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April 2, 2020

Sent via email

Governor Larry Hogan, Chair
Governor Andrew Cuomo, Vice Chair
National Governors Association
444 N. Capitol St NW, Ste. 267
Washington, D.C. 20001

Dear Chair Hogan and Vice Chair Cuomo:

The NAACP Legal Defense & Educational Fund, Inc. (LDF) was founded in 1940 by Thurgood Marshall. It has been an entirely separate organization from the NAACP since 1957. Through litigation, advocacy, and public education, LDF seeks structural changes to expand democracy, eliminate disparities, and achieve racial justice in a society that fulfills the promise of equality for all Americans. LDF's mission has always been transformative: to achieve racial justice, equality, and an inclusive society.

As the COVID-19 pandemic spreads in severity nationwide, elected officials at all levels of government—federal, state and local— must work to create a unified and concerted response to ensure the continued health, economic stability and wellbeing of all Americans. Governors have particular authority to mitigate the spread of COVID-19 as well as to thwart potential socio-economic catastrophes stemming from the national crisis. Indeed, governors have played a uniquely important public role by raising the alarm about the pandemic, and by taking bold and necessary steps to compel social distancing and sheltering-in-place. Both of you have demonstrated particular leadership that has been rightfully commended and emulated across the country.



Nevertheless, there are a number of states where governors have failed to adopt measures that are critical to protecting the most vulnerable communities. Guidance from the Centers for Disease Control and Prevention (CDC), and from state and local officials, encourages individuals to stay at home and refrain from outside communal activities. Frequent handwashing has also been recommended from the earliest days of the pandemic. Yet in a number of states, local officials continue to execute eviction orders and water and electricity turn-offs. Additionally, tens of thousands of Americans have already had their water or electricity shut-off and have no access to utility service. This constitutes a serious health and safety issue for American families and is particularly dangerous for children who in many states are now compelled to stay home from school. To help address this issue, LDF requests that the National Governors Association (NGA) take action to encourage all governors to:

- Impose a moratorium on utility (water and electricity) turn-offs during the pandemic and require the restoration of service for customers previously disconnected; and
- Halt the execution of evictions to guarantee that no one is removed from their home during the COVID-19 pandemic.

Adopting these common-sense humanitarian measures is critical to ensure the protection, health and safety of vulnerable Americans facing financial hardship during this pandemic.

In addition, we urge governors and other local officials to announce a moratorium on any penalties and fines related to governmental services, property liens for unpaid debts, and tax foreclosures and tax sales. City governments must also freeze rates for municipal services throughout the duration of this pandemic to help ensure affordability. Moreover, the release of non-violent offenders from jail should be prioritized to help diminish the number of individuals who are susceptible to a potential COVID-19 outbreak while incarcerated.

The long-term economic instability caused by COVID-19 will disproportionately affect low-income members of society unless all governments undertake immediate and substantive protective measures. Furthermore, as jobs are



lost and hours are cut across the country, it is particularly important that these safeguards are enacted to ensure people can continue practicing social distancing. Ending evictions, foreclosures and utility shut offs as well as eliminating sales tax on household necessities will better enable people to maintain housing and protect themselves and their community from getting sick.

We encourage you both to exercise your leadership to encourage the NGA to publicly endorse the suspension of these activities that imperil the life, health and safety of millions of Americans during this dangerous pandemic. We welcome the opportunity to talk with you about the critical importance of undertaking these measures.

Sincerely,

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cc: Bill McBride, Executive Director