



# Crime, Criminal Justice System, and the COVID-19 Pandemic

Sanja Kutnjak Ivković<sup>1</sup> · Jon Maskaly<sup>2</sup>

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Our world as we know it drastically changed on March 11, 2020. That day, the World Health Organization declared the COVID-19 pandemic (2020) and issued a plea to the countries' governments "to take urgent and aggressive action" aimed at curtailing the spread of the COVID-19 infection. In response, governments in many countries declared a state of emergency, sealed their borders, and introduced a range of measures aimed at restricting contacts among citizens. Katella (2021) vividly described this wave of restrictions as "[t]he world shuts down." While some countries like Sweden imposed almost no measures at all, many other countries restricted public gatherings, closed schools, non-essential businesses, and various non-essential services, and imposed stay-at-home orders and lockdowns. Although these measures were implemented to contain the spread of the virus and maintain hospitals at less than full capacity, Roche's analysis (2020) of the European governments' decisions suggests the restrictiveness of the measures was more strongly related to the current political culture and the extent to which the country's citizenry adhere to the rule of law rather than the intensity of the pandemic.

Within a month of the pandemic officially being declared, 3.9 billion people in more than 90 countries were ordered to stay at home by their governments (Sandford, 2020). By late April of 2020, almost 3 million people had tested positive for COVID-19 and more than 200,000 people had died (Worldometers, 2020). By August of 2020, the restrictive measures were relaxed in a number of countries (Oxford University Stringency Index, 2022) until the new, more contagious versions of the virus (e.g., Delta in October 2020, Omicron in November of 2021; World Health Organization, 2021) arrived and caused subsequent peaks of infections across the globe, with government responses varying greatly across the world (Oxford University Stringency Index, 2022). In late

February of 2022, almost two years since the World Health Organization declared the COVID-19 pandemic, almost 7 million people across the world have died from COVID-19 and about 60% of the world's population has received at least one dose of a COVID-19 vaccine (Institute for Health Metrics & Evaluation, 2022).

As citizens stayed at home or restricted their usual activities, their patterns of behavior, including criminal activities, started to change (e.g., Ashby, 2020; Lersch, 2020). While the numbers of calls for service and rates of reported crimes declined for a number of violent and property crimes (e.g., Balmori de la Miyar et al., 2021; Calderon-Anyosa & Kaufman, 2021; Hodgkinson and Andersen, 2020; Gerrell et al., 2020; Mohler et al., 2020; Nivette et al., 2021; Poblete-Cazenave, 2020), in a number of countries the cases of domestic violence remained the same or even increased (e.g., Kurti et al., 2021; Mohler et al., 2020; Piquero et al., 2021). Specific types of violent crimes, such as murder and kidnapping, have not changed dramatically in some countries; as Balmori de la Miyar et al. (2021, p. 1) pointed out, "Druglords don't stay at home." Additionally, cybercrimes seem to have increased (e.g., Baier, 2020).

The criminal justice system has been affected by these changes. The changes it introduced ranged in their breadth and depth, from providing personal protective equipment to the employees and training them how to prevent getting sick, to restricting access to some essential services, moving others to remote modes of service delivery, and developing and implementing protocols on providing in-person services safely. The papers in this special issue explore the pandemic-related changes in the patterns of criminal activity and the changes in various facets of the criminal justice system. They provide a spectrum of views from a diverse group of countries, including Australia, China, Chile, Switzerland, and the USA.

The first paper in the special issue, "COVID-19, Violent Crime, and Domestic Violence: An Exploratory Analysis" by Kim Lersch and Tim Hart, focuses on the rates of domestic violence. While a number of studies exploring the relation between the pandemic and the rates of domestic

✉ Sanja Kutnjak Ivković  
kutnjak@msu.edu

<sup>1</sup> Michigan State University, East Lansing, MI, USA

<sup>2</sup> University of North Dakota, Grand Forks, ND, USA

violence demonstrated the presence of a “shadow pandemic” during the lockdowns (for a systematic review, see Kurti et al., 2021; Piquero et al., 2021), studies also indicated that there was a substantial regional or city variation in these changes. In a study of six U.S. cities, Nix and Richards (2021, p. 1443) reported that the domestic calls for service increased in five out of six U.S. cities during the stay-at-home orders, concluding that, “[t]hese results illustrate ... the importance of studying the *localized* effects of COVID-19 on criminal justice issues.” Indeed, in their paper in this special issue, Lersch and Hart show that local contexts matters. Contrary to the hypothesis based on the tenets of the opportunity theory, Lersch and Hart found that the reported cases of domestic violence decreased in Florida counties with higher COVID-19 death rate. The exact mechanism for this effect is unclear, but it shows the diversity in potential experiences related to crime associated with the magnitude of the pandemic.

The second paper, “Sex Workers’ Work-Related Victimization and Drug Use during the First Year of the COVID-19 Pandemic in Switzerland” by Lorena Molnar and Jenny Ros, continues with the exploration of the effects of the pandemic on crimes and victimization. While the bulk of the literature on COVID-19 focuses on the changes in crime patterns in general (e.g., Nivette et al., 2021) or domestic violence in specific (e.g., Piquero et al., 2021), only a handful of studies explored the effect of the COVID-19 pandemic on sex workers, a difficult to reach and vulnerable population (e.g., Boyer, 2020; Singer et al., 2020). Molnar and Ros relied on the fact that Switzerland had legalized prostitution to gain access to, observe, and survey 40 sex workers. Molnar and Ros demonstrate that engaging in prostitution during the time the activity was temporarily prohibited by the government, as part of the restrictive measures aimed at curtailing the spread of COVID-19, lead to higher rates of victimization for sex workers, particularly sexual assault. Because the activity was prohibited, the dark numbers were high—the victimization was not reported to the police. Again, this shows that the pandemic-related changes to social life had unintended second- and potentially even third-order effects on the victims of crime.

The third paper in this special issue, “A Global Study of Police Administrator Perceptions of the Effectiveness of Police Organizational Changes During the COVID-19 Pandemic” by Sanja Kutnjak Ivković, Jon Maskaly, and Peter Neyroud, shifts the paradigm to the pandemic-related changes within the criminal justice system. While the body of prior work examined the extent and nature of accommodations made by police agencies in response to the pandemic (e.g., Hartmann and Hartmann, 2020; Maskaly et al., 2021a, b, c) and indicated that the changes were not uniform, prior studies did not explore how effective these changes were perceived to be by the police administrators,

police officers, or citizens. In their global study, Kutnjak Ivković and colleagues rely on a survey of police administrators from 27 countries to ascertain how police administrators evaluate the effectiveness of the changes they or their administration had made. Although the estimates of effectiveness differ across dimensions of police operations, the peak infection rate and whether the member of the police agencies died of COVID-19 were—as expected—both negatively related to the estimates of effectiveness.

The fourth paper, “COVID-19 Conspiracies, Trust in Authorities, and Duty to Comply with Social Distance Restrictions” by Kristina Murphy, Molly McCarthy, Elise Sargeant, and Hartley Williamson, shifts the lens from police officers, entrusted to enforce newly enacted COVID-19 restrictions, to the citizens, who are expected to obey them. The governmental decisions to introduce restrictive measures, particularly related to the more recent waves of infections, was accompanied by public demonstrations in a number of countries (e.g., BBC, 2021; Voice of America, 2021). In their paper, Murphy and colleagues surveyed the Australian Facebook users to ascertain the degree to which trust in the government is linked with the citizens’ willingness to comply with the governmental restrictions. The results are in concert with other studies finding that trust in the government and intentions to follow governmental restrictions go hand in hand (e.g., Pagliaro et al., 2021). Murphy and colleagues expand the traditional approach by incorporating the mediating role of belief in conspiracy theories.

The fifth paper in the special issue, “Citizen Compliance with Pandemic Rules in China: Exploring the Effects of Emotional States, Peer Influence, and Policing” by Shan Shen, Ivan Sun, Yuning Wu, and Kai Lin, continues with the exploration of citizen views about the compliance with the COVID-19 restrictions. Their paper focuses on China, a country in which the police were viewed as the last resort for the enforcement of such restrictive measures, while in other countries around the world the police were the primary enforcers of the newly developed rules restricting citizens’ behavior in response to the pandemic. Extant research indicates that the fear of being infected with COVID-19 enhances citizens’ decisions to obey restrictive measures (e.g., Burruss et al., 2021; Van Rooij et al., 2020). Shen and colleagues’ paper pushes the issue farther as the authors add measures of pandemic stress and peer influence, as well measures of perceived frequency of police presence and evaluations of police competence into the models. Although the police were not the first enforcers of these restrictive rules in China, the results of Shen and colleagues’ study of citizens’ views demonstrates that police presence in the community was one of the strongest predictors of citizen compliance with the restrictive COVID-19 rules.

The sixth paper, “The COVID-19 Pandemic and Probation in Chile: Remote Supervision and Regional Differences” by Sebastian Galleguillos, Mauricio Sanchez Cea, Deborah Koetzle, Jeff Mellow, Diego Pinol Arriagada, and Craig Schwalbe, shifts the focus to corrections. Just like police agencies, correctional agencies had to respond to the pandemic and adjust the ways they operate. Galleguillos and colleagues highlight the COVID-19 prompted trials and tribulations of the probation systems in Chile. Extant research from different countries (e.g., Audick, 2022; Confederation of European Probation, 2022; Henskens, 2022; Schwalbe & Koetzle, 2021) suggests that switching to a remote supervision has been a typical type of the pandemic-related accommodation, which resulted in both advantages (e.g., flexibility, cost saving) and disadvantages (e.g., disparities in access to technology, difficulty in detecting the signs of problems). As the paper by Galleguillos and colleagues demonstrates, Chile is not an exception to this rule. Based on the survey of over 300 Chilean probation officers, the paper illustrates the importance of the local context in understanding the success of remote probation.

The seventh and the final paper in the special issue, “Executive Clemency During the Coronavirus Pandemic: A Global Analysis of Law and Practice” by Andrew Novak and Daniel Pascoe, also addresses how the correctional system adjusted to the pandemic. Because COVID-19 is an infectious disease that easily spreads in close quarters, countries across the world have tried not only to limit the entry into the prison system, but also to find the ways to release prisoners early, either through parole, pardon, or clemency powers (e.g., Harm Reduction International, 2020). As Novak and Pascoe argue, several theories of punishment can be used to justify the use of clemency during the pandemic. In their analyses of legal documents and actual practices across several countries, Novak and Pascoe find that, once the obstacles to granting clemency across the world were lowered, an almost unprecedented number of people across the world were released from prisons.

Taken as a whole, these seven papers demonstrate the complexities of the pandemic especially for governments and the criminal justice system. Given the pandemic has been a global event, every country on the planet has been touched by it, albeit to varying degrees. At the same time, this special issue illustrates the diversity of challenges and responses to the pandemic on crime and the criminal justice systems. While many governments and criminal justice agencies adopted similar strategies, they were implemented and enforced in distinct ways.

The pandemic has been a tragedy on a global scale, but the countries have taken a somewhat similar and somewhat distinct approach to handling the pandemic. Engaging in comparative research exploring the nature and extent of these similarities and differences can tell us what has

worked well during the COVID-19 pandemic to protect the citizens and public officials from getting infected and possibly dying. Such a comparative approach on COVID-19 changes in crimes and criminal justice systems allows criminologists the opportunity to determine which strategies may be most effective for dealing with the future pandemics, natural disasters, or other emergencies. Additionally, the unique ways in which the pandemic—and the responses to it—have unfolded between countries has opened the doors to test criminological theories in ways that were previously implausible or impossible.

While the papers included in this special issue break new ground and provide answers to novel questions, nevertheless many open questions remain for future research. Once the COVID-19 pandemic is over, how many of the changes that criminal justice agencies have made in response to the COVID-19 pandemic will persist? Will they remain in effect because they are cheap or because they are the most effective? Based on their responses to the COVID-19 pandemic, how well are the criminal justice agencies prepared for future emergencies? When the governments relax the COVID-19 restrictions, will the limits put on the citizens’ rights be completely restored? The field is ripe with opportunities for further exploration.

## References

- Ashby, M. P. J. (2020). Initial evidence on the relationship between the coronavirus pandemic and crime in the United States. *Crime Science*. <https://doi.org/10.1186/s40163-020-00117-6>
- Audick, J. (2022). Remote supervision at BGBW [Baden-Wuerttemberg Bewahrungs-und Gerichtshilfe. CEP Webinar on Remote Supervision. Retrieved February 03, 2022, from <https://www.cep-probation.org/wp-content/uploads/2022/02/Presentation-Julia-Audick.pdf>.
- Baier, D. (2020). Crime during the Corona lockdown: Empirical findings based on a victim survey in the canton of Zurich. *Criminology-the Online Journal*, 2(3), 444–466.
- Balmori de la Miyar, J. R., Hoehn-Velasco, L., & Silverio-Murillo, A. (2021). Druglords don’t stay at home: COVID-19 pandemic and crime patterns in Mexico City. *Journal of Criminal Justice*. <https://doi.org/10.1016/j.jcrimjus.2020.101745>
- BBC. (2021). Covid: Huge protests across Europe over new restrictions. Retrieved November 21, 2021, from <https://www.bbc.com/news/world-europe-59363256>.
- Boyer, D. (2020). Prostitution during the pandemic: Findings show need for Nordic Model. *Dignity*. <https://doi.org/10.23860/dignity.2020.05.01.07>
- Brader, C. (2020). *The jury’s out: COVID-19 Impact on Jury Trials*. U.K. Parliament. July 21, 2020. Retrieved March 02, 2022, from <https://lordslibrary.parliament.uk/the-jurys-out-covid-19-impact-on-jury-trials/>.
- Burruss, G. W., Jaynes, C. M., Moule, R. K., Jr., & Fairchild, R. E. (2021). Modeling individual defiance of COVID-19 pandemic mitigation strategies: insights from the expanded Model of deterrence and protection motivation theory. *Criminal Justice and Behavior*. <https://doi.org/10.1177/00938548211010315>

- Calderon-Anyosa, R., & Kaufman, J. (2021). Impact of COVID-19 lockdown policy on homicide, suicide, and motor vehicle deaths in Peru. *Preventive Medicine*. <https://doi.org/10.1016/j.ypmed.2020.106331>
- Confederation of European Probation. (2022). Covid-19: Measures and protocols in probation. Retrieved March 02, 2022, from <https://www.cep-probation.org/covid-19-measures-and-protocols-in-probation/>.
- Gerrell, M., Kardell, J., & Kindgren, J. (2020). Minor covid-19 association with crime in Sweden. *Crime Science Journal*. <https://doi.org/10.1186/s40163-020-00128-3>
- Hannaford, P. (2020). Managing Juries and Jury trials during COVID-19. National Center for State Courts, Center for Jury Studies. [https://www.ncsc-jurystudies.org/\\_data/assets/pdf\\_file/0023/8438/juries-covid-19-webinar.pdf](https://www.ncsc-jurystudies.org/_data/assets/pdf_file/0023/8438/juries-covid-19-webinar.pdf).
- Hans, V. (2021). Virtual Juries, *DePaul Law Review*, 71. Retrieved March 02, 2022, from [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=3860165](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3860165).
- Harm Reduction International. (2020). COVID-19, prisons and drug policy. Retrieved March 02, 2022, from <https://www.hri.global/covid-19-prison-diversion-measures>.
- Hartmann, M. R., & Hartmann, R. K. (2020). Frontline innovation in times of crisis: Learning from the corona virus pandemic. *Policing A Journal of Policy and Practice*. <https://doi.org/10.1093/police/paaa044>
- Henskens, R. (2022). “Yes, I can hear you now...” First experiences with remote supervision in the Netherlands. CEP Webinar on Remote Supervision. Retrieved March 02, 2022, from <https://www.cep-probation.org/wp-content/uploads/2022/02/Presentati-on-Renee-Henskens.pdf>.
- Hodgkinson, T., & Andresen, M. A. (2020). Show me a man or a woman alone and I'll show you a saint: Changes in the frequency of criminal incidents during the COVID-19 pandemic. *Journal of Criminal Justice*. <https://doi.org/10.1016/j.jcrimjus.2020.101706>
- Institute for Health Metrics and Evaluation. (2022). COVID-19 Projections. Retrieved February 27, 2022, from <https://covid19.healthdata.org/global?view=cumulative-deaths&tab=trend>.
- Katella, K. (2021). Our pandemic year—A COVID-19 timeline. *Yale Medicine*, March 9, 2021. Retrieved February 26, 2022, from <https://www.yalemedicine.org/news/covid-timeline>.
- Kurti, A., Stavridou, A., Panagouli, E., Psaltopoulou, T., Spiliopoulou, C., Tsofia, M., Sergeantanis, T. N., & Tsitsika, A. (2021). Domestic violence during the COVID-19 pandemic: A systematic review. *Trauma, Violence, & Abuse*. <https://doi.org/10.1177/15248380211038690>
- Lersch, K. M. (2020). COVID-19 and mental health: An examination of 911 calls for service. *Policing: A Journal of Policy and Practice*. <https://doi.org/10.1093/police/paaa049>
- Lum, C., Maupin, C., & Stoltz, M. (2020a). The impact of COVID-19 on law enforcement agencies (Wave 1). Retrieved September 27, 2020a, from <https://www.theiacp.org/sites/default/files/IACP-GMU%20Survey.pdf>.
- Lum, C., Maupin, C., and Stoltz, M. (2020b). The impact of COVID-19 on law enforcement agencies (Wave 2). Retrieved September 27, 2020b, from [https://www.theiacp.org/sites/default/files/IACP\\_Covid\\_Impact\\_Wave2.pdf](https://www.theiacp.org/sites/default/files/IACP_Covid_Impact_Wave2.pdf).
- Mohler, G., Bertozzi, A. L., Carter, J., Short, M. B., Sledge, D., Tita, G. E., & Brantingham, P. J. (2020). Impact of social distancing during COVID-19 pandemic on crime in Los Angeles and Indianapolis. *Journal of Criminal Justice*, 68, 101692.
- Nivette, A. E., Zahnow, R., Aguilar, R., Ahven, A., Amram, S., Ariel, B., Burbano, M. J. A., Astolfi, R., Baier, D., Bark, H.-M., Beijers, J. E. H., Bergman, M., Breetzke, G., Concha-Eastman, I. A., Curtis-Ham, S., Davenport, R., Díaz, C., Fleitas, D., Gerell, M., et al. (2021). A global analysis of the impact of COVID-19 stay-at-home restrictions on crime. *Nature Human Behaviour*. <https://doi.org/10.1038/s41562-021-01139-z>
- Nix, J., & Richards, T. N. (2021). The immediate and long-term effects of COVID-19 stay-at-home orders on domestic violence calls for service across six U.S. jurisdictions. *Police Practice and Research*, 22(4), 1443–1451.
- Oxford University. (2022). COVID-19 Stringency Index. Retrieved February 26, 2022, from <https://www.bsg.ox.ac.uk/research/research-projects/covid-19-government-response-tracker>.
- Pagliaro, S., Sacchi, S., Pacilli, M., et al. (2021). Trust predicts COVID-19 prescribed and discretionary behavioral intentions in 23 countries. *PLoS ONE*, 16(3), e0248334. <https://doi.org/10.1371/journal.pone.0248334>
- Piquero, A. R., Jennings, W. G., Jemison, E., Kaukinen, C., & Knaul, F. M. (2021). Domestic violence during the COVID-19 pandemic: Evidence from a systematic review and meta-analysis. *Journal of Criminal Justice*. <https://doi.org/10.1016/j.jcrimjus.2021.101806>
- Poblete-Cazenave, R. (2020). The great lockdown and criminal activity—Evidence from Bihar, India. SSRN Paper. Retrieved February 26, 2022, from [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=3623331](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3623331).
- Sandford, A. (2020). Coronavirus: Half of humanity now on lockdown as 90 countries call for confinement. *Euronews*. Retrieved October 15, 2020, from <https://www.euronews.com/2020/04/02/coronavirus-in-europe-spain-s-death-toll-hits-10-000-after-record-950-new-deaths-in-24-hou>.
- Schalbe, C. S. J., & Koetzle, D. (2021). What the COVID-19 pandemic teaches about the essential practices of community corrections and supervision. *Criminal Justice and Behavior*, 48(9), 1300–1316.
- Singer, R., Crooks, N., Johnson, A. K., Lutnick, A., & Matthews, A. (2020). COVID-19 prevention and protecting sex workers: A call to action. *Archives of Sexual Behavior*, 49(8), 2739–2741. <https://doi.org/10.1007/s10508-020-01849-x>
- United States Courts. (2022). Omicron puts strain on jury trials. January 25, 2022. Retrieved March 2, 2022, from <https://www.uscourts.gov/news/2022/01/25/omicron-puts-strain-jury-trials>.
- Van Rooij, B., de Bruijn, A. L., Reinders Folmer, C., Kooistra, E. B., Kuiper, M. E., Brownlee, M., Olthuis, E., & Fine, A. (2020). Compliance with COVID-19 mitigation measures in the United States. *Amsterdam Law School Research Paper No. 2020–21*. Retrieved March 2, 2022, from [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=3582626](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3582626).
- Voice of America. (2021). Thousands around globe protest COVID-19 shorts, Lockdowns. July 24, 2021. Retrieved February 26, 2022, from [https://www.voanews.com/a/covid-19-pandemic\\_thousands-around-globe-protest-covid-19-shots-lockdowns/6208675.html](https://www.voanews.com/a/covid-19-pandemic_thousands-around-globe-protest-covid-19-shots-lockdowns/6208675.html).
- World Health Organization. (2020). Timeline of WHO's response to COVID-19. Retrieved September 27, 2022, from <https://www.who.int/news-room/detail/29-06-2020-covidtimeline>.
- World Health Organization. (2021). Tracking SARS-CoV-2 variants. Retrieved February 27, 2022, from <https://www.who.int/en/activities/tracking-SARS-CoV-2-variants/>.