



Governor Brian P. Kemp
206 Washington Street
111 State Capitol
Atlanta, GA 30334

Commissioner Kathleen Toomey, MD, MPH
Georgia Emergency Management and Homeland Security Agency
935 United Avenue SE
Atlanta, Georgia 30316-0055
Letters were hand delivered.

March 16, 2020

RE: COVID-19 Response Planning

Dear Governor Kemp and Commissioner Toomey,

As you respond to COVID-19, please consider the ACLU of Georgia as a resource in your work to develop a response plan that protects the health, safety, and civil liberties of all people present in Georgia.

During a disease outbreak, we recognize that individual rights may need to be balanced against that of the larger community. We would be glad to meet with you or your staff to discuss how you can keep the public safe while preserving the liberties that are the foundation of American ideals and our democratic system of government.

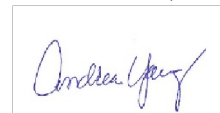
As you consider measures to keep the public safe, we encourage you to consider the following:

- **Ensure that any limitations on people's movements are supported by science and proportional to the threat.** We strongly encourage you to consider voluntary isolation measures as an alternative to quarantines or other mandatory restrictions, to the extent possible and as supported by scientific evidence. Keep in mind that individuals have a due process right to challenge a quarantine order. Mechanisms of appeal should be clear and transparent in any quarantine or movement-restricting policy.
- **Keep the public informed with accurate, timely information.** Public officials should be trusted messengers of vital public health information, grounded in scientific evidence. We encourage you to maintain multiple channels of communication that are accessible to all audiences, on- and offline, and in the top languages spoken in Georgia.

- **Protect vulnerable populations.** Public health experts stress the need to protect vulnerable populations during an outbreak. Vulnerable populations have been defined as those without adequate health insurance or access to regular medical care. Responses to the virus, including testing, must be available to all Georgians, regardless of whether they have health insurance.
- **Protect people under government control.** We are especially concerned about people in prison or jail, who are vulnerable to outbreaks of contagious illnesses and have limited ability to inform themselves about risks and take preventative measures. Incarcerated individuals have historically faced harm during outbreaks and disasters in Georgia. We encourage state and local officials to reduce the number of people currently incarcerated, including by releasing those who are in pre-trial detention because of unaffordable cash bail. Special effort is required to ensure that people who remain incarcerated in jail or prison, in addition to prison guards and staff, stay healthy during the COVID-19 outbreak.
- **Everyone should feel safe getting tested regardless of their immigration status.** If immigrants are experiencing symptoms, they may be hesitant to visit a hospital or testing facility thereby frustrating efforts to mitigate the spread of the virus. Health care facilities should be declared and publicized as safe zones, where no immigration enforcement will take place. It is in the best interests of Georgians that all people present in the state feel confident that they can come forward to be tested.
- **Ensure that people who are sick can afford to stay home.** We all face increased risk if people with symptoms of COVID-19 do not stay home from work for fear of missing a paycheck. Government can play a vital role in encouraging employers to offer sick leave and other supportive measures for workers to keep the community safe. The state government can provide emergency assistance to workers impacted by the virus.

As you work to keep our communities safe and strong, we are happy to meet in person or by phone to discuss how best to protect civil liberties in your COVID-19 response planning. Please contact me if we can be of service.

For Justice,



Andrea Young
Executive Director
ACLU of Georgia