

**FOR IMMEDIATE RELEASE**

March 8, 2021

**THREE LEGAL SERVICES PROGRAMS FILE COMPLAINT WITH FEDERAL  
OFFICE FOR CIVIL RIGHTS TO INVESTIGATE DISCRIMINATORY  
ALLOCATION OF COVID-19 VACCINE BY CONNECTICUT**

On March 8, 2021 attorneys with Connecticut Legal Services, Greater Hartford Legal Aid and New Haven Legal Assistance Association filed a Complaint with the U.S. Department of Health and Human Services, Office for Civil Rights (OCR), on behalf of their low-income clients who are people who are Black, Latinx, Indigenous, Asian, and all other nonwhite racial identities in CT (BIPOC), including those with disabilities. The complaint requests that OCR investigate Connecticut's COVID-19 allocation plan that was announced on February 22, 2021 which violates Title VI of Civil Rights Act of 1964, Section 1557 of the Affordable Care Act, Title II of the Americans with Disabilities Act, and Section 504 of the Rehabilitation Act of 1973, by:

- imposing eligibility criteria for the COVID-19 vaccine that discriminate against and unfairly burden nonwhite individuals protected by law;
- refusing to reasonably modify its COVID-19 vaccine policy so that it no longer discriminates against nonwhite individuals;
- refusing to reasonably modify its COVID-19 vaccine policy to not discriminate against those with disabilities and pre-existing conditions.

Governor Lamont announced a change in vaccination allocation policy which now almost exclusively prioritizes age to determine one's eligibility. The former policy took into account the recommendations of the Centers for Disease Control and Prevention and followed the recommendations of CT's own COVID-19 Vaccine Advisory Group's Vaccine Allocation Subcommittee which prioritized people with underlying medical conditions and certain types of frontline workers, such as grocery store and agricultural field workers, who were slated to be eligible for the vaccine on March 1st. The new policy ignores those recommendations, and simply prioritizes age, with the exception of teachers and childcare providers, while continuing to include first responders and healthcare workers.

"The original plan was thoughtful and rightfully considered the complexities of vaccinating our state's population. There will be challenges in administering any plan, but that is not cause for throwing out the playbook of the experts and further deepen existing inequities," attorney Kristen Noelle Miller Hatcher of Connecticut Legal Services said. "Connecticut has at times been a leader on health equity, but we've really missed an opportunity here."

Data shows several things about CT's BIPOC residents:

- More likely to be working in essential jobs that regularly expose them to the virus
- More likely to live in tightly cramped housing
- More likely to use public transportation
- More likely to have pre-existing conditions and comorbidities

"All of these factors contribute to Black and brown Connecticut residents contracting COVID-19 at higher rates, and dying of it at higher rates," attorney Miller Hatcher adds, "In fact, in CT Black and brown people are dying younger when they contract COVID-19, making it even more critical that the allocation of the vaccine not be done simply by age, and that they need to instead prioritize people with underlying conditions and with high risks of exposure- especially those fellow residents who need to go to their jobs and are unable to work remotely, as the state's earlier plan appropriately provided."