

Wednesday, February 3, 2016

The Honorable Rick Snyder  
Governor  
State of Michigan  
P.O. Box 30013  
Lansing, MI 48909

As a coalition of more than 200 experts who are focused on building wealth for communities of color, we believe that it is vital for all public leaders in the U.S. to commit to advancing an inclusive democracy that fairly treats and affirms the value of all of its diverse residents. We have a number of concerns about the governance and water crisis in Flint, as well as some recommendations for remediation and change.

Our perspective is embedded in Article I of the Constitution of Michigan, which you have sworn to uphold, which states:

*All power is inherent in the people. Government is instituted for their equal benefit, security and protection. No person shall be denied the equal protection of the laws; nor shall any person be denied the enjoyment of his civil or political rights or be discriminated against in the exercise thereof because of religion, race, color or national origin... The people have the right peaceably to assemble, to consult for the common good, to instruct their representatives and to petition the government for redress of grievances.*<sup>[i]</sup>

Based on the criteria established by Michigan's constitution and embedded in other state laws, it is reasonable to conclude that rights of the residents of Flint, MI have been abrogated. The people of Flint have not received equal benefit, security or protection from their government. They have been denied equal protection of the laws and seemingly discriminated against because of class and race. Their right to petition government for redress of grievances has also been obstructed.

We base these conclusions on the following facts:

- The emergency management law, passed with your support under the cover of expediency, gave your Administration the right to appoint an unelected overseer to manage the government of Flint. When your emergency manager decided to switch to a contaminated water source he endangered the health of tens of thousands of children, women, and men and damaged property.
- Scientists have analyzed differences in pediatric elevated blood lead level incidence before and after the water source change in Flint and have found that blood lead levels increased after the switch and that the incidence was greatest in socioeconomically disadvantaged areas of the city with high percentages of racial and ethnic minorities.<sup>[ii]</sup>

- The water in Flint also was filled with excessive levels of iron, copper and trihalomethanes, which present humans with a variety of other potential health risks. The chemicals were also responsible for the abnormal taste, look and smell of Flint's water. [iii]
- It has been documented that repeated attempts by these residents to seek redress for their grievances were met with scorn, dismissal, and contempt by your Administration's representatives.

In addition to damaging the health of Flint residents, we contend that your Administration's actions have also undermined their potential for maximizing earnings and accumulating wealth over a lifetime, which has a direct impact on the social and economic viability of the communities in which they reside.

Scientific evidence has long shown the devastating long-term effects of lead poisoning on the socioeconomic outcomes of exposed persons. Negative side effects include reproductive, neurophysiological, and behavioral disorders that can lead to toxic pregnancies, lower IQ, poor academic performance, and aggressive or violent behavior among other problems.[iv] The developmental effects are especially acute in children whose growing minds and bodies are severely compromised by lead poisoning.

When these side effects are visited upon a class of people concentrated in a geographic area, in many cases forced by socioeconomic circumstances to live in older neighborhoods with neglected infrastructure, the systemic conditions are created for failing schools, long term unemployment, increased poverty, high incarceration rates, lower tax receipts, and higher housing vacancy rates among other ills.

The water crisis has already stripped the assets of residents who have been forced to pay out of pocket for bottled water and for unusable city water. It will also have long-term and negative effects on property values, which will depress homeowners' ability to accumulate wealth through their home equity. Since home equity is the primary vehicle through which many working families build wealth and save for retirement, property devaluations are likely to have a negative effect on their ability to maximize their economic security for the rest of their lives.

Ultimately, these man-made conditions make it near impossible for affected individuals to succeed in life or for our coalition to achieve our goal of building assets and economic security over a lifetime for vulnerable populations.

For these and related reasons we call upon you to exhibit transformational leadership that transcends the boundaries of bias, blame, thrift, and partisanship to embrace a fair and inclusive agenda for restoring hope and opportunity for the people of Flint. The remedies include:

- **Language:** Reports have shown that undocumented immigrants have been slow to receive word about Flint's water problems and that language barriers have interfered with their ability to seek appropriate testing and care. Additionally, the fear caused by Immigration and

Custom Enforcement raids is further imperiling the health status of this population by impeding their ability to access free bottled water. We call on you to remove barriers to aid and assistance by ensuring that all announcements are bilingual and that trusted community members conduct Spanish language outreach to provide this vulnerable group with critical information. Furthermore, we call on you to request that ICE suspend raids in Flint given the city's ongoing humanitarian crises.

- **Compensation:** It is clear that, in addition to compromising resident's health and damaging their property and city infrastructure, Flint's water contamination will have long-term psychosocial and socioeconomic effects for individuals and families. We call on you to establish a Flint Health and Compensation Fund, modeled after the September 11 Victim Compensation Fund, to improve protection and services to individuals directly impacted by the water crisis. In addition to financing claims of those affected by the crisis, this fund would cover the cost of health evaluation screenings for eligible residents, monitoring and treatment for related health conditions (without deductibles, co-payments, or other cost sharing), research regarding health and socioeconomic conditions related to the crisis, education and outreach to potentially eligible individuals. Since there is an arguable federal component to the Flint crisis, given long standing partisan gridlock that has denied states adequate federal infrastructure funding, we ask that you also lend the full weight of your authority and credibility toward establishing a federal version of, or contribution to, the fund.
- **Homeowner Relief:** The real estate market in Flint has been destabilized, with fewer people likely to buy homes in the city because of the market uncertainty associated with property damage caused by the water crisis and outstanding questions about the quality of the city's infrastructure. The entire water system will likely need to be replaced in order to restore the natural real estate market in Flint. Based on the facts, the state needs to provide homeowners with relief that includes, but may not be limited to, writing off existing debt and tax liability on all affected properties.
- **Infrastructure:** For too long partisan gridlock at the federal and state levels has prevented states like Michigan from making the investments necessary to ensure the safety and protection of its residents. A recent study by the American Society of Civil Engineers gave Michigan a grade of D for the state of its infrastructure in general, as well as a D for the state of its drinking water more specifically)[\[V\]](#). We call on you to be a part of the solution by implementing a state infrastructure program, and advocating for a national infrastructure program, that modernizes aging infrastructure—starting in most affected areas—while creating jobs that benefit disadvantaged persons living in depressed areas like Flint, MI.
- **Regulation:** Partisan ideology has long pushed the notion that regulation stifles economic development and growth but situations like Flint demonstrate how loose regulations can compromise economic development by polluting public assets and damaging lives and property in the process. Flint's overseer sought to save the city \$5 million by switching to a

harmful water source, yet the city and state will eventually incur millions more in associated costs to mitigate the damage caused by that ill-fated decision. The time is now to demonstrate good stewardship over the commonwealth by protecting these resources with sensible regulations.

- **Taxes:** Real fiscal prudence would suggest that it is never a good idea to reduce the tax base when there are obvious needs a government must address. Taxes are designed to ensure that government has the resources to provide for the common goods and services that people have determined they want and need for the betterment of society. Bestowing tax cuts and breaks—especially those benefitting culpable industries—while roads, bridges, and schools need repair, pipes need replacing, and water needs cleaning is the height of fiscal irresponsibility and malfeasance. Residents of Flint pay taxes to the state and it is important to ensure the equitable and responsible distribution of those taxes so that they are not unduly burdened by preventable crises like the one at hand. We call on you to suspend all tax cuts and breaks until the dire infrastructure needs of Michigan’s most affected areas are met and to reassess priorities for distributing existing resources so that the needs of those who have been denied equal protection under the law can be addressed expeditiously.

There comes a time in the history of a state and our nation when the pettiness of our politics must give way to the greatness of our common humanity. That time is now. The people of Flint deserve the utmost consideration from state officials who are the custodians of their collective wellbeing. We know that you and your colleagues in the state of Michigan are up to the task, and we are willing to work with you to restore health, hope, and opportunity for the people of Flint.

Sincerely,

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[i] Michigan State Constitution retrieved

at:[http://www.legislature.mi.gov/\(S\(mhmyygt4wtggpq2mmugqtjb4\)\)/documents/mcl/pdf/mcl-chap1.pdf](http://www.legislature.mi.gov/(S(mhmyygt4wtggpq2mmugqtjb4))/documents/mcl/pdf/mcl-chap1.pdf).

[ii] Mona Hanna-Attisha, Jenny LaChance, Richard Casey Sadler, and Allison Champney Schnepf. Elevated Blood Lead Levels in Children Associated With the Flint Drinking Water Crisis: A Spatial Analysis of Risk and Public Health Response. *American Journal of Public Health*: February 2016, Vol. 106, No. 2, pp. 283-290.

[iii] Wenonah Hauler, Flint Brown Water Blues, Huffington Post Blog, July 10 2015,[http://www.huffingtonpost.com/wenonah-hauter/flints-brown-water-blues\\_b\\_7765132.html](http://www.huffingtonpost.com/wenonah-hauter/flints-brown-water-blues_b_7765132.html).

[iv] Agency for Toxic Substances and Disease Registry, "Lead Toxicity: What are the Physiologic Effects of Lead Exposure?" Retrieved at <http://www.atsdr.cdc.gov/csem/csem.asp?csem=7&po=10>.

[v] American Society of Civil Engineers, 2013 Report Card for America's Infrastructure, Michigan Report Card, <http://www.infrastructurereportcard.org/michigan/michigan-overview/>.