



For economic and racial justice

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The Honorable J.B. Pritzker
Governor of the State of Illinois
Office of the Governor
James R. Thompson Center
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Chicago, IL 60601
GovPritzker@illinois.gov

March 16, 2020

Dear Governor Pritzker:

Thank you for your leadership on protecting Illinois residents from the spread of COVID-19. We appreciate the steps the administration is taking to ensure that all Illinois residents remain healthy and safe. We represent communities likely to experience the harshest health, housing, family, criminal legal, and economic impact from this crisis. Our clients live in predominately, disinvested communities, long victim to discriminatory policies and practices that limited their opportunities and well-being even in the best of times. They are simply without the resources to weather this health and economic crisis alone, now and for the long term. There are critical steps that must be taken immediately to ensure the well-being of our most vulnerable and at-risk populations. We stand ready to help our communities and our government in any way we can.

On behalf of the Shriver Center on Poverty Law, we are asking you to implement these top priority strategies as soon as possible. We understand that many of these requests depend upon the federal government doing its part and the House bill goes a long way towards that effort, though it is critically missing *any* housing and homelessness assistance. Thus, we urge your office to take what action is possible without federal engagement while also imploring Congress, federal agencies, and the White House, to protect all people, including those most vulnerable to the confluence of public health and economic crises:

1. Provide safe reliable access to free COVID-19 tests and treatment, including any test prescribed to rule out COVID-19, at every point of medical access regardless of immigration status, income or healthcare coverage.
2. Immediately approve all Medicaid applications delayed more than 45 days for Temporary Medical Coverage.
3. Immediately suspend all Medicaid terminations to keep recipients in continuous coverage and seek federal waiver to suspend redeterminations.
4. Approve Medicaid applications, or extend Temporary Coverage, for people with disabilities and older adults in an expedited manner as fast as possible within 48-72 hours

5. Require all Illinois insurance companies, including non-ACA compliant plans (like short term limited duration coverage) to waive cost-sharing for COVID-19 testing and treatment.
6. Advocate to the Centers of Medicaid and Medicare Services (CMS) for a COVID-19 Special Enrollment Period for HealthCare.gov, similar to what state exchanges have done.
7. Mandate coverage of 90-day supplies of prescriptions for maintenance medications under all state-regulated private insurance plans and Medicaid.
8. Mandate coverage of tele-health services for routine visits under all state-regulated insurance plans and Medicaid.
9. Evaluate all policies and programs to ensure that they include and are available and accessible to homeless and undocumented individuals.
10. Communicate tailored messaging to these and other populations around the urgency of seeking care and provide assurances they will be held harmless when they do seek care with respect to both cost and immigration status.
11. Implement at least 20 paid emergency leave days for any individual not able to engage in employment who has not received full compensation for that employment, including wages or any other form of accrued paid leave, for such a day or was eligible for unemployment compensation for the week in which such day occurs, due to any of the following reasons:
 - (a) the individual has a current diagnosis of COVID-19.
 - (b) The individual is under quarantine (including self-imposed quarantine).
 - (c) The individual is engaged in caregiving for an individual who has a current diagnosis of COVID-19 or is under quarantine (including self-imposed quarantine),
 - (d) The individual is engaged in caregiving because of the COVID-19 related closing of a school or other care facility or care program, for a child or other individual unable to provide self-care.
12. Activate the Unemployment Insurance program to respond to absences from employment for the reasons in 11 above, and for employment where the individual's hours are reduced, the individual is on furlough, or the individual is terminated due to the public health emergency, and extend benefits to all workers, even those not currently financially or categorically eligible to receive UI benefits – which includes many gig economy and domestic workers. Pay benefits at a 100% replacement wage.
13. Expedite applications for TANF, SNAP, and WIC.
14. Waive all in person contact requirements for SNAP and TANF and make use of telephonic and electronic applications so that Family Community Resource Centers (FCRCs) are not overwhelmed.
15. If current federal emergency legislation passes, move swiftly to increase benefit amounts for SNAP on an emergency basis so individuals can manage the economic downturn and stockpile food if they need to be quarantined at home, as well as purchase food to feed children who ordinarily would receive breakfast and lunch at school.
16. Ensure that schools are making available shelf-stable breakfast and lunch to eligible households.
17. Seek approval for Elderly Simplified Application Program (ESAP) waiver that would allow seniors to have their cases certified for up to 3 years. During a public health emergency when seniors are particularly vulnerable, we do not want them having to go to public offices to fill out recertification paperwork.

18. If current federal emergency legislation passes, move swiftly to ensure that all Able-Bodied Adults Without Dependents (ABAWDs) are aware that they will continue to receive benefits during the public health emergency.
19. Call for withdrawal of the proposed federal rule narrowing SNAP categorical eligibility.
20. Employ disaster relief assistance options and state/local public health options to further ensure that vulnerable populations have access to testing and health care regardless of immigration status and without burdensome documentation requirements.
21. Allow for all benefit termination appeal or other hearings to be conducted by telephone. Waive the requirement that the household member, state agency, and witnesses be all at one location when conducting a fair hearing or an administrative disqualification hearing.
22. Suspend work requirements, sanctions, and time limits for TANF and SNAP recipients and deem TANF and SNAP recipients not working as meeting the good cause exemption.
23. Work with the Chief Justice and Administrative Director of the Illinois Supreme Court to issue an emergency order instituting a moratorium on all rental housing evictions, property tax sales, and mortgage foreclosures, which has already been done in Delaware, Georgia, Kentucky, North Carolina, and Minnesota. This order must include a moratorium on the filing of new eviction, property tax sale, and foreclosure cases, so that the later termination of the order would not have the effect of a serious uptick in new cases, when families will likely still be suffering economically due to COVID-19.
24. Direct any orders for possession already issued not to be executed by local sheriffs or other officials.
25. Direct utility providers in the state to work with the Illinois Commerce Commission to suspend all utility shutoffs.
26. Increase utility assistance to low-income and medically vulnerable populations who must use more energy in order to stay safe in their homes.
27. Direct the Illinois Housing Development Authority (IHDA) to work with its housing providers to suspend any terminations of assistance and to modify any recertification requirements to support households facing a dramatic shift in income.
28. Direct IHDA to work with the states' public housing authorities and federally assisted housing providers to:
 - a. identify available housing units or Housing Choice Vouchers for individuals who are homeless or housing unstable, who should qualify for priority under most disaster relief admission policies;
 - b. suspend any work and/or community service requirements;
 - c. suspend any terminations of assistance;
 - d. create flexible policies for interim recertifications for households experiencing a change in income;
 - e. ensure victims of domestic violence know their VAWA rights and can execute them, including through emergency transfers;
 - f. create flexible policies to ensure that guests can remain in homes without jeopardizing the housing assistance of their friends or loved ones;

- g. permit extended absences from assisted units without permission or a threat of termination;
 - h. and work in partnership with tenant councils and tenant associations to ensure that tenants know what steps are being taken to ensure their safety and housing stability.
- 29. Use FEMA dollars to create a pot of rental housing vouchers for individuals who are homeless or at risk of losing their housing, pay rents to keep tenants housed and landlords able to pay their mortgages. The Homeless Prevention and Rapid Rehousing program under the Obama administration is a great model for that effort.
- 30. Increase available state Homeless Prevention dollars, which were already running out throughout the state.
- 31. Increase coordination with and financial support to homeless service providers who are on the front lines working with highly at-risk individuals who are homeless and may fall into high risk groups.
- 32. Instruct the Attorney General's Office to direct all law enforcement to provide guidance for officers on illegal lockouts to ensure tenants can regain immediate possession of their homes if a landlord illegally locks them out.
- 33. Instruct the Attorney General's office to provide guidance for all law enforcement officers, asking them to suspend the enforcement of crime-free housing and nuisance property ordinances that threaten an individual's housing.
- 34. Direct IDOC to devise greater flexibility (i.e., call-in options) for individuals on mandatory supervised release, in particular those who have to registry requirements.
- 35. Release all eligible incarcerated people from IDOC facilities to electronic monitoring home detention.
- 36. Direct IDOC to devise greater flexibility with respect to host sites, so individuals can exit prisons and return home.
- 37. Ensure that IDOC parole complies with the 12 hour of movement rule for individuals on electronic monitoring so that they can support themselves and their families.
- 38. IDOC should suspend all programmatic conditions of supervision for people on mandatory supervised release and allow them to resume, with no penalty, when this public health crisis ends.
- 39. Encourage local prosecutors and judges to not seek bail on any accused person that is arrested for a non-forcible felony.
- 40. Encourage county criminal legal system stakeholders to have emergency bond reviews for all incarcerated people being detained on an unaffordable money bond.
- 41. A moratorium should be placed on "turnarounds," the process by which someone sentenced to time served travels from county jail to an IDOC facility to dress in and dress out on the same day. People sentenced to time served should be released directly from county jail.
- 42. People serving a sentence in an IDOC facility should have increased access to the phones and all calls should be free.
- 43. IDOC should avoid the use of solitary confinement.

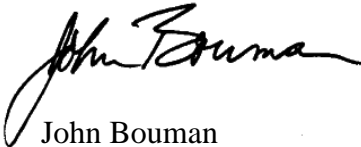
44. Work with the Illinois Supreme Court to issue emergency rules with respect to criminal cases in the state, so that missed court dates do not result in a warrant for arrest or bond forfeiture.
45. Enforce the Governor's mandate to DCFS to create an emergency plan. Ensure that the plan does not interfere with parents' abilities to seek reunification with their children.
 - a. Eliminate non-essential Service Plan requirements, and transition to remote services where possible. If remote services are to be used, require DCFS to bear the burden of providing parents with access to the requisite technology.
 - b. Require that DCFS maintain updated Service Plans to reflect eliminated or changed requirements.
 - c. Require that DCFS create specific plans regarding parent/child visitation that maintain as much visitation as possible.
 - d. Require that DCFS have specific plans and precautions in place regarding returning children from foster settings to their parents. To the greatest extent possible, reunification of children to parents should not be delayed.
 - e. Have DCFS and its contractors transport parents and children to and from court, visits, or other essential case-related activities via modes of transportation that allow for social distancing (i.e., not public transportation).
 - f. Require that DCFS publicize and maintain proper documentation of all program closures and changes.
 - g. Require that DCFS publicize its emergency plan and have the Governor's office review the plan and monitor DCFS' compliance with it.
46. Require child protection court to create an emergency plan. Ensure that the plan does not interfere with parents' abilities to seek reunification with their children.
 - a. While the court remains closed, provide opportunities for enforcement of court mandates and of parental rights (i.e., create mechanisms for attorneys to call judges and schedule emergency motions and/or hearings virtually).
 - b. For matters that proceed through the court closure, ensure heightened precautions be taken in the juvenile court building and courtrooms to minimize disease transmission.
 - c. Work with the Chief Justice and Administrative Director of the Supreme Court of Illinois to implement rules that require judges to accommodate difficulties experienced by parents seeking reunification with their children due to the court's closure and generally to the COVID-19 pandemic.
47. Ensure that parents utilizing the Child Care Assistance Program (CCAP) can seamlessly switch to Family Friend and Neighbor care without being forced to meet requirements that are onerous and impossible to meet at the moment.
 - a. As childcare centers, preschools, and schools are shut down ensure that parents are able to access CCAP benefits as soon as possible.

48. Direct DCFS to loosen licensing guidelines in childcare programs so that the more children can be served.
49. Instruct the Attorney General's office to work with local governments to pause interest on ticket fines and fees as well as allow people to forgo payments on payment plans without penalties.
50. Instruct the Attorney General's office to work with local governments so that police officers do not penalize those driving with suspended licenses for financial reasons.

For all these recommendations, ensure that all state and local outreach and information is provided in multiple formats and venues and in the top ten languages spoken in Illinois. Illinois must also make special considerations for highly vulnerable populations, including incarcerated persons and individuals subject to electronic monitoring or supervision, persons with disabilities, victims of domestic violence, individuals who are homeless, and undocumented communities who may be afraid to seek assistance. These groups must receive direct and specialized outreach.

We remain ready to help you and the state of Illinois protect all Illinois residents, including its most vulnerable. Please let us know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "John Bouman". The signature is fluid and cursive, with a large initial "J" and "B".

John Bouman
President, Shriver Center on Poverty Law