

ROAR

Knowing Your Rights Under COVID-19

Interacting with the Police

It is unusual for there to be an Order from the government restricting our daily actions; however, the benefit to the many – for the spread of a deadly virus to be contained as much as possible – legally outweighs the restrictions on our freedom of movement. The police do have the authority to break up gatherings over 10 people, to enforce 6-foot social distance, and to question your travel to determine if it is necessary. If stopped by the police, be prepared to answer questions about why you are traveling. Proof would be things like:

- Your job position and location of employment – work identification is most helpful; some employers are even providing letters that are given only to critical staff members “authorizing” or explaining their travel. You may be asked your position, your essential duties, shift hours, address you are traveling from (home or where you are staying) and to (work).
- Address of grocery store or pharmacy you are traveling to or from and home address or destination (e.g., a family member who you are caring or shopping for), and when you left your first destination, got to store, and are now stopped.
- Address of family members to whom you are traveling to care or shop for and your home address and times of stops. The reason the police may ask your starting and ending destinations and times of departure, shopping and travel is to determine if you are engaging in necessary or unnecessary travel.

Of course, your other rights remain fully enforceable, which can be found via our Know Your Rights Training. (Link to training video)

If you feel that a police officer is using the COVID-19 restrictions as a pretext to harass or otherwise cause you harm, ask to immediately speak to that officer’s superior. Do not engage in any name-calling or aggressive actions against the police officer, even if you feel you are being mistreated.

If you need police assistance

If you need police assistance because you are a victim of a crime or rely on the police for things like providing a safe place to exchange children for visitation with a parent in whose presence you do not feel safe, the police are still obligated to provide you with that service. ROAR has heard of instances where the police have said they cannot provide those services due to the demands of COVID-19. **Though we are aware that the demands on police and other first**

responders are great, you do have the right to receive the necessary services provided by police. If an officer refuses to take a police report, supervise an exchange of children, enforce a court order, or assist you with other needs, politely and firmly request to speak with that officer's supervisor.

Essential employee & Personal Protective Equipment (PPE):

It depends on where you work, what has been guaranteed by the leadership of your employer, what your union has negotiated on your behalf, and what your professional duties require. The best guidance is given [here](#). If you are an immigrant worker, you have [rights](#) regarding your employment and COVID-19 too.

Custody & Visitation

All court orders for visitation and custody are still in effect and should still be abided by. Generally, both parents can come to a mutual decision to make appropriate changes to their typical visitation routine as necessary. Courts are not hearing any non-emergency custody/visitation matters at this time. If you have concerns about the other parent failing to abide by court order, please contact your local police department

For more information on custody-related matters, please visit <https://www.peoples-law.org/child-custody-maryland>

Access to the Courts

The courts across the state of Maryland are largely closed. Click [here](#) for details about how various types of legal cases are being handled while the courts are close. You can get updates on the courts' closure [here](#). Emergency hearings such as protection and peace orders are still being held. In Baltimore City, those hearings are being conducted by phone. **If you need assistance with this or any legal issue related to being a victim of crime, contact ROAR at its intake line: 410-706-2781. You will be instructed to leave a message and someone will return your call on the following Tuesday or Thursday.**

Court Commissioner

If you need to file criminal charges and/or file for a peace or protection order, you can visit your [local Commissioner's office](#). In Baltimore City, the staff within the Commissioner's Office are practicing social distancing rules. You will be required to stand 6 feet or further from other people within the office. For this reason, the number of people let in at once may be limited. Know that the process may be delayed due to these constraints.

Arrests in Baltimore City

Baltimore City State's Attorney, Marilyn Mosby, has ordered her staff to dismiss pending criminal charges against anyone arrested for possessing drugs including heroin, attempted distribution of any drug, prostitution, trespassing, minor traffic offenses, open container and urinating in public. She took this step to reduce the number of people held in city jails, who are at higher risk of exposure to and spread of the COVID-19 virus. This policy should not apply to anyone charged with a violent crime or who poses a safety risk to someone (such as an intimate partner). This policy may result in the Baltimore Police Department no longer making arrests for these crimes while we are under this state of emergency.

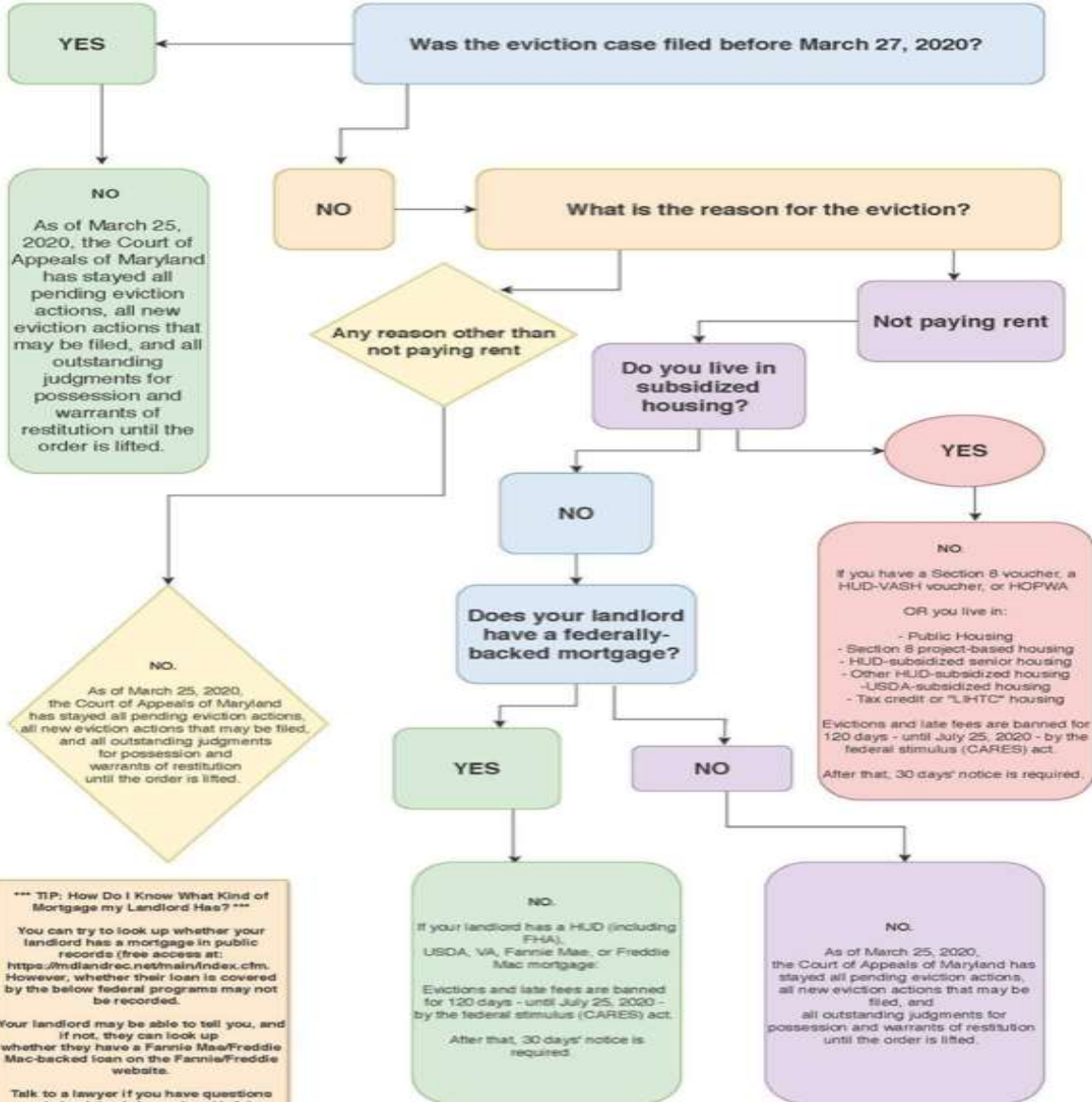
Tenant/Landlord Disputes (Eviction & Fees)

All landlord-tenant cases have been stopped until May 1, 2020. You CANNOT be evicted without a court order, and no court orders will be issued until the court has re-opened, which is currently May 1st. Check [here](#) for more details and any updates to that timeline. Additionally, your [utilities](#) cannot be shut off during the state of emergency, which currently ends on May 1, 2020 (but is likely to be extended by the Governor). You also cannot be charged late fees or penalties for non-payment during this time.

If your Landlord is making threats to evict you or otherwise not abiding by the law, please file a complaint with the Attorney General [here](#).

Thank you to the Homeless Person's Representation Project for this flow chart about the threat of eviction once the courts reopen.

CAN I BE EVICTED DURING THE COVID-19 OUTBREAK?



***** TIP: How Do I Know What Kind of Mortgage my Landlord Has? *****

You can try to look up whether your landlord has a mortgage in public records (free access at: <https://mdlandrec.net/main/index.cfm>). However, whether their loan is covered by the below federal programs may not be recorded.

Your landlord may be able to tell you, and if not, they can look up whether they have a Fannie Mae/Freddie Mac-backed loan on the Fannie/Freddie website.

Talk to a lawyer if you have questions and check back for updated info!

To Receive Your [2020 Recovery Rebate Tax Credit](#)

As many of you have heard, the federal government is sending up to \$1,200 (depending on your income) to most adults and \$500 for each dependent child, which will be automatically deposited into the bank account you provided for your 2018 tax return. **If you do not have a bank account, or did not when you filed that return, or have changed your bank account since then, OR IF IT IS A (CURRENT OR FORMER) JOINT BANK ACCOUNT TO WHICH YOU DO NOT HAVE ACCESS, you need to take action to ensure you will receive this money.** The Internal Revenue Service has created a [portal](#) through which people will be able to update their mailing addresses and their bank accounts, and check in on the status of the payment (has it been sent). However, how that will work in the case of the most recent return having been jointly filed by two jointly filing taxpayers who are now divorced or estranged is unclear. Furthermore, it appears that the portal may not be functional until after the initial round of rebates is distributed by direct deposit to the bank accounts presently on file with the IRS. [TurboTax](#) purportedly claims to have presently developed an option on its platform to allow individuals to make these changes (as reported by Business Insider); however, ROAR has not been able to research this option to make sure it is a safe, secure, and FREE service, and so for that reason, we cannot recommend; but it may be worth investigating to see if it will work for you.

If you have been laid off, [APPLY FOR UNEMPLOYMENT](#)

Typically, people who are self-employed or work in the “gig economy” are not eligible to apply for unemployment. However, if you have lost your income due to Covid-19 you can now apply. This is called Pandemic Unemployment Assistance (PUA). Due to the large volume of people applying for benefits, some states are dictating what day you should file, based on the first letter of your last name and/or that PUA cases will be processed after the otherwise eligible people’s claims are processed. APPLY ASAP, since there will likely be a delay in receiving your first check. In addition to PUA, people applying for unemployment due to COVID-19 lay-offs are eligible for an additional \$600 per week in addition to what they would have received in typical times from unemployment, an amount that is determined by what you earned at your prior job and how long you worked there, up to a maximum benefit determined by the state in which you apply (which is usually the state in which you worked).

Additional Resources

Questions about workers’ rights and COVID? The Public Justice Center has a great FAQ page and great explainers to help you understand your rights: http://www.publicjustice.org/en/legal_help/workers-rights-and-covid-19/

Are you or someone you know in the hospitality industry and looking for resources? Check out the website of the [Baltimore Restaurant Relief Fund](#).

The city website, <https://coronavirus.baltimorecity.gov/>, has a wealth of information and resources available, including how COVID-19 is impacting city services. A few examples of what you can find:

- Information for [older adults and caregivers](#).

- [Food resources](#) for youth, older adults, and food-insecure residents.