

Policing

Police

Enforcement

Covid-19

Corona
Israel Police

Morbidity

Steering the population

Pandemic