



May 20, 2020

Commissioner Scott R. Britton
14th District Commissioner
1812 Waukegan Road
Suite C
Glenview, IL 60025

Commissioner Sean R. Morrison
17th District Commissioner
15040 Ravinia Avenue
Suite 44
Orland Park, IL 60462

Commissioner John P. Daley
11th District Commissioner
118 N. Clark Street
Floor 3 ½
Chicago, IL 60602

Commissioner Larry Suffredin
13th District Commissioner
2510 Green Bay Road
Evanston, IL 60201

Commissioner Donna Miller
6th District Commissioner
15440 S. Central Avenue
Oak Forest, IL 60452

Commissioner Luis Arroyo, Jr
8th District Commissioner
2653 N. Kedzie Avenue
Chicago, IL 60647

Dear Commissioners Britton, Daley, Miller, S. Morrison, Suffredin, and Arroyo,

The current COVID-19 pandemic has caused a public health emergency and led to a shift in the ways we all live our lives. During the course of the pandemic, our healthcare workers, first responders, and emergency service providers have all worked tirelessly to continue providing the best health outcomes for Cook County residents. However, the proposed Resolution to Share Addresses for Emergencies (SAFE) with First Responders does not promote the best health outcomes for our communities – it actively endangers our most vulnerable and marginalized communities without providing any additional protections to our workforce. For this and the following reasons, we are opposed to the SAFE with First Responders Resolution.

AIDS Foundation Chicago (AFC) is dedicated to ensuring people living with or vulnerable to HIV are able to access competent, comprehensive care and live healthy lives, and that resources and services are provided with equity in mind to combat the longstanding systemic racism that has created disparities in Black and Latinx

communities. Equity across systems and in access to resources is integral to all of our work, and is critically important during the COVID-19 pandemic. The SAFE with First Responders Resolution is contrary to our goal of equity.

As a longtime partner in the fight to end the HIV epidemic, AFC is aware of the unique concerns around the sharing of private medical information – especially around diagnoses that carry stigma. For people living with HIV, disclosure of status can affect the ability to obtain or keep employment, find stable and safe housing, or access compassionate healthcare. For our community, privacy is often the only way to avoid the devastating effects of stigma. The SAFE with First Responders Resolution would violate the privacy of our community members – and do so with no added benefit to first responders.

First, creating a designation between COVID-19 positive households and others creates a false sense of security for first responders, which could lead to fewer precautions being taken when responding to emergencies. The novelty of COVID-19 has meant that we are all constantly learning new information about the effects of this virus on the human body. Among that knowledge is the fact that not every person carrying the virus and contagious to others exhibits symptoms. Because there is no way to know if any person has been exposed, contracted, or could transmit COVID-19, the best practice for all essential workers, including first responders, is to assume that any and every person they encounter could be a COVID-19 carrier, including their colleagues. These universal precautions will make sure first responders are in the best position to protect themselves and the communities they serve.

Second, this policy has the potential to deter people from seeking care. We know the creation of HIV criminalization laws has created apprehension around being tested. It is clear the SAFE with First Responders Resolution will have a similar effect. Residents will fear the state will not only store, but will distribute, their private health information beyond the Department of Public Health. For communities that have experienced HIV stigma and systemic racism – either separately or in conjunction – community trust in state agencies is already low, and this resolution will further erode this trust at a time where our entire community will benefit from everyone seeking the care they need.

History has shown us that people are less likely to be tested when they are uncertain how the state will use their information. For Black, Latinx, and Indigenous communities, history has also shown that health and trust are seldom able to exist without tension and violation of trust. Unsurprisingly, and particularly damning, the highest rates of positive tests and deaths in the COVID-19 pandemic have been in Black, Latinx, and Indigenous communities. For people living with HIV, who must constantly fight the assumption that their lives are less valuable or viable, this resolution will create more fear of being overlooked for care. This Resolution is another step away from trust for the communities who need the care the most right now.

Third, and finally, the SAFE with First Responders Resolution has the potential to harm the civil liberties of every Cook County resident. The level of disclosure required to implement this Resolution does not build community trust. The collection, storage, and sharing of private information, especially private health information, must be done only for significant public health gains, and implemented with the utmost care and in a limited fashion. This Resolution does the opposite.

Allowing public health information about COVID-19 test results to be shared with law enforcement, firefighters, medical providers, dispatchers, and others – goes far beyond the bounds of the Cook County Department of Public Health. Sharing this information does not benefit the public, and it has the potential to create further disparities in care and impact of the pandemic. We have seen the deadly effects of first responders acting out of fear – especially in Black communities. Passing this Resolution invites a new metric of fear and will augment the harm Black and Latinx communities experience based on racist assumptions and stereotypes.

We know our first responders are saving lives and strengthening our communities every day. We also know their work comes with the potential of both harm and healing – to themselves and others. The proposed resolution does not offer them any greater protection, but it does pose greater risk to the safety and privacy of every member of our community. It is imperative that this resolution does not move forward.

We appreciate the opportunity to weigh in regarding the SAFE with First Responders Resolution and are happy to answer any questions you have. Please feel free to contact me at adavis@aidschicago.org or 202-257-4334.

Sincerely,

Aisha N. Davis, Esq.