

May 15, 2020

Governor Jay Inslee
Office of the Governor
PO Box 40002
Olympia, WA 98504-0002

Secretary John Wiesman
Washington State Department of Health
PO Box 47890
Olympia, WA 98504-7890

Dear Governor Inslee and Secretary Wiesman:



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aclu-wa.org

Tana Lin
Board President

Michele Storms
Executive Director

On behalf of the American Civil Liberties of Washington (ACLU-WA), we appreciate that the Department of Health is releasing COVID-19 data that is disaggregated by race/ethnicity. However, as the current data demonstrates, more is needed to address the structural and systemic barriers that result in people of color experiencing a disproportionate number of COVID-19 cases. We urge the Governor and Department of Health to investigate and respond to the causes of these disparities, and to listen to and act upon the needs of vulnerable essential workers – they keep our communities healthy, our groceries and pantries stocked, and our economy moving. We urge you to ensure they have the support and protections they need.

As of May 14, reported data demonstrates that Hispanic people make up 34% of COVID-19 cases in Washington state while being 13% of the state's population.¹ Non-Hispanic Blacks have an outsized number of COVID-19 cases compared to their population size, as well. Black individuals are 4% of the state's population but constitute 7% of COVID-19 cases. This revelation is stark.

Recently reported data from King County reflects an appalling nationwide trend - a disproportionate number of people of color are contracting COVID-19 and dying from it. In King County, Hispanic residents are dying from COVID-19 at a rate over 2.6 times higher than that of white residents. Hispanic, Black, and Native Hawaiian/Pacific Islander groups also have significantly higher rates of COVID-19 than whites.²

¹ "2019 Novel Coronavirus Outbreak," Washington State Department of Health, accessed May 14, 2020, <https://www.doh.wa.gov/emergencies/coronavirus>. Note, as of May 14th the Department of Health was reporting race/ethnicity data for 69% of COVID-19 cases.

² "Data Dashboard: Impacts of COVID-19 by race and ethnicity in King County," King County, last modified May 8, 2020, <https://kingcounty.gov/depts/health/covid-19/data/race-ethnicity.aspx>. Note as of May 14th King County was reporting race/ethnicity data for 69.6% of COVID-19 cases.

Existing health disparities and social and economic inequities make Black and Brown people particularly vulnerable to contracting and dying from COVID-19. People of color are more likely to be uninsured, face challenges in accessing COVID-19 testing and treatment services, and due to higher rates of certain underlying and untreated conditions resulting from bias in our health care system, are at increased risk for experiencing serious illness if they become infected with COVID-19.³

Further, while public health officials recommend working from home to stop the spread of the virus, nationally only 20% of Black workers and 16% of Latinx workers are able to work from home.⁴ Black and Latinx women are overrepresented as essential workers with Latinx women making up 22% of women grocery store workers and Black women making up 27% of women home health aid workers.⁵

Across the country and in Washington state, concerns have also been raised regarding workplace protections for essential workers. In Washington, a significant number of the state's over 120,000 agricultural workers are Latinx.

On May 2, the AP reported that Yakima County had the highest rate of coronavirus cases on the U.S. West Coast, noting that the county has a large number of people in the agriculture and food processing industries who live and work in close quarters.⁶ Yakima Health District spokesperson Lilian Bravo expressed concern about the harvest season possibly contributing to an increase in the infection rate.

On May 8, the Yakima Health District reported the county's "largest single-day increase of cases since the pandemic started in mid-March."⁷ Notably 49.9% of the Yakima County population is Hispanic, and the county has one of the highest percentages of Hispanic residents in the

³ Samantha Artiga, Rachel Garfield, and Kendal Orgera, "Communities of Color at Higher Risk for Health and Economic Challenges due to COVID-19," Kaiser Family Foundation, April 7, 2020, <https://www.kff.org/c99b5eb/>.

⁴ See "Economic News Release," U.S. Bureau of Labor Statistics, last modified September 24, 2019, <https://www.bls.gov/news%20release/flex2.t01.htm>.

⁵ See Maya Raghu, "The Wage Gap Has Made Things Worse for Women on the Front Lines of COVID-19," National Women's Law Center, March 30, 2020, <https://nwlc.org/blog/the-wage-gap-has-made-things-worse-for-women-on-the-front-lines-of-covid-19/>.

⁶ Nicholas K. Geranios, "County has highest rate of COVID-19 cases on West Coast," *Associated Press*, May 2, 2020, <https://apnews.com/7cc96979cb2d529a33559a1bf5dab976>.

⁷ David Mann, "98 new COVID-19 cases in Yakima County, largest single-day increase," *YakTriNews*, May 8, 2020, <https://www.yaktrinews.com/98-new-covid-19-cases-in-yakima-county-largest-single-day-increase/>.

state.⁸

Farmworker and Latinx organizations, in response to grievances made by workers, have called on the state for increased oversight of local strategies to protect worker health and safety that are lacking, and therefore negatively impacting the agriculture workforce.⁹ Although new rules have been adopted and are set to take effect on May 18, 2020, news outlets have reported that state officials acknowledge the new rules include compromises on farm worker health in favor of growers' economic interests.¹⁰

COVID-19 has exacerbated and made crystal clear the disparities that have long existed in our state. To equitably address this pandemic and keep every community safe, the voices of historically marginalized communities must be centered and at the table. We call on the Governor and Department of Health to provide a robust and community-focused response to COVID-19, including: (1) collecting and releasing COVID-19 data disaggregated by occupation; (2) ensuring adequate protections and support for all essential workers; and (3) developing an action plan to address existing disparities that result in increased vulnerability to COVID-19.

Thank you for all of the work you are doing to combat this health crisis. We look forward to your response.

Sincerely,

A handwritten signature in black ink, appearing to read 'Michele Storms', with a large, stylized flourish at the end.

Michele Storms
Executive Director, ACLU of Washington

⁸ See “Quick Facts: Yakima County, Washington,” U.S. Census Bureau, accessed May 14, 2020, <https://www.census.gov/quickfacts/fact/table/yakimacountywashington,US/PST045219>.; See also “Hispanic population as a percent of total population,” Washington State Office of Financial Management, last modified September 11, 2019, <https://www.ofm.wa.gov/washington-data-research/statewide-data/washington-trends/population-changes/hispanic-population-percent-total-population>.

⁹ “Contact Governor Inslee and State Legislators,” Latino Civic Alliance, accessed May 11, 2020, <http://nebula.wsimg.com/c46b59e355eb6b5984a7c38d249aa705?AccessKeyId=DC28A0CF50211B3AA9FC&disposition=0&alloworigin=1>.

¹⁰ Richard Read, “Washington state allows bunk beds for farmworkers despite coronavirus risks,” *Los Angeles Times*, May 13, 2020, <https://www.latimes.com/world-nation/story/2020-05-13/washington-farm-coronavirus-bunk-beds>.