

NewsRelease

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Demands, Questions on Government's Response ***First Amendment Right Questions Race, Relief for Victims of Katrina***

SAN FRANCISCO – The Equal Justice Society (EJS), a national civil rights organization based in San Francisco, today issued a petition to the federal government calling for “bold action” in the wake of the nation’s worst hurricane. The 14-point demands include a call to President Bush to reorder national priorities and restore funding to federal agencies responsible for fortifying the nation and administering relief programs. The petition also asks whether the race of the predominantly black victims was a major factor in the government’s sluggish response to the widespread and unprecedented suffering.

Seizing on the First Amendment right to petition the government, the document was delivered today to the White House, congressional leadership, the secretary of the Department of Homeland Security and the acting director of FEMA. The petition was also presented to several United Nations agencies including the Commission on Human Rights and the office of three Special Rapporteurs on Racism, Internal Displaced Persons, and the Right to Adequate Housing.

“We petition ... to take action to rectify the injustices that have resulted from our government’s willful disregard for human suffering and ensure that such injustice will never again occur,” the document declares.

Drawing on recent polling data, EJS calls attention to the racial gulf in public opinion, pointing to the more than 76 percent of black Americans who think FEMA would have rescued hurricane victims more quickly had they been wealthy and white – while fewer than 25 percent of white respondents share that view. However, on the issue of government responsibility, there is undisputed common ground among people of all races that the federal government has a responsibility to protect and support its people in times of disaster.

In its petition, EJS contends that there are really *two* tragedies: first, the natural disaster of Hurricanes Katrina and Rita, and secondly, the man-made disaster of FEMA’s agonizingly slow and disorganized response, which amplified the hurricanes’ devastation. By effect or design, the U.S. government’s “willful neglect” left thousands of predominantly minority and low-income victims stranded for days longer than they should have been, EJS points out.

“The federal government’s performance in the wake of Hurricane Katrina constitutes one of the great racial justice tragedies of our time. The class and color lines drawn by this disaster are undeniable,” the petition states.

EJS is also co-counsel in a lawsuit filed last week against FEMA seeking housing and other assistance for Katrina victims. The class action suit, the first filed against FEMA in relation to its response to Katrina, maintains that the agency violated and continues to violate federal law by failing to meet its obligations as the federal agency chartered to care for victims of natural disasters.

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No one in this country should have to depend on voluntary agencies or the goodwill of private citizens. We have a right to expect that government will be the primary source of relief for its people, whether black, Latino, Asian or poor. The petition contends that the response to Katrina offered a chilling forecast of the plight that will likely face the poor and people of color *anywhere* in the country when disaster strikes – from an earthquake, a hurricane or a terrorist attack.

“If an earthquake occurred in San Francisco, where our offices are headquartered, what communities would be most affected?” asked EJS President Eva Paterson. “Katrina showed us that the most vulnerable communities – who are already victims of racial and economic inequality – will likely be the ones to suffer most.” In the days following Hurricane Katrina, she added, “we wondered whether we are *all* just one economic, man-made, or natural disaster away from similar fates.”

EJS points out that this concern is of particular relevance in places like California with its many immigrant communities – especially poor communities of color. “It has become clear that this disaster is less about rain and wind than it is about race and class,” said Paterson.

The EJS petition also requests that the United Nations intervene on behalf of Katrina victims. The UN’s Convention for the Elimination of All Forms of Racial Discrimination requires all governments to refrain from practices that harm people of color; yet the world witnessed how the federal government’s lack of preparation resulted in the unnecessary deaths of hundreds of people of color and the displacement of nearly a million more. EJS has reason to believe that the U.S. government will not investigate whether racial bias played a role in this disaster, and therefore it is requesting the UN conduct its own independent inquiry.

Petition Demands

To the President:

- Cease his continuing disregard for, and willingness to sacrifice, the economic and physical well-being of the American people – especially poor people of color – in pursuing his agenda to weaken our federal government; and
- Reorder national priorities to restore funding to federal agencies responsible for fortifying the nation and administering relief programs to mitigate the human suffering experienced by our entire nation, including poor people of color, due to economic, manmade, and natural disasters.

To Congress:

- Establish a \$100 million fund to provide legal services for victims of natural disasters to rectify the administration’s insensitivity and abandonment of poor communities of color;
- Establish a “Katrina Victims Fund” to rectify past and present discrimination and help rebuild lives;
- Hold congressional hearings to study the role of race and poverty in FEMA disaster response;

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- Insist that Katrina's victims have a right to return and a right to funds with which to rebuild their homes and their lives; ensure that FEMA develops a plan to make their return possible;
- Ensure that special provisions are made for the care of sick and elderly in times of disaster; and
- Audit FEMA and implement necessary measures to prevent further and future injustices.

To the Department of Homeland Security and the Federal Emergency Management Agency:

- Fully explain to victims all of the assistance available to them and the conditions that must be met to become or remain eligible for relief;
- Ensure that all disaster plans include special provisions to meet the needs of the sick and elderly;
- Prepare for the public a report of actions taken to locate and return displaced victims;
- Fully exercise its powers to coordinate and direct comprehensive rebuilding of affordable housing; and
- Require, as a condition of receipt of federal funding, that state and local agencies and other federal contactors immediately plan for providing non-discriminatory, affordable housing opportunities, including the right to return, for displaced victims.

To the United Nations:

- Pursuant to the principles of the United Nations Charter, initiate an investigation into the United States government for its willful violations of human rights, committed in violation of the International Bill of Human Rights and other U.S. treaty obligations. The findings of the investigation should be publicized to the people and nations of the world, and the United States government must be held accountable.

About the Equal Justice Society

The Equal Justice Society is a national racial justice and civil rights organization of scholars, advocates and concerned individuals advancing creative legal strategies and public policy for enduring social change. As heirs of the innovative legal and political strategists of *Brown v. Board of Education*, EJS will marshal our forces to defeat the right wing assault on social and racial justice. Our goal is to reshape jurisprudence to ensure that the rights of all are expanded, rather than diminished, by our courts and policy makers. For more information, visit www.equaljusticesociety.org.

NOTE TO EDITORS: The full text of the petition is posted at www.equaljusticesociety.org/petition. The site also contains downloadable photos of the victims, their bios and additional background of the petitioners. An audio recording and a transcript of the call will be posted online following the teleconference as well.