



April 10, 2020

Governor Murphy
Office of the Governor
P.O. Box 001
Trenton, New Jersey 08625

Dear Governor Murphy:

We want to thank you for your efforts to protect the health and well-being of the citizens of New Jersey during these challenging times. We appreciate your endeavor to contain and minimize the spread of COVID-19 with your continuous updates to the public.

In response to the early data suggesting that the COVID-19 outbreak pandemic is hitting Black communities particularly hard, we are writing to request that the silence on the racial impact of COVID-19 end. With Black people in America contracting and dying from COVID-19 at a higher rate, better data is essential.

Obtaining racial data now, will greatly assist in the ability to understand and confront this pandemic, both for the Black community and our community at large, given the extremely contagious nature of the virus. Without such data, it is impossible to determine if fairness exists in the administration of health services.

It is hard for the citizens of this State to watch the disproportionate impact on the Black community. The following statistics are extremely disturbing!

- **In Chicago**, 70% of the people who died from COVID-19 are Black while the City is just 30% Black.
- **In Milwaukee County**, 80% of the people who died from COVID-19 are Black while the County is just 27% Black.
- **In Michigan** 40% of the people who died from COVID-19 are Black while the State is just 14% Black.
- **In Louisiana**, 70% of the people who died from COVID-19 are Black while the State is just 33% Black.

- **In Illinois**, 42% of the people who died from COVID-19 are Black while the State is just 14.6% Black.

We do not want this to be the fate of the New Jersey Black population.

In fact, signs of similar disparities are appearing here in New Jersey among our predominately Black communities. For example, in Burlington County, the town of Willingboro, which is nearly 72 % Black, is showing signs that the number of positive cases is increasing at twice the rate of nearby towns that are predominately White. Why are we seeing this inequality? We submit that it is historical in nature. During a crisis, the disparities that exist are magnified. People who are doing badly, do even worse.

Those on the frontline, coming in contact with the general public in large numbers by way of their employment in service-related occupations are disproportionately Black and are therefore at greater risk as they maintain as much normalcy for the rest of us as possible.

While these longstanding disparities are not your administration's doing, going forward we need tangible highly visible and effective actions so that the issue is hit head on and not simply analyzed later. The allocation of emergency preventative and life-saving resources is one such action.

The systemic injustice as it relates to residential and educational segregation is uncovered in times of a national crisis such as this. The disproportionate impact of COVID-19 among Black people is exposing the historical divestment in our communities. The deprivation of Black people to access quality health care and their overrepresentation in impoverished environments is indicative of the diminished value placed on the lives of people of color. Even in the case of the most educated Blacks in this country, it is well known that Black patients often receive less than ideal care. Prior to this pandemic, national attention was given to the troublesome reality that Black women were disproportionately dying in childbirth, simply by virtue of their ethnicity.

The fact that Black people are more likely to have pre-existing conditions based on racial and socioeconomic disparities that make contracting COVID-19 more deadly, is even more reason for the urgent collection and release of racial impact data. Conditions such as Asthma, Hypertension, and Diabetes are all more prevalent in the Black community. A respiratory virus, such as COVID-19 presents a heightened threat to those who live with Sickle Cell Anemia, a genetic disease, suffered predominately by Blacks.

The issue of racial profiling has also surfaced in the context of the mandate to wear masks, while in public. While the need to wear facial masks is obvious, it has significant yet detrimental implications for the Black community, particularly for Black men, who are now being asked to remove their masks while shopping in the midst of a pandemic or risk law enforcement intervention. As important as access to protective masks is to all citizens, Black citizens should be able to wear them for their protection as freely and unsuspecting as our fellow White citizens.

Currently, there are no publicized incidents in New Jersey of this type, but given related issues of racial profiling in New Jersey's history it is not inconceivable. Your leadership and direction on this related issue could prevent the advent of a new kind of non-medical problem from COVID-19.

These are the issues that must be addressed. We urge that the State's actions include gathering and making public the data needed to allocate both protective and curative resources as needed to communities where disparities existed before the pandemic, as those disparities have already resulted in disproportionate death rates in the Black community. We must be vigilant in providing extra medical and prevention education to those who are less likely to receive it.

We understand that a Bioethics Taskforce is being formed to bring expertise to the analysis of COVID-19 and develop policy for the state's role in managing the illness. It is essential that a person of color well versed in both legal issues and medical issues as they overlap uniquely to the Black Community serve on the taskforce. The Black legal and medical experts offer our assistance to address this growing crisis. Time is of the essence.

We thank you for your immediate attention to our concerns. Your voice and your leadership are appreciated. We are dedicated to working closely with you to ensure the safety and well-being of the citizens of New Jersey.

Sincerely yours,

Norma R. Evans, President
Association of Black Women Lawyers of New Jersey

William T. Rogers, III, President
Garden State Bar Association

CC: Sheila Oliver, Lieutenant Governor of New Jersey
Judith M. Persichilli, New Jersey Commissioner of Health
Gurbir S. Grewal, New Jersey Attorney General