

**Updated April 9, 2020: *Protecting Civil & Human Rights During
COVID-19 Public Health Crisis***

Dear Governor Lamont,

On March 19, forty-four organizations who work with and for Connecticut's residents who are underserved or marginalized sent a letter to the Lamont Administration, legislative leaders, and key commissioners. Collectively, we urged you to take several actions to protect Connecticut's most disproportionately impacted residents, including low-income workers, people with disabilities, people who are incarcerated and their loved ones, at risk youth, people who are homeless, immigrants, and the elderly, from the consequences and collateral fallout of the COVID-19 pandemic.

Over the last few weeks, your administration has taken several critical steps to protect Connecticut's underserved and marginalized communities. Thank you for your leadership and commitment to the safety of Connecticut residents.

We remain deeply concerned, however, that the state's response to COVID-19 continues to leave behind Connecticut residents who are most in need of support. As the crisis is expected to peak in the coming weeks, so must our response to serve our state's underserved and marginalized communities.

As stated in our March 19 letter, Connecticut is only as healthy as its most vulnerable person. As the crisis continues, its impact on our communities will only increase. Collectively, we ask you to continue to take immediate actions to protect people's rights, health, safety and economic security in the following areas:

Elderly and people with disabilities & people in in-patient facilities

- The State must request a moratorium on involuntary discharges from both nursing homes and residential care homes, until this health crisis has been resolved. Involuntary discharge is not a viable option during a state of emergency when a discharge could impact the health of the resident as well as the community. Additionally, while involuntary discharge hearings should not be happening at all during this time, DSS' stated plan to hold telephonic only hearings is in violation of residents' due process rights.
- Before nursing home residents are transferred or discharged, residents, families, and staff are provided meaningful notice and transfer decisions be made in a manner that causes the least harm.
- Family members should be broadly allowed to act as personal care attendants (PCAs) for individuals receiving home and community based services so as to minimize risks to both the individuals and the PCAs during the emergency. [For more information, contact Connecticut Legal Services](#) or the [Connecticut Legal Rights Project](#).
- The State must also increase the availability of PPE to all direct care workers to protect community spread in nursing homes. For more information, please contact [District 1199](#).

Frontline workers

- The state's response must include action for frontline workers, particularly low wage nursing home and retail employees as well as custodial and maintenance workers and child care workers, who are exposing themselves to higher risk and being forced to work irregular hours - many struggling with childcare at the same time - to deal with an

unprecedented and surging consumer demand for household goods and care. The state must ensure that nursing home, retail employees (personal care, food and dry goods), custodial and maintenance workers and child care workers receive hazard pay, which is equal to 1.5X an employee's regular rate of pay; access to posted schedules at least fourteen days in advance; predictability pay for reduced hours that occur within the three day notice period at a rate equal to one half an employee's regular rate of pay for each scheduled work hour that is cut; right to rest period of 11 hours between shifts; right to decline unscheduled hours without fear of retaliation; and a right to request a flexible working arrangement to accommodate familial responsibilities. For more information, please contact [SEIU 32BJ](#), [CEUI LOCAL 511](#), and [CT Working Families](#). Please also [see the letter from thirty-two members of the Fair Workweek Coalition](#) sent to Governor Lamont on March 26th.

- The State must make PPE available to all frontline health care and behavioral health care workers and punish employers who withhold PPE from their employees. For more information, please contact [District 1199](#).
- The state must support family child care providers access cleaning supplies to reduce the risk of spreading the virus. Contact [CT Early Childhood Alliance](#) for more information.

Immigrants

- The State should establish a temporary wage replacement program administered by DOL for workers who are ineligible for federal funds due to their immigration status. The State should also create a victim's compensation fund for people who are excluded from state and federal relief, regardless of immigration status. For more information, contact [New Haven Legal Assistance](#).
- The state must take action to bridge gaps in funding and resources in federal stimulus packages in any COVID-19 response plan. We urge immediate action to: eliminate all ICE arrests in Connecticut during the pandemic; immediately declare all areas of healthcare facilities off limits to ICE activity regardless of circumstance; and for safe and systematic decarceration of ICE detention centers where Connecticut residents and their families are held. For more information, contact the [Connecticut Immigrant Rights Alliance](#), [CT Students for a Dream](#) and [CT Working Families](#)

Low-income workers and workers without paid sick days and paid leave

- Connecticut must close the remaining gaps between state and federal law (Families First Coronavirus Response Act and the CARES Act) to ensure all workers take the time they need to care and recover without a missed paycheck. The state must provide paid sick leave to all workers, regardless of the size of their employer, and those who need to care for their chosen family and children of any age. This is especially critical to PCAs who work on the frontlines of this crisis, lack access to paid sick leave, and live paycheck to paycheck. For more information, contact [SEIU 32BJ](#), [District 1199](#), or the [Connecticut Women's Education and Legal Fund \(CWEALF\)](#).

Homeless and housing insecure

- Additional funds must be designated to respond to housing instability and homelessness in the age of COVID-19. For additional information, please see the [letter from Reaching Home sent to Governor Lamont on April 1](#).
- The State must enact a comprehensive moratorium for eviction and foreclosure to ensure protection for people who are in private housing or who have non-federal mortgages; hazardous pay and emergency childcare for shelter staff.

- In light of the CARES Act's prohibition on eviction filing by federally-subsidized and mortgage assisted landlords, Connecticut needs a comprehensive eviction moratorium that provides at least the same 120-day protection for tenants not covered by CARES. Such a moratorium must prohibit the filing of all notices to quit and all evictions.
- To support low-income tenants, the State must provide protections including rental assistance, much of which is appropriated by the CARES Act, to pay landlords for unpaid rent during the pandemic, mortgage assistance and property tax relief that protects landlords from the loss of rental income. The State should also ban landlords from charging late fees to tenants and provide assurances that tenants living in properties where landlords have received property tax or other relief pass that relief onto tenants in the form of rent cancellation commensurate with the benefit. For more information, contact [Connecticut Legal Services](#).

Incarcerated or in policed communities

- The Governor should, through executive order, direct all agencies of the executive branch to work in collaboration with the Department of Corrections to create comprehensive, individualized plans for each youth under 18 incarcerated at Manson Youth Institution or York Correctional Institution, or in the detention centers or the REGIONS secure or staff secure programs. The stimulus package CT is considering must include funds for community providers and other nonprofits serving these youth and their families. For more information, contact the [Connecticut Juvenile Justice Alliance](#).
- The Governor should, through executive order, direct the Department of Correction (working with the Board of Pardons and Paroles) to issue and implement a coordinated plan for the safe release, with reentry support, of incarcerated people, such as those who have completed 85% of their sentences, are within six months of the ends of their sentences, are in a CDC risk category for serious illness from COVID-19, and are being held pre-trial. The Governor should, through executive order, direct the Department of Correction to allow parole check-ins to occur by voice or video call; suspend enforcement of any mobility-restricting parole supervision conditions that impede a person's ability to seek medical care or support a dependent; and suspend all issuance of detainers or other revocations that would result in incarceration for technical (crimeless) rule violations.
- The Governor should, through executive order, direct the law enforcement agencies, including the Department of Emergency Services and Public Protection, to cease custodial arrests unless absolutely necessary to prevent an imminent and serious threat to public health and safety, and to cease custodial arrests of people on warrants of failure to appear in court or failure to pay a fine or fee. The Governor should, through executive order, direct the Division of Criminal Justice to cease prosecutors from delaying pretrial releases and objecting to pretrial release conditions set by the bail commissioner. That order should also prohibit prosecutors from withholding consent to sentence modification hearings, and instead allow prosecutors to raise any objections at hearings rather than prevent hearings from occurring.
- The Governor should, through executive order, direct the Chief Court Administrator to take all steps possible within the judicial division to continue efficient court operations while reducing new prison and jail admissions. For additional information, contact the [ACLU of Connecticut](#).

Financially insecure people who need income supports

- To examine the full depth of this economic crisis, DOL should provide data on Unemployment Insurance filings disaggregated by gender, race and ethnicity.

- The state should create presumptive eligibility for Care4Kids for essential workers. To the greatest extent possible children of essential workers should be cared for in small settings (kith and kin care or licensed family child care) rather than large centers so as to minimize the risk of infection. More information from the [CT Early Childhood Alliance](#).
- Connecticut should initiate a state-funded cash assistance program to support children and families that need immediate support with basic needs, and where a SNAP expansion doesn't cover costs, such as cleaning supplies, rent and other bills. For more information, please visit [CT Voices for Children](#).
- DSS should temporarily suspend re-determination or termination of eligibility for all federally reimbursed assistance programs during the emergency and seek all appropriate waivers from the federal government under Section 1135 of the Social Security Act, etc. to ensure ongoing federal reimbursement to Connecticut. While Connecticut has also suspended SNAP work requirements, the State should still provide good-cause exemptions for time limits.
- All hearings with regards to eligibility or benefits should be delayed pending the emergency, with full benefits as requested because audio-only hearings do not comport with due process rights. The State should extend the suspension of work requirements to those receiving SAGA during the emergency; permit those who are otherwise eligible for TFA but have exceeded the 60 month time limit to receive TFA for the duration of the emergency; and accept self-attestation for TFA cooperation with child support and for all situations where COVID-19 makes it difficult for clients to get verification. For more information, contact [Connecticut Legal Services](#).

People who can become pregnant

- As proactive measures and shutdowns are implemented, the State must affirm that ensuring access to essential, non-elective reproductive health care such as contraception and abortion is a critical health matter. People deserve access to time-sensitive services free from harassment, delays or deception.
- Ensure reproductive health providers are included in measures to support health care personnel, such as childcare for essential workers. More information from [NARAL Pro-Choice Connecticut](#).

Uninsured people

- More must be done to ensure outreach, education and testing to people who are most likely to be affected by the virus, including but not limited to coordinating with nonprofit organizations that work directly with populations that don't have easy access to the news and are distrustful of the government.
- Insurers should waive cost-sharing for tests done to rule out COVID-19, including the flu or pneumonia. For more information, contact [RE-Center - Race & Equity in Education](#).
- The State should reimburse Medicaid providers who see an uninsured patient at Medicaid rates for all services, even if the person is not ultimately placed on Medicaid retroactively for the period of service. All providers should be notified of this option so that they will not be dissuaded from providing care due to reimbursement concerns. Providers should be told that state payment will be made for uninsured persons regardless of immigration status, even if they are undocumented and therefore do not apply for coverage through AHCT or DSS.
- The State must also: extend eligibility for HUSKY for all adults and children regardless of immigration status; institute a simplified application form, self-verification and presumptive eligibility for all who apply for Medicaid/HUSKY; waive HUSKY B premiums; mandate automatic continued coverage of commercial insurance during the emergency regardless of premium payment (and without the individual having to make any

demonstration of need or COVID-19 impact); and waive distance limitations for non-emergency medical transportation (NEMT) to see a CT Medicaid-participating provider and prohibition on shared NEMT livery services with strangers. For more information, contact [Connecticut Legal Services](#).

Youth

- SDE must provide guidance to districts acknowledging that certain students with disabilities are not able to access distance learning and that the process of developing extended remedial and compensatory support, along with ongoing consideration of how to bring services to students with complex disabilities, must begin now. The state should also extend the eligibility for special education services to age 22 for students with disabilities who were in the process of or close to transitioning out of high school when the pandemic shut down or sharply limited their access to support services. The state should continue to work with our congressional delegation to secure additional educational support dollars to help fund expanded Extended School Year services and remedial and compensatory education for children with disabilities.
- The state must support districts to provide more localized and door-to-door food delivery for families who may be increasingly homebound due to illness or the unmet needs of children with disabilities and their siblings. Access to food and other critical social determinants of health: access to diapers, cleaning products, remains a significant unmet need for families, including those with children with disabilities, and more needs to be done to ensure families have essential help to keep children healthy and fed.
- Education dollars need also to be directed to detained and incarcerated youth who need access to virtual instruction and mental health support while in the custody of the state. For more information, contact the [Office of the Child Advocate](#).
- The State must also ensure equitable access to technology, including even distribution of devices and increased access to free internet service. There continues to be limited access to technology, including the uneven distribution (thus far) of devices. The State must also increase outreach to families who do not speak English.
- School districts should be encouraged to allow families to use their devices with interrelated agencies, such as DCF and community mental health providers. Doing so creates wrap-around support of the child. SDE should issue guidance on standards for instructional contact time with students, the delivery of related services, credit hours, attendance policies and the determination of compensatory education. Summer programming or extended school year services should be required. For more information, contact [Connecticut Legal Services](#).

Transparency: In addition, we continue to request **transparency regarding demographics of residents impacted by COVID-19, membership of the state's emergency response teams, and the state's PPE inventory and acquisition efforts**, as well as **daily, public briefings** regarding the state's emergency response plans for disproportionately impacted residents. We also request that the state establish an oversight and accountability task force so that Connecticut residents know how new and existing programs are being administered and for whom they are supporting. For more information, please visit [CT Voices for Children](#).

As indicated in the letter on March 19, people who are at risk of falling through the cracks in the state's COVID-19 response are most often impacted in many, intersectional ways. The State of Connecticut must take each of these recommendations seriously in order to prevent a COVID-19 response that increases vast inequities that already exist in our state. Each of our organizations continues to welcome working with you and your administration to craft an ongoing response to COVID-19 that ensures public health, safety, and rights for everyone.

Sincerely,

ACLU of Connecticut
Aurora Women and Girls Foundation
Bridgeport Child Advocacy Coalition (BCAC)
Center for Children's Advocacy
Center for Leadership and Justice
Commission on Women, Children, Seniors, Equity & Opportunity
Community Renewal Team
Connecticut AFL-CIO
Connecticut Early Childhood Alliance
Connecticut Fair Housing Center
Connecticut Immigrant Rights Alliance (CIRA)
Connecticut Juvenile Justice Alliance
Connecticut Legal Rights Project
Connecticut Legal Services
Connecticut Voices for Children
Connecticut Women's Education and Legal Fund (CWEALF)
Connecticut Working Families
CSEA SEIU Local 2001
CSU-AAUP
CT Black Women
CT Citizen Action Group
CT Cross Disability Lifespan Alliance
End Hunger Connecticut!
Every Woman Connecticut
Gardner's House Inc
Girls For Technology
Girl Scouts of Connecticut
Greater Hartford Interfaith Action Alliance (GHIAA)
Greater Hartford Legal Aid
Hartford GYN Center
Immanuel Congregational Church
Katal Center for Health, Equity, and Justice
LiveGirl
Make the Road Connecticut
Middletown Works
Moral Monday CT
NARAL Pro-Choice Connecticut
National Association of Social Workers Connecticut (NASW CT)
New Haven Legal Assistance Association
New Haven Peoples Center
Open Communities Alliance
Partnership for Strong Communities
Permanent Commission on the Status of Women in CT
R kids Family Center
RACCE
Random Hacks of Kindness Junior
RE-Center Race & Equity in Education
SEIU 32BJ

SEIU Connecticut State Council
Southern New England Conference United Church of Christ
The Connecticut Women's Consortium
The CT Maternal and Child Health Coalition
The Narrative Project
Unidad Latina en Accion CT
United Auto Workers Region 9A
Universal Health Care Foundation of Connecticut
United State of Women
Women Against Mass Incarceration
Women and Girls Funds Task Force of the Community Foundation of Eastern Connecticut
YWCA Hartford Region

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