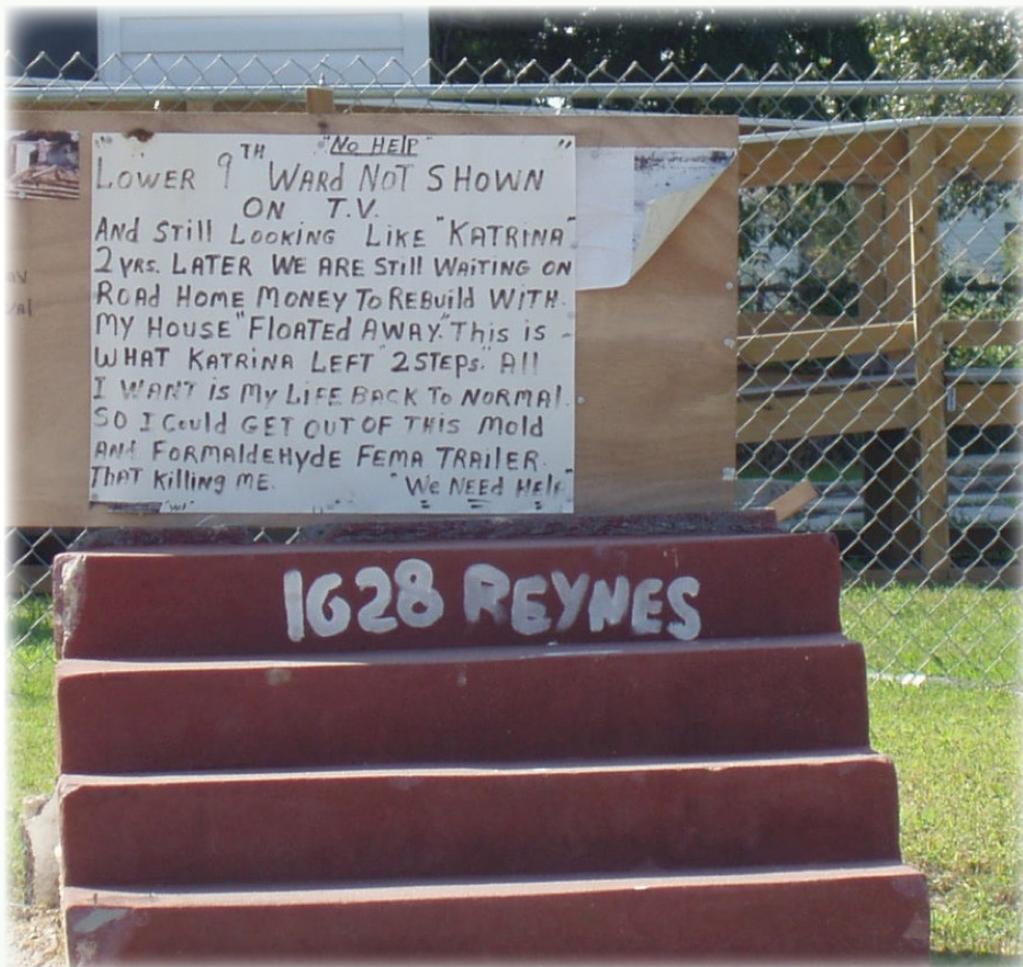


From Katrina to COVID-19: How Disaster, Federal Neglect, and the Market Compound Racial Inequities



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July 2020

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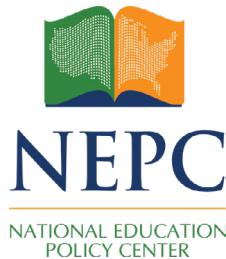
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Executive Summary

To inspire support for public health directives, many warn COVID-19 does not discriminate—everyone’s susceptible. The reality is more complicated. We are not “all in this together.” Racism ensures this, and New Orleans’ experience following Hurricane Katrina illustrates one way that racial inequities play out in a time of crisis.

On August 29, 2005, Katrina struck New Orleans with disastrous effects. Regarded as one of the worst natural disasters in U.S. history, it is less often recognized that government neglect and market-driven public policy set the stage and generated the worst effects, especially for communities of color. Despite forecasts that Katrina could kill tens of thousands, federal, state, and local governments did little to protect those in geographically vulnerable neighborhoods or evacuate those without cars. In New Orleans, African Americans were left to drown in floodwaters and dehydrate on rooftops, disproportionately suffering an array of harms.

But the harms did not end there. As floodwaters receded, policies aimed at privatizing assets in African American neighborhoods, including public schools, were enacted, compounding racial inequities wrought by a history of white supremacy.

On January 20, 2020, the first U.S. case of COVID-19 was detected. Despite warnings that a pandemic could wreak physical and economic havoc, the federal government failed to take preventative action. As a result, communities of color are again suffering disproportionately, with African Americans and other racially marginalized groups overrepresented among those who have died from the virus. Yet states have been slow to produce racially disaggregated data or provide racially targeted healthcare and other support. Instead of coordinating

a federal response to the crisis and corresponding disparities, policymakers have advocated free market solutions, leaving states to compete for lifesaving medical supplies. The CARES Act, ostensibly passed to assist vulnerable communities, has been used to consolidate the wealth of corporate elites.

Although Katrina and COVID-19 have been framed as “natural” disasters—one ecological and the other biological—government inaction and racism have been most responsible for the disproportionate harms experienced by communities of color. With COVID-19, African Americans and other marginalized communities risk infection as low-paid workers, struggle to access food and healthcare, worry about rent and eviction, confront a digital divide amid shuttered schools, and die at higher rates.

Through history, storytelling, and political analysis, this report illustrates how the government neglect that disproportionately affected communities of color during Katrina is again evident during the COVID-19 crisis, with similar devastating results. The experience of Katrina, then, has policy implications for the current moment, including concerns over profiteering and who will have a voice in rebuilding communities disproportionately affected by economic shutdown and school closures. Policymakers are urged to act on the following race-conscious, equity-focused recommendations spanning health, education, housing, labor, and democratic governance. Visionary, far-reaching transformations in policy will be critical with immediate interventions (noted secondarily):

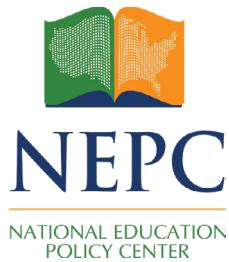
- Paid sick leave and healthcare should be universal, with access to healthy food via subsidized neighborhood gardens, local food co-ops, and minority-owned grocery stores.
 - Data on testing, disease, and death, disaggregated by race and economic status, must be publicly available for all states. Based on such data, resources should flow to organizations rooted in affected communities, where preventive and culturally sensitive education, testing, and healthcare are available free of charge in multiple languages.
- Neighborhood public schools in urban black and brown communities must be reopened and/or rebuilt, more-than-adequately resourced by the state, staffed with experienced teachers indigenous to the community, and overseen by locally elected boards responsive to communities.
 - During school closures, public and charter schools should be required to report to local and state school boards, and charter authorizers, what each school is doing to support learning. The public should have access to digitally archived lessons for auditing purposes as well as information on student access to digital technologies.
- Housing as a right should be accessible and affordable.
 - A moratorium on eviction proceedings and utility shutoffs should be imposed. Rent should be suspended or covered via timely cash payments to low- and moderate-income families to curtail real estate speculation and gentrification in vulnerable neighborhoods.
- Minimum wage should be raised to a living wage. Beyond this, the provision of a universal basic income and cooperative economic arrangements that leave everyone whole would be ideal.

- The federal government should designate a substantial portion of Paycheck Protection Program (PPP) funds (and future funds related to economic stability) for minority-owned businesses and nonprofits that offer essential services and employment in communities of color. Federal support for the expansion of nonprofits—run by community members—could be the basis of a COVID-19 job corp.
- Government master planning for COVID-19 recovery must include input and decision-making power by disproportionately affected communities, not solely developers, banks, business councils, corporations, lobbyists, and other powerful entities. Governors' commissions should reflect a full cross section of affected communities.

Following historian Robin D.G. Kelley, it is critical to recognize that:

[History] shows how more than two centuries of U.S. policy facilitated accumulation among white property owners while further impoverishing African Americans. Thus federal assistance to black people in any form is not a gift but a down payment for centuries of unpaid labor, violence, and exploitation.

Now is the time to envision an equitable policy future and hold accountable those whose negligence has inflicted and compounded harm for communities facing the crisis of racism.



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“I’ve lost my home, my friends, and my school. . . . But the worst part of it all is that the public officials . . . who are supposed to be looking out for my education have failed me even worse than the ones who abandoned me in the Superdome [during Hurricane Katrina]. My family and friends have food and water and the kindness of strangers. But we still don’t have control of our lives, and we’re still being abandoned by local, state, and federal officials.”

—Maria Hernandez, public high school student, in *Pedagogy, Policy, and the Privatized City: Stories of Dispossession and Defiance from New Orleans*¹

“[COVID-19] is like watching a slow-moving hurricane across the country, where you know the path it’s taking. Why not deploy the national resources and just stay ahead of the hurricane?”

—Andrew Cuomo, Governor of New York,
on CNN Coronavirus Town Hall²

“It’s critically important that we get the data so we can understand how best to navigate in this pandemic...[A]s African Americans, we have to come up with a solution to address this because government is failing us the same way they failed us during Hurricane Katrina.”

—Derrick Johnson, NAACP President and
CEO, on CNN’s Erin Burnett OutFront³

It was almost four years after Katrina and Malik Rahim, wearing a thought-provoking t-shirt, was taking a group around New Orleans to hear about unresolved challenges facing the African American community.⁴ The back of his t-shirt said, “We the people must help each

other!” Below was an image of several black people submerged neck high in the waters of Hurricane Katrina. Elevated on dry ground, a fellow community member is portrayed tossing a rope to save those drowning. The front pictured the U.S. Capitol with the words, “The government does not care.”⁵

I learned a lot from Rahim, a leading member of New Orleans’ Black Panther Party and co-founder of Common Ground Collective.⁶ As a post-Katrina initiative, Common Ground was offering legal services to those prevented from returning and rebuilding, providing food, medical care, and job training to locals, and working on wetlands restoration.⁷ Rahim began his narration in the Lower 9th Ward. It is difficult to forget what I heard and even more difficult to forget what I saw. A new levee wall had been constructed by the Industrial Canal, which runs alongside the Lower 9th Ward. Rahim explained it was twice as thick and twice as tall as the pre-Katrina levee but there was one major problem. The new levee suddenly stopped, leaving a gap between the new levee wall and the old, which by contrast was a short, rusty, metal barricade. Bridging the gap was a tattered wire fence that laid on the ground. On the neighborhood side of the new and old levee walls were several homes being rebuilt.

Homes were rebuilt at great risk. The taller, thicker levee wall terminated, leaving a space for future floodwaters to destroy valuable property and drown residents—again.

Rahim’s t-shirt was not only a political statement but a policy statement: The government does not care for black life, something made evident by the lack of local, state, and federal intervention in the wake of Katrina.⁸ Even worse, racially targeted neglect was ongoing. Otherwise the new levee wall would have been complete. The gap symbolized an entire history of white policymakers’ disinvestment in black communities. From the levee gap to the educational achievement gap, from the income gap to the life expectancy gap, African Americans have struggled against policies that render them vulnerable to a range of harms.⁹

We are seeing this again with COVID-19, as African Americans and other marginalized communities risk infection as low-paid workers; struggle to access food and healthcare; worry about rent and eviction; confront a digital divide with shuttered schools; and die at higher rates. With COVID-19 spreading nationally, the public has been repeatedly told “we are all in this together.” To say that no one is unaffected, however, does not mean that everyone is equally affected. This policy memo explores why. While recent media coverage has only superficially examined racially disparate death rates for COVID-19, this report illustrates that the legacy of white supremacy is inextricably linked to a host of interconnected inequities, not simply health-related ones, that African Americans confront.

Through history, storytelling, and political analysis, I compare the federal neglect experienced during Katrina, and the racial inequities that resulted, with Trump’s inaction amid the COVID-19 crisis and the inequities evident as the pandemic unfolds. Although Katrina and COVID-19 have been framed as “natural” disasters—one ecological and the other biological—government inaction and racism have been most responsible for the harms suffered by communities of color. Ultimately, I argue, the experience of Katrina has policy implications for the current moment, including concerns over profiteering and who will have a voice in rebuilding communities disproportionately affected by economic shutdown and school closures. I close by laying out specific policy recommendations and envisioning a future premised on racial and economic equity.

Each section begins with a discussion of New Orleans. I focus on the history of racially targeted neglect and/or the disastrous effects of market forces in shaping life outcomes for the city's African American community, especially in Katrina's wake and including the educational landscape. In turn, I examine the government's handling of COVID-19 and the influence of market forces, with a similar focus on racial and economic inequities. A comparative analysis of Katrina and COVID-19 is threaded throughout, enabling me to highlight concerns relevant to the crisis now.

This report reads differently than most policy documents. Through 15 years of struggle and grassroots research with communities in post-Katrina New Orleans—my native city—I have learned that policy is personal. It has real effects on children, families, and neighborhoods. If we do not bring history and storytelling to policy analysis, we cannot fully understand the roots of the problems we seek to resolve or appreciate what is at stake. The issue under analysis is not a weakness to be remedied or a problem to be solved through socially distanced empiricism. Rather, it is top-down decontextualized policymaking—devoid of human connection and an appropriate knowledge of the past—that has been destructive to the communities suffering most under COVID-19.

Reliving Katrina

Since the emergence of COVID-19 in the United States, I have been reliving Katrina. So much of what is happening parallels the experience of disaster in New Orleans. Thus, I begin by sharing some of the striking similarities that have occurred to me as I have reflected in real time on the catastrophic events unfolding.

I remember when my parents returned to New Orleans after Katrina. They had evacuated to Shreveport, Louisiana. Heading back was no small matter. They were going to see what remained of the house where I grew up. To protect themselves from sediment in the streets and potential mold in the house, they packed face masks, gloves, and other personal protective equipment (PPE)—the same supplies desperately needed by hospital staff amid COVID-19.

As COVID-19 spreads and hospitals have been deluged with infectious patients, I've recollected my apprehension about my parents' safety in returning to New Orleans. But at least I knew they had PPE. Today, the families of nurses and doctors don't have that assurance. Neither do the families of hospital janitorial staff, grocery store cashiers, stock clerks, and mail carriers.¹⁰ I also knew that whatever was lost, my parents had jobs and retirement savings, things that white families can count on more readily than families of color. The family home had wind damage, but little water damage. Many affected by Katrina didn't have a fraction of this.¹¹

New Orleans' economy revolves around tourism, which generates wealth for the city's mostly white business elite. For those working in low-wage service industries associated with the French Quarter—hotels, bars, restaurants, performance venues, shops, and parking garages—the economic benefits are minimal. In New Orleans, African Americans are disproportionately represented in low-wage industries, part of a legacy of racism and exploitation exposed by Katrina as well as COVID-19.¹² They were also more likely to live in areas of the city

below sea level and more geographically vulnerable to the storm surge caused by Katrina.¹³

Although Katrina was cast as a “natural” disaster, much of the destruction was wrought by a history of white supremacy, racially targeted neglect in the face of Katrina, and subsequent policies aimed at rebuilding a whiter, supposedly brighter city.¹⁴ James Reiss, chair of New Orleans Business Council, told the *Wall Street Journal* in 2005: “Those who want to see this city rebuilt want to see it done in a completely different way: demographically, politically, and economically.”¹⁵ The politics of race would powerfully influence the city’s rebuilding.

In the same way, COVID-19 is portrayed as a “natural” disaster. We are told that we are fighting a biological enemy; the primary problem is our lack of immunity, which will ultimately be fixed by a vaccine. To inspire support for public health directives, such as social distancing, public officials and media pundits have emphasized that the virus does not discriminate. Everyone’s susceptible. Television and radio ads chime that “we are all in this together.”¹⁶ Much like Katrina, the reality of COVID-19 is more complicated. To say that no one is unaffected by this crisis does not mean that all are equally affected. And the effects are not natural. They are mediated by a history of unequal power, with race and political economy at the center.¹⁷

To say that no one is unaffected by this crisis does not mean that all are equally affected.

I was struck when New York governor Andrew Cuomo described COVID-19 as “a slow-moving hurricane.” As it makes its way across the nation, he lamented, there has been little advanced preparation by the federal government.¹⁸ The failure to protect vulnerable communities

from a known threat is what defined Katrina, including the desperation and death that followed.¹⁹ Many recall Army General Russel Honoré, who headed the military effort in New Orleans after unspeakable levels of suffering mounted. Day after day, African American citizens drowned in floodwaters and dehydrated on rooftops and bridges.²⁰ The federal government was ill prepared or perhaps consciously neglectful in its initial response.²¹ That’s happening again now.

As bodies pile up in refrigerated trucks behind New York City hospitals, I am reminded of the countless bodies found on New Orleans’ streets as waters receded.²² Mayor Ray Nagin plead, “The spirit of death has been over this city for seven days, and it’s got to go.”²³ The spirit of death has been over the nation since COVID-19’s onset. Due to federal neglect and President Donald Trump’s egoism, free market zealotry, and ignorance, it persists.²⁴

It is indeed shocking to see New York City streets eerily quiet and lifeless. It is strange, but also familiar. When I returned to New Orleans a few months after Katrina, I surveyed the city. While there was some activity Uptown where white residents live, black working- and middle-class neighborhoods Downtown and in New Orleans East were dead silent and decimated.²⁵ Silence of that sort produces distinct insight into what makes a city a city, a house into a home, a street into a neighborhood. There really is no “place” without the people who infuse it with life. Place is a complex interaction between people, their cultural practices, and geography.²⁶ It hurts to see life wrenched from home—physically, culturally, and economically—especially when some portion of the harm could have been avoided by committed government action.

Businesses remained closed after Katrina and many never reopened. Less than two months after the storm, Nagin announced the city was laying off thousands of employees, declaring: “I wish I didn’t have to do this. I wish we had the money, the resources to keep these people. The problem we have is we have no revenue streams.”²⁷ It is unsettling to think of the mass layoffs happening right now, the “closed for business” signs, the uncertainty of checks getting to families who need food, and the possibility that the death toll may rise faster than we can tally. None of these burdens will be shared equally.

As with COVID-19, Katrina was a public health crisis. Not only were life and limb at risk during the storm, but the long-term mental and physical health of communities of color was never given attention after one of the worst disasters in U.S. history.²⁸ Charity Hospital, where the uninsured were treated, was shuttered post-Katrina and remains so. Tents were put outside of Charity to deal with COVID-19 in New Orleans, where the infection rate per capita was one of the highest nationwide.²⁹ African Americans will again suffer and die at an inordinate rate.



Charity Hospital shuttered after Hurricane Katrina (Photo Credit: Kristen Buras, 2007)

The racial politics of Katrina extended beyond African American communities. Many Latinx workers came to New Orleans to assist in rebuilding. A report on labor and reconstruction by the Advancement Project and National Immigration Law Center revealed the dangerous conditions that existed for such workers.³⁰ After Katrina, for example, the Occupational Safety and Health Administration (OSHA) suspended the enforcement of job safety and health standards in storm-affected areas.³¹ This resulted in workers not receiving protective gear, even as they were exposed to mold, sheetrock, and contaminants while gutting and rebuilding structures.³² Now workers in various industries are unprotected from COVID-19.³³

Ultimately, New Orleans reveals what happens when racism and what Naomi Klein calls *disaster capitalism* are wedded in public policy.³⁴ Crisis provides a distinct opening for dominant groups to aggressively advance their racial-economic interests at the expense of communities of color, something Kimberlé Crenshaw refers to as *racial* disaster capitalism.³⁵ In what follows, I move beyond the visceral reactions and *déjà vu* moments of the first few weeks of sheltering in place toward a coherent analysis of how the New Orleans experience pertains to the COVID-19 crisis.

Many will question the need to address racism when the nation faces a widespread public health threat. My thinking is different and consistent with peaceful protesters across the nation and public health experts who recognize that racism is pervasive, requires redress, and is itself a longstanding threat to public health.³⁶ This is also an apt time because crises highlight and exacerbate inequities, providing the conditions for what historian Robin D.G. Kelley calls “freedom dreaming.” He describes the radical but necessary act of imagining a world that has yet to come into being:

My mother has a tendency to dream out loud...[H]er third eye opens onto a new world...Her other two eyes never let her forget where we lived. The cops, drug dealers, social workers, the rusty tapwater...and the piles of garbage were constant reminders...She simply wanted us to live through our third eyes, to see life as possibility. She wanted us to imagine a world free of [oppression]...Call me utopian, but I inherited my mother’s belief that a new world is in the imagination, in what we see in our third eyes rather than the desolation that surrounds us.³⁷

The world has come to a near-complete stop and the future remains an open question. Now is the time to see with clarity and act with purpose.

The Effects of Disaster Are Not Natural: Federal Neglect Kills—And Kills Unequally

Hurricanes and pandemics are often framed as “natural” events. This frame masks the accumulative effects of history in shaping how disasters unfold in specific communities and downplays the role of policy and political intervention (or lack thereof) in compounding problems. What happened in New Orleans with Katrina, and what is happening now with COVID-19 in cities across the nation, is not adequately explained by forces of nature. Consider the confluence of race and geography in New Orleans. New Orleans is generally regard-

ed as a city below sea level. However, as urban geographer Peirce Lewis reveals in *New Orleans: The Making of an Urban Landscape*, there are elevation differences across the city.³⁸

Over time, Lewis writes, the Mississippi River produced a natural levee along its banks, where “the crest...is about ten to fifteen feet above sea level.”³⁹ By contrast, the backswamp was a “low, perennially flooded area.”⁴⁰ In the early 1800s Whites settled upstream (Uptown) along the natural levee. Less affluent Creoles of African, French, and Spanish descent as well as poor Irish and German (and later, Italian) immigrants settled downstream (Downtown).⁴¹ Lewis explains patterns of settlement along racial lines:

With whites occupying the highest and best part of the natural levee...blacks were pushed into the demi-land on the inland margin of the natural levee, where drainage was bad, foundation material precarious, streets atrociously unmaintained, mosquitos endemic, and flooding a recurrent hazard.⁴²

Fast-forward to Katrina in 2005 and it is evident why Uptown homes suffered substantially less damage, while Downtown areas were deluged with water that destroyed homes and schools. Historic patterns of segregation and unequal racial power have shaped differential access to land, which, in turn, renders black property and life vulnerable.



The foundation of what was once a home in the Lower 9th Ward (foreground), Industrial Canal bridge (background), with cityscape of New Orleans in the distance (Photo Credit: Kristen Buras, 2007)

Such vulnerability was compounded by ongoing government neglect and the failure to protect citizens, especially racially and economically marginalized ones, from the known threat of hurricanes. In 2001, journalist Mark Fischetti reported:

New Orleans is a disaster waiting to happen...If a big, slow-moving hurricane crossed the Gulf of Mexico on the right track, it would drive a sea surge that would drown New Orleans under 20 feet of water...Scientists at Louisiana State University (LSU) who have modeled hundreds of possible storm tracks on advanced computers predict that more than 100,000 people could die.⁴³

Despite such knowledge, the federal government decreased funding for flood protection in New Orleans.⁴⁴ When Katrina hit, city government had finished developing only 10 percent of its evacuation plan and the New Orleans Police Department had only three boats.⁴⁵ When the storm struck, people were stranded and many died.⁴⁶ At the time, New Orleans ranked 4th out of 297 cities in the proportion of households without cars.⁴⁷ While 17 percent of poor whites in New Orleans did not have cars, 53 percent of poor blacks did not. In sum, race, income, and geographic location affected whether one would be more likely to live or die.⁴⁸

Similarly, with COVID-19, historic inequities have combined with the federal government's failure to protect communities from a known threat—with fatal results. In this case, the Trump White House ignored the National Security Council's (NSC) pandemic playbook. Completed in 2016, this 69-page handbook contained guidance on how the federal government should prepare for and respond to a pandemic.⁴⁹ It stresses, "The American public will look to the U.S. government for action when multi-state...events occur."⁵⁰ It requires assessing if enough PPE is available for healthcare providers. If not, officials are to ask: "Should the Strategic National Stockpile release PPE to states?"⁵¹ It notes that invoking the Defense Production Act is a key intervention, and stipulates roles to be played by myriad agencies.⁵² The Trump administration was briefed on the handbook in 2017 but ignored its value for protecting citizens.⁵³

Trump has repeatedly said the pandemic was unforeseeable, telling Fox News that "Nobody ever expected a thing like this."⁵⁴ In January, however, cases in China were exploding and the first U.S. case appeared on January 20th.⁵⁵ In early February, Dr. Anthony Fauci, director of the National Institute of Allergy and Infectious Diseases, counseled the National Governor's Association, urging that preparation would be critical.⁵⁶ It is difficult to believe governors were privy to information about which the president was unaware. Trump wasn't unaware; he was dismissive, despite warnings that a pandemic could wreak physical and economic havoc.⁵⁷

In 2018, the Trump White House dismantled the NSC's global health security office, but Trump says he didn't know about it. After the 2014-2015 Ebola epidemic, President Barack Obama created the office to focus on federal pandemic preparedness. Its work centered on monitoring global health threats to the United States. With its dissolution, Trump attempted to cut funding for the World Health Organization and Centers for Disease Control and Prevention (CDC).⁵⁸ Such moves are not unlike disinvesting in New Orleans' levee system when the city's geography rendered it a high risk for mass flooding, and turning a blind eye to scientific forecasting that predicted a strong storm in the Gulf of Mexico could kill

100,000 people in New Orleans.

Who would be most prone to die was predictable as well—people of color located in low-lying areas. Ironically, the Trump administration discontinued funding for a pandemic warning program called PREDICT in September 2019. PREDICT was initiated in 2009 by the U.S. Agency for International Development as part of its Emerging Pandemic Threat program. It analyzed samples from wildlife across the globe to detect zoonotic diseases that may transfer from animals to humans, like COVID-19.⁵⁹ In fact, PREDICT discovered 160 different coronaviruses that could potentially cause pandemics.⁶⁰ With COVID-19 resident in the United States, PREDICT got emergency funding from USAID, but the loss of human life was already escalating.⁶¹

Data is emerging that communities of color, particularly African American, Latinx, and Indigenous groups, are disproportionately dying from COVID-19.⁶² In Louisiana, where there were over 600 deaths from COVID-19 by the first week of April, 70 percent occurred in the African American community, despite the fact that blacks represent less than a third of the state's residents.⁶³ In Chicago, African Americans likewise represent approximately 30 percent of the population but 72 percent of those who have died from the virus.⁶⁴ Similar patterns are emerging in Detroit, Milwaukee, and New York City, but racially disaggregated state data remains partial—another way we continue to deny that racism is a life-and-death matter.⁶⁵

Data is emerging that communities of color, particularly African American, Latinx, and Indigenous groups, are disproportionately dying from COVID-19.

this crisis—missing from health department websites, daily updates by political leaders and, until recently, news reports.”⁶⁶ Likewise, the Lawyers’ Committee for Civil Rights Under Law submitted letters to the U.S. Department of Health and Human Services and the CDC demanding that these entities provide racially disaggregated data on COVID-19 testing, cases, and patient outcomes.⁶⁷

Only exacerbating inequities, Trump denies any responsibility, instead invoking racist language that denotes COVID-19 as the “Chinese virus,” prompting attacks on members of the Asian American community.⁶⁸ There has also been little analysis of structural racism—low-wage jobs, lack of access to insurance and medical care, food deserts, infrastructural disinvestment in neighborhoods, toxic stress from racial profiling and discrimination, and all of the health problems and co-morbidities these variables disproportionately account for in communities of color—as an explanation of why African Americans are more prone to die.

Trump’s denial of responsibility resembles President George W. Bush’s attempt to deflect criticism of the federal response to Katrina. Bush and others in his administration denied immediate knowledge of the disaster unfolding in New Orleans.⁶⁹ We now know with certainty from Congressional investigations that high-ranking White House officials were aware of

Dr. Aletha Maybank, chief health equity officer of the American Medical Association, published an opinion column in the *New York Times* titled “The Pandemic’s Missing Data.” It was unsettling to Maybank that by early April “fewer than a dozen states” had published data on race and COVID-19. She raised a critical point: “This data is central to understanding injustice and ensuring the optimal health of people, but it is gravely missing in

the threat and catastrophe. The day before Katrina's landfall, for example, Bush had a video conference with the National Hurricane Center's director, who warned of impending disaster.⁷⁰

This kind of informed disengagement should not be forgotten. Just as Trump is disconnected from the devastation unfolding in his midst, Bush flew over New Orleans in Air Force One to witness the destruction from a distance. He never set foot on the ground.⁷¹

When Bush briefly visited New Orleans in January, 2006, he was taken directly from the airport to a private meeting in the wealthy Garden District. Emerging from behind closed doors to share remarks, Bush spoke of New Orleans indicating, "It's a heck of a place to bring your family. It's a great place to find some of the greatest food in the world and some wonderful fun. And I'm glad you got your infrastructure back up on its feet."⁷² In May of that year, I interviewed Kalamu Ya Salaam, an African American poet and educator in New Orleans, for a community-funded radio station. Responding to Bush's claim that the city had been rebuilt, Salaam stressed: "[His view] represents the view of the ruling class. And as far as the ruling class is concerned, New Orleans is fully functional. The areas of the city that did not flood . . . are controlled by people with money."⁷³

In the same way the federal government under Bush failed to distribute water, food, and a prompt way out of New Orleans—with at least 1,000 people dying as a result—Trump has failed to proactively leverage the federal government's power.⁷⁴ Public health measures to prevent the spread of COVID-19 were not put in place early enough. The Defense Production Act was not invoked soon enough and has not been used effectively. Lifesaving protective gear has been slow in coming to frontline workers. Governors are blamed for not having a stockpile of ventilators and respirators and for their inability to handle the crisis alone.⁷⁵

Regarding the disproportionate representation of people of color among the dead, Trump stated at a press conference: "We want to find the reasons on it. Why is it three or four times more so for the Black community as opposed to other people? It doesn't make sense."⁷⁶ Despite Trump's proclamation, the reasons are well known—a history of racial domination with the loss of black life going all the way back to the Middle Passage and continuing into the present with the murder of George Floyd and other African Americans by police.⁷⁷ As with Katrina, the federal government's inept response and outright inaction regarding COVID-19 kills people and compromises communities. If the federal government does not get ahead of the viral storm by coordinating the infrastructure to curtail short- and long-term effects on communities, the results will be all the more devastating.

Crisis Reveals Preexisting Inequities and Exposes Tolerance for Racism

Katrina rendered longstanding inequities highly visible and made transparent the level of inequity that dominant groups are willing to tolerate as "normal." The propensity to singularly blame racially oppressed groups for the challenges they face, without any consideration of racism as a root cause, was also evident throughout the disaster. The same dynamics are apparent in the context of COVID-19. Calls to "reopen the economy," without any consider-

ation of what that economy is like for those on the bottom, make clear who and what matter.

When Katrina made landfall, the curtain was pulled back and racial inequities were exposed. Many watched in horror as children, mothers, fathers, cousins, elders, and neighbors were abandoned by the richest nation on earth. A picture may tell 1,000 stories, but the images from ground zero told a single story—black lives matter less than white lives. Pictures by the Convention Center revealed a sea of black faces. Rooftops featured black New Orleanians holding signs to be rescued. Bloated bodies floated in deadly floodwaters.⁷⁸

Evacuating was not a matter of initiative; it was a matter of racial and economic privilege. As noted earlier, African Americans were the least likely to have vehicles. Gas prices were high when Katrina hit (\$3 per gallon).⁷⁹ Beyond a car and money for fuel, leaving New Orleans required funds to pay for a hotel room—indefinitely. Additionally, African Americans who did evacuate were often called “refugees,” an offensive term that implied they were not full citizens.⁸⁰ African Americans who remained in New Orleans did not remain due to a lack of good judgment or laziness, as implied in conservative circles.⁸¹ Lack of access to economic resources, which made evacuation difficult, stems from a history of white domination dating to chattel slavery.

A spirit of resistance to such domination has been evident in New Orleans’ black community: in 1811, 200-500 enslaved people rose up, prompting plantation owners to flee for their lives.⁸² The community has a long history of Social, Aid, and Pleasure Clubs, mutual aid societies that wed cultural practices and the pooling of resources to sustain the community.⁸³ New Orleans is the place where Homer Plessy and the Citizens Committee, a group of Afro-Creole activists, challenged racial segregation on Louisiana’s railcars. They spent nearly a decade ushering *Plessy v. Ferguson* to the U.S. Supreme Court, which ruled in 1896 that “separate but equal” was constitutional.⁸⁴ From the late 1800s into the mid-20th century, black New Orleanians continued their protests, challenging racial inequities in the city’s public schools as well.⁸⁵ New Orleans played a momentous role in the Civil Rights Movement, from the desegregation struggles of Ruby Bridges at William T. Frantz Elementary School to those of Leona Tate, Gail Etienne, and Tessie Prevost at McDonogh 19.⁸⁶ During this same period, the Black Panthers’ campaign for self-determination took root in the Desire Housing Project.⁸⁷ It is imperative to historicize why so many in the black community continue to confront difficult circumstances: the reason is white supremacy, not black inferiority.

Burnell Colton, who runs a small grocery in New Orleans’ Lower 9th Ward, has extended credit to neighbors unemployed due to COVID-19. They can’t afford the basics. Says Colton:

I know how this goes. I lived in a FEMA trailer for three years after Katrina. I went from having 48 neighbors on my block to having three. They can talk all they want about how we’ll bounce back...but not everybody bounces back. Some people are already standing in quicksand. There might be a recovery on Bourbon Street, but when will it show up here?⁸⁸

He stresses that African American communities are more at risk for COVID-19 “because of what we’ve had to deal with,” concluding that “wearing a mask won’t protect us from our history.”⁸⁹

COVID-19 has revealed that many workers—not just those at Burnell’s grocery—live check-to-check.⁹⁰ These are folks laboring in low-wage service industries and the gig economy.⁹¹ It is clear that white policymakers’ targeted disinvestment in urban education—specifically schools attended by poor black and brown students—undermines educational opportunities and feeds a labor market premised on rock-bottom wages.⁹² Salaam conceives the problem this way:

Education is ground zero in the systematic exploitation of black people in New Orleans—ground zero because public schools are the direct feeder for the necessary, albeit unskilled, labor needed for the tourist-oriented economy. For those not fortunate enough to work in a hotel, the public schools prepare them for the penitentiary.⁹³

This translates into disproportionate hardship for African Americans and other minoritized groups, who are now out of work at alarming rates without savings to fall back on.⁹⁴ Meanwhile, those channeled into prisons or ICE (Immigration and Customs Enforcement) detention centers by racialized criminalization are at heightened risk for infection.⁹⁵

But there is an even deeper reality. Since March, the numbers of unemployed have risen. The count went from 3 to 10 to 17 million over the course of a single month and has continued to rise. Much has been said about the unemployment rate reaching 15 percent, a rate comparable to the Great Depression.⁹⁶ I remember once reading testimony by an African American laborer during the 1930s—something like, “The Great Depression isn’t new to Blacks. We always live in a Depression.” Along the same lines in 2012, I received correspondence from Lance Hill, director of the Southern Institute for Education and Research at Tulane University, on race and unemployment. In New Orleans, the unemployment rate of black males was 53 percent.⁹⁷

Crisis reveals preexisting inequities and exposes tolerance for racism. When the media reports unemployment statistics related to COVID-19 and compares them with the Great Depression, those statistics are portrayed as a radical deviation from the norm. The statistics are deeply upsetting and for millions who are out of work, this is a new and terrifying reality. The larger question is why we as a nation do not express similar dismay when unemployment rates far above those experienced during COVID-19 are regularly experienced by African American communities in New Orleans and other major urban centers. The capacity to tolerate an unemployment rate exceeding 50 percent under “normal” conditions—so long as it only affects African Americans—speaks wholeheartedly to tolerance for racism.

There is, of course, the sense that most of those now unemployed are the “deserving” poor, suffering economically by no fault of their own. They are generally self-sufficient, only now they have been ordered to stay home from work. They deserve government support. Outside the COVID-19 context, however, the unspoken assumption is that those at the very bottom are poor because they make poor choices or lack a work ethic, not because they confront racial barriers. In the 1960s, white commentators discussed what they called the “culture of poverty.”⁹⁸ Edward Banfield, a political scientist and advisor to Republican presidents, wrote *The Unheavenly City: The Nature and Future of Our Urban Crisis*, in which he directed his concerns to class culture (a proxy for race).⁹⁹ “A slum is not simply a district of low-quality housing,” contended Banfield, but rather a place where “the style of life is squal-

id and vicious.”¹⁰⁰ He described the lower-class individual whose “bodily needs (especially for sex) and taste for ‘action’ take precedence over everything else—and certainly over any work routine.”¹⁰¹

One challenge of passing the CARES Act in Congress was Republican concerns that payments to households, especially poor ones, would encourage reliance on public welfare, as if COVID-19 is a chance to lay back and chill rather than an earth-shattering reality for working people.¹⁰² This kind of thinking, which singularly blames the poor for poverty and people of color for their struggles, should be flipped on its head.¹⁰³ The work ethic of white corporate executives is rarely questioned, even as they make multimillion dollar salaries, own multiple homes, travel widely, have stock options, and pay the masses they employ only a fraction of their worth.

There is an understandable but largely uncritical call to “reopen” the economy as soon as possible, for things to “return to normal.” There is, however, a failure to recognize that “normal” has not been a good thing for everyone. As a society, questions have not been raised about what kind of work people will be returning to and why it is that the jobs so many worked left them without a dime in the bank. Rather than calling for a “return” of the economy, we should be asking what kind of economy we want to build—perhaps one that pays a living wage; offers a universal basic income; or ensures equitable arrangements via cooperative economics.

I am not unsympathetic to calls for reopening the economy—people need work to survive, especially in this dog-eat-dog world. But so long as we are willing to tolerate an economy in which workers are given scraps, people of color are often stuck in the bottom rung, and economic insecurity is normative, we perpetuate a classist and racist society. Lines to food banks are miles long. Second Harvest Food Bank in New Orleans reports in just two weeks, food distribution at one site went from 74,000 to 126,000 pounds.¹⁰⁴

It has been repeatedly noted that with schools shut down, millions of children on the free and reduced-price lunch program will not have access to daily meals.¹⁰⁵ School closures have brought to light a widespread problem: Many families cannot afford to feed themselves and homeless youth certainly cannot. It is striking, however, that mainline thinking centers on school closures rather than food insecurity. “How will the children eat when schools are closed?” is asked far more frequently than the systemic question, “*Why* can’t children eat when schools are closed?” The answer to the latter implies more than reopening schools as soon as possible. It suggests the need for fundamental changes in racial and economic relations.

In Italy, government has frozen mortgage payments and is offering debt holidays.¹⁰⁶ In the United States, little is frozen when it comes to debt. While evictions and foreclosures are temporarily on hold, Congress engages in deficit spending through the CARES Act so that poor families can continue paying the financiers—property owners, credit card companies, banks.

Finally, with public schools closed due to COVID-19, the Digital Divide is glaring. While racially and economically privileged students have internet and laptops, poor students and students of color in rural and urban areas do not have access. I joined a virtual meeting

with a grassroots social justice group in New Orleans and learned that aside from feeding children, Orleans Parish School Board was trying to fund 8,000 hot spots, but thousands were on back order and had yet to go live.¹⁰⁷ The question was raised regarding how a parent with a single cell phone and two kids in the city's decentralized all-charter-school system (more below) might tap into distance learning. The honest answer is, such parents probably cannot. Thus, the school year is effectively over for many students in New Orleans, most of them African American.

COVID-19 is not the only disease plaguing society. Racism is another and may prove more enduring. When a virus intersects with a history of racial exclusion, preexisting inequities will be compounded. A public health crisis and economic shutdown in communities already experiencing a public health crisis and economic shutdown will be exponentially worse.¹⁰⁸

Profiteering and Privatization Dispossess Communities of Color

The correlate of government neglect of communities of color is the practice of free market capitalism as an answer to all crises. And yet, reliance on the “invisible hand” of the market to remedy crisis has only worsened the effects of racism, turning already oppressed communities into sites of not only neglect, but plunder. With Katrina and COVID-19, those things most needed for community survival—education, medical supplies, and even federal assistance—have been treated as private, for-profit ventures rather than public assets.

In 2008, I interviewed an African American musician in the downtown Bywater neighborhood, where Frederick Douglass High School existed prior to Katrina. As we chatted on her porch, I learned she had two sons, four nieces, a daughter-in-law, and a granddaughter who attended Douglass. She continued:

I feel like being a part of this community, Douglass has always been a focal point. It's so much a part of the neighborhood, and even though they're trying to change everything else in the neighborhood, I don't think that they should close down the schools.¹⁰⁹

Taking advantage of disaster was the hallmark of Katrina. A series of conscious policy choices were made by political forces intent on accumulating money and power by dispossessing African Americans of the most important community asset: the neighborhood public school.

In *Charter Schools, Race, and Urban Space*, I chronicle the takeover and chartering of New Orleans public schools by Louisiana's state-run Recovery School District (RSD). The public schools in New Orleans are almost 100 percent African American, with a fraction of Asian and Latinx students. The Orleans Parish School Board budget was \$400 million before Katrina. Plans for takeover began just days after the hurricane's landfall on August 29, 2005 and ultimately shifted most of the local board's resources to the RSD and privately operated charters.¹¹⁰ COVID-19 may likewise function to redistribute assets in troubling ways. Consider New Orleans.

In mid-September, Bush declared that rebuilding efforts should address “deep persistent

poverty” with “roots in a history of racial discrimination.” But he was not taking his cue from those directly affected by discrimination. Instead, following recommendations issued by the conservative Heritage Foundation, he advocated the creation of a “Gulf Opportunity Zone” in which government “will take the side of entrepreneurs as they lead the economic revival of the region.”¹¹¹ Minority business leaders were not the entrepreneurial force that Bush had in mind. The very next day, Heritage stressed that Congress should use federal funds to “encourage the development of charter schools.”¹¹² The U.S. Department of Education made \$20 million available to state leaders to rebuild schools, but funds were designated for charters only.¹¹³ While policies were being set to hand over black public schools to “entrepreneurs,” bodies were still floating in the water.

Ironically, policymakers instituting school choice would give affected communities no choice in the matter. In November, Louisiana governor Kathleen Blanco called a special legislative session in Baton Rouge. This was the occasion for passing Act 35, which redefined what constituted a “failing” school and enabled 107 of the 128 schools in Orleans Parish to be folded into the state-run RSD; only 13 schools could have been absorbed before Act 35. This was accomplished by altering the School Performance Score (SPS) cut point for failure from 60 to 87.4, just below the state average, which greatly expanded the number of “failing” schools that could be taken over.¹¹⁴ A Louisiana Federation of Teachers (LFT) representative on the floor of the state legislature when Act 35 was circulating later reflected in an interview with me: “The powers now had a very clear charge. And the charge was these schools are going to be taken over and they’re going to be sold out, they’re going to be chartered.”¹¹⁵ Notably, Act 35 may have been racially neutral on its face, but it clearly targeted the all-black Orleans Parish.¹¹⁶

Ironically, policymakers instituting school choice would give affected communities no choice in the matter.

During this period, Blanco signed Executive Orders 58 and 79 suspending certain provisions of charter school law, such as the need to obtain the votes of affected faculty and parents before converting a public school into a charter school.¹¹⁷ Decisions were being made before African American residents could return to see if their

homes were standing, much less their schools.

It was also announced that 7,500 New Orleans teachers and school employees—a substantial portion of the city’s black middle class—would be fired *en masse* in early 2006. They were fired without due process or regard for the teacher union’s collective bargaining agreement. Meanwhile, the state education board approved a Teach for America (TFA) contract. TFA recruits who replaced veteran teachers from the community were young, white, inexperienced, without certification, and generally hailed from other states.¹¹⁸ It is tempting to think the city’s displaced black teachers could not be located, necessitating a TFA contract. This was not the case.¹¹⁹

Such actions at the federal and state level suggest potential concerns about the designated use of government funds, where and to whom monies are directed, and who sets the terms as the COVID-19 crisis unfolds. The issue of who is fired and rehired as the economy recalibrates is also pertinent, as illustrated by the New Orleans experience and corresponding dispossession.

Locally, Nagin established the Bring New Orleans Back Commission (BNOB), with BNOB's leaders drawn from the business elite.¹²⁰ BNOB's education committee issued its plan in January 2006, advocating a "world-class public education" in the form of an all-charter-school district.¹²¹ New Schools for New Orleans (NSNO), a charter school incubator, received millions from a powerful entrepreneurial network, including national foundations financed by wealthy white philanthropists, who saw New Orleans as an opportune place for implementing the market-based reforms they hoped to spread nationally.¹²²

A veteran teacher I interviewed in 2008 shared an analysis of the racial and economic forces at work in firing teachers and chartering schools:

I explain the dismissal as a hostile takeover, a power struggle [by] those who wanted the control of the millions of dollars that was involved in education in Orleans Parish...This was primarily controlled by African Americans...The powers that be [were] not pleased with that. They were looking for years to find ways to wrest control back from the district.¹²³

Raynard Sanders, host of The New Orleans Imperative radio program and longtime community advocate, has called the takeover "a coup d'état."¹²⁴ In the face of COVID-19, the story of taking over New Orleans public schools and turning them into profit centers should give us pause. With federal dollars flowing to local, state, and private entities through the CARES Act, special attention should be paid to where monies go and how they are spent, not to mention the politics of retaining or terminating certain workers.

Has COVID-19 created the circumstances to further undermine public schools nationwide, following a version of the privatization model used in New Orleans? New Orleans is the nation's first all-charter-school district and serves as a bellwether of sorts.¹²⁵ It is therefore essential to note that after 15 years of charter school experimentation, almost half the city's charters are rated D or F by the state.¹²⁶ At SciTech Academy in 2015, charter school leaders falsely designated students for special education services, then diverted \$300,000 in state funds intended for that purpose to remedy budget problems.¹²⁷ In 2019, John Kennedy High School, also a charter, let seniors walk the graduation stage, although half were ineligible due to grade fixing, missing grades, and what attorneys allege is gross mismanagement and negligence.¹²⁸

Allowing the "invisible hand" of the market to orchestrate public education in New Orleans has compounded inequities, dispossessed communities of color, and undermined an entire generation of young people. This should prompt us to ask: Is expanded marketization the best COVID-19 recovery plan?

In the era of COVID-19, Trump has demonstrated a comparable commitment to decentralization and the unfettered market. One of the earliest COVID-19 press conferences occurred at the White House Rose Garden, where Trump was flanked by corporate leaders from the pharmaceutical, lab, and medical supply industries.¹²⁹ They were praised for their "great" contributions to the nation and potential to remedy the current crisis. Trump places unconditional faith in the magic of the market: array corporate leaders, unleash private innovation, and ABRACADABRA! COVID-19 will be solved without the federal government issuing directives. Time and again, Trump has indicated he will not "nationalize the economy" or

“disrupt the supply chain.”¹³⁰ Letting the unregulated market govern is a deadly approach, especially for communities already struggling and in a time of national crisis.

Fifty states and the federal government “compete” for overpriced medical supplies, with the highest bidder getting the goods. Cuomo reported that N95 masks went from 70 cents to 7 dollars while ventilators more than doubled from \$22,000 to \$50,000.¹³¹ Free marketeers have price gouged the public and government officials on hand sanitizer, gloves, and even toilet paper.¹³² As new supplies vital to handling the crisis are manufactured, they are put on the open market rather than stockpiled by the federal government and distributed for life-saving purposes.¹³³ As in post-Katrina New Orleans, profiteering is rampant while the best interests of the most vulnerable are thoroughly ignored.

This same kind of COVID capitalism shaped the CARES Act, which dispensed \$2 trillion to mediate the economic shutdown. Partly framed as a rescue package for out-of-work families and small businesses, the legislation is more broadly a “slush fund” for big business. Industry lobbyists representing airlines, hotels, oil and gas, and other powerful corporations, set out to make certain of this.¹³⁴ Much of what transpired in post-Katrina New Orleans was discursively framed around the needs of everyday people, but who were the primary beneficiaries?

At least \$500 billion has been allocated in federal loans to businesses, states, and cities, with the Treasury Department—in the original bill—having almost unilateral power over where monies would go. The initial version enabled Treasury Secretary Steven Mnuchin to withhold from Congress the names of firms that received federal monies and the amount received for up to six months. Mnuchin is a millionaire investment banker and member of the exclusive circle that stands to benefit from this part of the CARES Act. Critics express concern that an oversight board won’t have adequate power to prevent abuse, instead only reporting it after the fact.¹³⁵

Notably, the Louisiana Legislative Auditor slammed the state Department of Education for reporting rather than preventing abuses in New Orleans’ charter sector.¹³⁶ There is little accountability, while families of color experience myriad problems and abuses. There are also legitimate questions about the federal government’s capacity to orchestrate the timely distribution of vast amounts of money under the CARES Act. In the months following Katrina, problems with federal disaster aid were widespread. The *Times-Picayune* reported:

One parish received a \$239,000 check and didn’t know why. Another parish asked for and received \$10 million without notifying its chief financial officer about the request. A parish sheriff requested \$200,000, but the Federal Emergency Management Agency tried to give him \$2.9 million.¹³⁷

Auditors discovered financial officers unaware of requests made by their agencies.

With COVID-19 circulating, it is again an auspicious time for profit seekers. The National Alliance for Public Charter Schools advised charter schools to apply for part of the \$350 billion under the small business loan program of CARES.¹³⁸ The program is intended as a Paycheck Protection Program (PPP), with the goal of retaining employees by covering approximately two months of salary. Although charter schools continue to receive public funding and are

often flush with philanthropic contributions, they are encouraged to submit applications.

The right-wing news outlet Breitbart laments that “teachers’ unions pressure states to clamp down on virtual charter schools during [the] pandemic.”¹³⁹ Oregon’s democratic governor issued an executive order on school closures, prompting the Oregon Department of Education to prohibit public school students from withdrawing or enrolling in any schools during COVID-19 closures. Apparently, an Oregon online K-12 school supported by Pearson, a corporate player in digital learning, posted the news on its website. Privatizers were disheartened by an order that stopped them from redirecting public school students to virtual charters, along with the public dollars they represent. Breitbart similarly complained that United Teachers of Los Angeles called for a moratorium on new charter school approvals during the COVID-19 crisis. With everyone on lockdown, the board would be unable to accommodate community input. The California Charter Schools Association called this “shameful and offensive,” a sentiment Breitbart shares.¹⁴⁰ The push for charters in the absence of community input is comparable to Blanco’s executive orders which suspended the need for such.

With children out of school across the nation, privatizers have nonetheless continued their assault on public schools. The same Heritage Foundation that advocated private sector innovation after Katrina has stepped up with solutions during the COVID-19 pandemic. One brief declares that closed schools have “turn[ed] millions of families into accidental homeschoolers.”¹⁴¹ What follows is an attempt to seize public education monies. The report continues: “Families are currently unable to access the public school...they fund as taxpayers.”¹⁴² As such, Heritage advises that state public education dollars go into Education Savings Accounts (ESAs) for students, ultimately to be spent on “providers of choice.”¹⁴³ Private tutors, online educational resources, and textbooks—the bedrock of the corporate education complex—should qualify as reimbursable expenses. Heritage also recommends that teacher certification regulations be relaxed to “boost the supply of private tutors.”¹⁴⁴

U.S. Secretary of Education Betsy DeVos has used \$180 million in funds from the CARES Act for a “Rethink K-12 Education Models Grant” program. Grants encourage alternatives to traditional public schools by giving funds directly to families to access remote learning services (not unlike ESAs and vouchers); inviting virtual school development and online course provision programs; and advancing strategies for remote learning.¹⁴⁵ DeVos says “this is the time for local education leaders to unleash their creativity and ingenuity,” leveraging the same entrepreneurial discourse that brought mass privatization to post-Katrina New Orleans.¹⁴⁶

The EdTech industry has pounced and sees COVID-19 as a Katrina moment in which there is a window of opportunity to generate new customers and wider political support for online learning as a NextGen innovation.¹⁴⁷ *Education Week* encouraged EdTech to “put new sales pitches on hold,” as outgoing emails have appeared a little more than opportunistic.¹⁴⁸

The growing PR effort has provoked criticism even from within the educational privatization movement. Frederick Hess, a well-known advocate of corporate education reform at the American Enterprise Institute, wrote disapprovingly of the effort to boost the EdTech profile when “tens of millions of Americans are scared” and “worried about paying rent or making the mortgage.”¹⁴⁹ This is a really bad time, says Hess, for industry leaders to be “asking what COVID-19 can do for them.”¹⁵⁰ He warns:

I've long thought that one of the reasons 21st century school reform bogged down was that, fairly or not, much of the public didn't really believe that the reformers understood or cared about the families and kids they wanted to help... That impression was only heightened by the barely concealed excitement with which many reformers approached the chance to redesign the school system in post-Katrina New Orleans. In fact, there was an uneasy sense that reformers *welcomed* crises [italics in original].¹⁵¹

Hess worries the price of current PR efforts will be steep, "fueling the suspicion" that the industry cares only for profit, not children.¹⁵²

Yet, for vendors selling N-95 masks to those pedaling online learning to those pushing ESAs, it seems that profit is the motive and crisis is a golden opportunity. Those who stand to be most negatively affected are students of color in public schools already experiencing austerity.

The Question of Who Has a Voice in Rebuilding the Economy Is Critical

When the floodwaters of Katrina receded, a series of consequential decisions about what was worth rebuilding and who should play a role remained. The BNOB commission was comprised of business elites. The state-run RSD and New Schools for New Orleans enabled a host of entrepreneurs from beyond the city to take over and commercialize public schools. Similarly, the economic shutdown precipitated by COVID-19 will require recovery plans. If the New Orleans experience signals anything, it underscores that the question of who has a voice in rebuilding is critical to the shape of the future.

Three years after Katrina, I attended a community meeting with RSD superintendent Paul Vallas about the possible closure of Frederick Douglass High School. Veteran teachers, students, and parents—members of the Douglass Community Coalition—met in the school's auditorium.¹⁵³ They were troubled by the School Facilities Master Plan under development by RSD officials and consultants.¹⁵⁴ The plan would determine which schools remained open, got renovated, or were closed. While the entire plan would cost \$2 billion, only \$685 million had been secured through FEMA and Community Block Development Grants for the first of six building phases.¹⁵⁵

The community coalition did not want the school closed and made it known at the May 2008 meeting. Vallas repeatedly emphasized the community would be able to respond to "recommendations" in August—prior to the master plan's finalization.¹⁵⁶ A coalition member pushed: "We know in the world of government there are recommendations, and then there are *recommendations*. There are recommendations that are advisory and there are recommendations that are actually conclusions."¹⁵⁷ "They're advisory," Vallas assured the community.¹⁵⁸

Another coalition member took the floor and passionately conveyed to Vallas:

Many buildings in the city were destroyed...and this building wasn't, and this is

why you're experiencing such a strong resistance about the idea of this building being...taken away from us. Many sacred academic moments have occurred in this building. One of those is...learning about Homer Plessy and the boldness...that came from his step so many years ago. If you want to make a difference, you will do everything in your power to save this school and give it back to the hands of the people who built it.¹⁵⁹

Despite promises that community input would be part of the process, two weeks later and several months *before* the draft plan was released for public comment, state superintendent of education Paul Pastorek issued a letter to the Douglass Community Coalition, writing: “The Douglass school will be repurposed.”¹⁶⁰ Douglass would be closed. The building was handed over to the Knowledge Is Power Program (KIPP), a national charter school network with a “No Excuses” model known for the harsh punishment, suspension, and expulsion of black youth.¹⁶¹

As a result of COVID-19, community infrastructure has been compromised and rebuilding will be necessary. There is unease about the future of essential community institutions. The story of Douglass highlights concerns about who will be involved in decision making and how exactly federal monies will be used. Such questions are critical because Douglass was not an anomaly.

In the Lower 9th Ward, the fight to renovate and reopen Martin Luther King Elementary School, one of five area schools destroyed by flooding, was immense. It required attorneys, a detailed charter school application, and a teach-in at RSD headquarters to demand a habitable, temporary school building while the Lower 9th Ward building got renovated.¹⁶² A King teacher explained to me the political will that propelled the community’s effort to rebuild: “I guess a lot of people thought if you keep them [black residents] down so long they’ll surrender. It don’t work like that here. This is all we have. This is home. We’re not going nowhere.”¹⁶³ The battle to rebuild Alfred Lawless High School, the only Lower 9th Ward high school prior to Katrina, was likewise difficult. For a full decade, the Lower 9 School Development Group demanded that master plan funds be allocated to rebuild a neighborhood high school. Although FEMA visited individual school sites and assessed damages—including damages to Lower 9th Ward schools—monies were put in a general fund to be used as master planners saw fit.¹⁶⁴

When final amendments to the master plan were released in late 2008, a Lower 9th Ward high school was no longer designated for Phase 1 building.¹⁶⁵ The Lower 9 School Development Group had its own architectural plans drafted, collected petitions, and even sponsored a billboard that read: “Lower 9th Ward Stakeholders Ask Where’s the Money?” Frustrated by meetings with local and state officials, the group wrote to Congress requesting a federal investigation of the RSD’s use of public monies.¹⁶⁶ One of the group’s lead organizers, a local pastor, shared with me: “Who made the decision that we didn’t want a school back in this area? To take my money and place it in some arbitrary fund and say we’re going to do whatever we want to do—I think that’s criminal.”¹⁶⁷

By August 2010, almost two years after the School Facilities Master Plan had been finalized, FEMA announced it would provide \$1.8 billion to the RSD.¹⁶⁸ This only intensified grassroots concern over the racial politics of decision-making. This sum of federal money resem-

bles funds allocated under the CARES Act, which has likewise prompted concerns about use and abuse.¹⁶⁹

In 2011, RSD officials committed to rebuilding a high school in the Lower 9th Ward, but the process of breaking ground dragged on for several years.¹⁷⁰ As a result of tireless organizing, the doors of the brand new Martin Luther King High School opened in 2016 on the site where Lawless once stood. But the streets surrounding the school still feature overgrown lots where families have been unable to return and rebuild.



The newly built Martin Luther King High School in Lower 9th Ward on former site of Alfred Lawless High School (Photo Credit: Kristen Buras, 2016)

The struggle over who would have a voice in rebuilding New Orleans underscores the role of racial and economic power in infrastructure decisions. Like Katrina, the economic shutdown resulting from COVID-19 will alter neighborhood landscapes. Many local businesses may be unable to reopen. If the unemployed cannot pay their bills, they may be evicted, leaving residential properties vacant. The end of post-Katrina rent help was devastating for many.¹⁷¹ State and local budgets will be tighter. Storm damage estimates following Katrina were \$180 billion, 20 times Louisiana's state revenue, excluding federal sources.¹⁷² The costs generated by COVID-19 far exceed New York's state budget.¹⁷³ Austerity and unequal power can be a lethal combination when it comes to *who* exactly will determine the use of limited resources.

Federal monies will be flowing to local and state authorities from the CARES Act and other legislation. It is essential that everyday people from the neighborhood have substantive input into the process of “reopening the economy” and rebuilding. Just as the post-Katrina “Gulf Opportunity Zone” enabled outside entrepreneurs to remake physically and economically compromised neighborhoods, the same could happen post-COVID if communities do not

demand a voice in rebuilding. Rather than “hot spots” referring to places where COVID-19 cases have escalated, “hot spots” will be areas ripe for gentrification due to economic upheaval.

What happens with small business loans through CARES will be critical.¹⁷⁴ Four months after Katrina, 28,540 loan applications had been received by the Small Business Administration (SBA), but only 10 percent had been processed and 3 percent approved. By May 2006, nine months later, the SBA had denied about 11,500 loan applications in Louisiana and approved about 11,400, but only 4,200 checks had been mailed.¹⁷⁵ Finally, along the color line, less than 2 percent of Katrina contracts had gone to minority-owned businesses by October 2005, even with \$1.6 billion from FEMA in circulation.¹⁷⁶

When Bush came to New Orleans after Katrina, he went straight to the Garden District, a New Orleans power center. A week after Katrina, Reiss proclaimed he had been in touch with about 40 New Orleans business leaders, who would be meeting with Nagin to map the future of the city.¹⁷⁷ Master planners designed school rebuilding plans. I would be surprised if these kinds of conversations are not happening in COVID-affected cities across the nation. Task forces are being formed to advise governors on economic recovery.¹⁷⁸ Who will be at the table?

As with Katrina, when people are worried about life’s basics—where the next meal will come from, whether the home will be lost, when the child can return to school—it isn’t easy to think about wider political struggles. Yet it is imperative to do so. How we move forward, and who has a say in developing the post-COVID-19 vision, will shape the nation’s landscape for decades.

Negligence Is Racist and Criminal

The Lower 9th Ward pastor thought the actions of master planners were criminal. What he suggests raises serious questions about culpability, responsibility, and accountability. The same kinds of questions might be asked about the government’s handling of COVID-19.

State inaction is a racialized strategy of immense consequence. Sometimes its effects are immediate and at other times gradual, but its effects are real and frequently recognized, if not calculated.¹⁷⁹ Such neglect may indeed be criminal.

In *After the Storm, Black Intellectuals Explore the Meaning of Hurricane Katrina*, legal scholar Katheryn Russell-Brown explains: “‘Crime’ is generally defined as an act (or failure to act) that violates local, state, federal, or international law. Applying this definition to Katrina provides us with a fresh opportunity to reconsider how we ‘see’ crime and justice.” She goes on to outline events that potentially constituted criminal acts before, during, and after Katrina:

- Failure to construct an adequate levee system in a city that, according to all indicators, would face a deadly hurricane (negligence, wrongful death)
- Delay in the search and rescue efforts for hurricane victims (negligence, wrongful

death)

- Adoption of a New Orleans rebuilding plan that allows for substantial rebuilding in most areas except the Lower Ninth Ward (negligence, unlawful taking)¹⁸⁰

Russell-Brown insightfully concludes: “Prosecutions targeting those responsible for the poor planning and execution of disaster relief would send a clear message that the wide-scale offenses committed against Katrina victims, mostly Black and poor, did not escape notice.”¹⁸¹

Legal scholars have not been the only ones to ponder if government negligence during Katrina was criminal. Months after the storm, Congress investigated the response. Michael Chertoff, Homeland Security secretary and superior to FEMA officials, testified, “From the very beginning of the hurricane appearing on the horizon, this was FEMA’s domain and Mr. [Michael] Brown was the head of it.”¹⁸² Not all members of the House Committee were swayed. Representative Cynthia McKinney, a Georgia Democrat, proposed that Chertoff should be held criminally responsible for flood-related deaths. “If nursing home owners can be arrested for negligent homicide,” queried McKinney, “why shouldn’t you be arrested for negligent homicide?”¹⁸³

People of color were left behind to die in New Orleans. They were negatively and disproportionately affected by rebuilding policies after the storm. With COVID-19, evidence is emerging that people of color are disproportionately losing their lives. Many have disproportionately lost their livelihoods and stand to lose much more as the economic shutdown and recession grind on. If Trump and other public officials choose to ignore this, not only are such actions racist, they may also be criminal.

On May 12, 2020, the Senate Committee on Health, Education, Labor, and Pensions held a hearing on reopening the economy. Senator Chris Murphy, a Connecticut Democrat, questioned members of the White House Coronavirus Task Force about federal reopening guidelines and suggested guidelines were “criminally vague.” Murphy’s criticism came on the heels of reports that the Trump administration suppressed CDC guidelines for reopening because they were perceived as too restrictive, potentially impeding Trump’s plan to reopen as quickly as possible. Later questioned about why he described the guidelines as criminally vague, Murphy said this:

[T]he fact [is] that this administration is not allowing the CDC to provide us with that guidance because President Trump just doesn’t want to have his hands on the response, so that he can blame everybody else. That is not just criminally vague, that is criminally negligent because ultimately it’s going to result in potentially thousands of my constituents dying because we didn’t have the benefit of that expert advice from the federal government.¹⁸⁴

State inaction could be unconstitutional as well. The 14th amendment to the U.S. Constitution, known as the Equal Protection Clause, reads: “No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.” The embodiment of equal protection under law was the result of historic struggles challenging racial inequity.¹⁸⁵

Over its history, the U.S. Supreme Court has relied on two different standards to judge whether the 14th amendment has been violated: intent and disparate impact.¹⁸⁶ In the first case, there must be evidence that a state policy was enacted to perpetrate harm in relation to a specific racial group. In the second case, regardless of intent, if a group is disproportionately harmed by state policy, then equal protection may have been violated. How might equal protection apply to disproportionately affected populations in the case of COVID-19?

A public tribunal should be organized to assess federal, state, and local responses to COVID-19. The tribunal should investigate whether sufficient evidence exists that willful neglect occurred and/or policy decisions caused disproportionate harm to communities of color without concern for redress. Cases should be brought before the U.S. courts and/or international bodies if the preponderance of evidence suggests gross negligence.

In the Advancement Project and National Immigration Law Center report on reconstruction in post-Katrina New Orleans, the authors counsel officials to create policies that proactively advance racial justice. “Whether by design or by consequence,” they write, “post-Katrina policies and practices have disadvantaged people of color.”¹⁸⁷ They emphasize that lawmakers must undertake a racial impact analysis of proposed legislation. “Policies that are ‘race neutral’ in their intention nonetheless often result in racially disparate impacts, creating inequities for people of color by increasing the level of existing racial stratification.”¹⁸⁸ They mention Title VI, which prohibits discrimination on the basis of race in the use of federal funds.¹⁸⁹ All of this is relevant to the current crisis and the policies being developed at local, state, and federal levels.

To be race-conscious in policy and practice is not the same as racism. Racism occurs when policies seek to perpetuate the subordination of a historically targeted racial group. Seeking to remediate longstanding forms of racial inequity by proactively developing targeted ways of addressing inequity is not racism. It is an effort to repair harm and equalize conditions—not to unfairly advantage the minority group or discriminate-in-reverse as whites sometimes think.¹⁹⁰

Toward an Equitable Policy Future

What world do we want on the other side of COVID-19? Now is the time to look through our “third eyes” and envision an equitable policy future. We cannot afford a Katrina replay.

There are policymakers who will question—even balk at the thought of—redistributive, race-conscious policies for historically marginalized groups. It is critical to recognize, like Kelley, that:

[History] shows how more than two centuries of U.S. policy facilitated accumulation among white property owners while further impoverishing African Americans. Thus federal assistance to black people in any form is not a gift but a down payment for centuries of unpaid labor, violence, and exploitation.¹⁹¹

Rethink, a racial justice youth group in New Orleans, issued a zine on school privatization in 2018. “Privatization killed our community schools,” writes organizer Whitney Alexis.¹⁹²

The virus is not the only thing killing African Americans in New Orleans—or black, brown, Indigenous, Asian, and undocumented communities nationwide. White accumulation at the expense of people of color, noted by both Kelley and Alexis, is shaping policy around COVID-19.

Drawing on post-Katrina experience, dialogue with community groups, and COVID-19 policy statements of equity-oriented organizations, I suggest the policies below, which include immediate interventions related to the pandemic as well as far-reaching, visionary responses to the systemic inequities revealed. Statements by the National Association for the Advancement of Colored People, Lawyers' Committee for Civil Rights Under Law, Poor People's Campaign, Southern Education Foundation, Louisiana's Power Coalition for Equity and Justice, Journey for Justice Alliance, and Dignity in Schools Campaign were reviewed and partly inform the policy vision.¹⁹³

Health

In the area of health, data on the incidence of testing, disease, and death—disaggregated by race and socioeconomic status—must be publicly available for all 50 states. Based on such data, resources should flow to organizations with roots in affected communities, where preventive and culturally sensitive education, testing, and healthcare are available free of charge in multiple languages. Clinical trials for vaccines should include a diverse group of subjects. More generally, paid sick leave and healthcare should be universal, with access to healthy food via subsidized neighborhood gardens, local food co-ops, and minority-owned grocery stores.

Rahim estimates the Black Panthers fed breakfast to 300-400 children daily in the Desire Housing Development in the '70s.¹⁹⁴ Early on, Common Ground provided basic healthcare and has continued community gardening and wetlands restoration. Burnell's grocery is operating as a community food pantry to mediate COVID-19's effects. A government committed to racial equity should build on this legacy and finance such efforts now and in the future.

Education

Public schools and charter schools operating at a distance must offer free access to computers, internet, books, and paper-and-pen lessons for learning. Parent education on technology use should be available in virtual and print forms, while respected parent leaders are paid to assist families. Students should be given support to master missed content in the coming academic year(s). Taking the spectrum of challenges into account, testing should be suspended as should grades that are part of students' permanent records. The Dignity in Schools Campaign stresses:

We reject all attempts to call what schools are now providing to our children anything but *emergency education*. To call it “distance learning”...only hides how completely inadequate and discriminatory it is. From cities to rural areas, while white and wealthier families move ahead, our students...are left in confu-

sion, waiting and shut out.¹⁹⁵

Finally, school nurses and social workers must be paid to attend to students' health and social-emotional needs during a time of immense stress for families, either virtually or through call-in.

It is essential to make certain that ELL students (English Language Learners), students with disabilities, homeless students, and undocumented students are served. Additionally, all school suspensions and expulsions should be terminated, with the assurance that students excluded through disciplinary actions prior to COVID-19 receive instruction. If committed to racial equity, the U.S. Department of Education and Office of Civil Rights will set up a reporting system and collaborate with community-based organizations in responding to reported problems.

During COVID-19 school closures, public and charter schools should be required to report to local and state school boards, and charter authorizers, on what each school is doing to support learning. The public should have access to digitally archived lessons for auditing purposes as well as information on student access to digital technologies.

Yet, we need to address more than access. Questions about *what* youth have access to must be asked. If curriculum is Eurocentric and fails to engage students in analyses of unequal power, miseducation will continue to be a problem, as will dynamics of supremacy and subordination.

New charter school contracts should not be approved until public meetings can be safely accommodated. The profit motive that prompted charter school expansion in New Orleans suggests the need for immediate centralized oversight in cities with decentralized, market-driven charter sectors. Along similar lines, there should be careful auditing of where federal allocations go and how exactly they are used by education leaders. As state and local revenues decline and officials attempt "cuts" to balance budgets, experienced public school teachers must be retained, especially with the least advantaged students losing instructional time. Gutting public school teachers and resources is a lever for takeover and privatization.

Looking toward the future, neighborhood public schools in urban black and brown communities should be reopened and/or rebuilt, more-than-adequately resourced by the state, staffed with experienced teachers indigenous to the community, and overseen by locally elected boards responsive to communities. We must cease "schooling" and begin educating, which means preparing citizens to critically resolve the problems before us. Digital lessons can never accomplish this; nor can online tutors accessed via private ESAs. In demanding the "best" that schools can offer virtually during COVID-19, interventions like this should not be mistaken as substitutions for culturally relevant curriculum in equitable and democratic neighborhood public schools. Those at Douglass High School understood the value of community schools and the importance of state support. Ultimately, this is what we must demand.

Housing

In terms of housing, emergency centers should be established for the homeless, with referrals to free individual units. A national moratorium on eviction proceedings and utility shutoffs should be imposed. Rent should be suspended or covered via timely cash payments to low- and moderate-income families through federal support. For homeowners, forbearance must be an option and the extension of mortgage loans should put payments at the end. Homeowners should be able to refinance at lower interest rates, especially homeowners of color traditionally given higher interest rates.¹⁹⁶ Otherwise, failure to address housing instability becomes a blockbusting strategy that clears the way for real estate speculation and gentrification as those in low-income neighborhoods are evicted or default on loans.

Moving forward, it is imperative that housing be considered a right and made accessible and affordable. In New Orleans and elsewhere, “home” and “place” are central to the identity and survival of communities of color. This explains why the Lower 9th Ward community fought to restore the neighborhood high school, and why a King Elementary teacher declared, “This is all we have. This is home. We’re not going nowhere.” Displacing families in the context of COVID-19 is a serious matter, not an opportunity for revitalization along new “demographic” lines.

Labor

In the area of labor, unemployment insurance must be widely available. Direct cash payments will be essential, as most working people do not have more than three months of savings to cover expenses.¹⁹⁷ Current and pending debt collection and negative credit reporting should be prohibited. The federal government should designate a substantial portion of PPP funds for small minority-owned businesses and nonprofits that offer essential services and employment in communities of color. Federal support for the expansion of nonprofits—run by community members—could be the basis of a transformative COVID-19 job corp. At a minimum, minority-led banks and community development financial institutions should receive funds and PPP lending authority, rather than federal programs favoring traditional lenders.

For the most part, SBA loans did not support small minority-owned businesses after Katrina. Under the CARES Act, four out of five businesses with 200-plus employees that applied for a PPP loan received approval, but only one out of four businesses with fewer than 15 employees received approval.¹⁹⁸ If this is not addressed, homegrown businesses in communities of color will go under, with detrimental effects on business owners and neighborhood residents. Places like Burnell’s and other around-the-corner shops are essential community infrastructure, where an ethic of mutual aid generally outweighs profiteering.

Looking beyond the COVID-19 crisis, “business as usual” should not continue. At a base level, minimum wage should be raised to a living wage. A more far-reaching transformation would include a universal basic income and cooperative economic arrangements that leave everyone whole. At this time, students must receive nutritious meals at easy-to-reach pickup points. However, in thinking about equity-driven policy as we move forward, it is imperative

to make plain that unconscionably low pay and reliance on schools to feed mass numbers of children their only meals are two sides of the same coin. This must be changed.

In the end, poverty and perpetual debt signal political illness, not robust democracy. Essential workers deserve more than PPE; they deserve to be paid like they are essential.

Finally, in the context of COVID-19, master planning by the government must include substantive input and decision-making power by disproportionately affected communities, not solely developers, banking institutions, business councils, corporations, lobbyists, and other powerful entities. Governors' COVID-19 commissions and working groups should reflect a full cross section of affected communities. People closest to the problem can certainly complicate as well as enhance the knowledge of "experts" in relevant fields.

In 2010 there was a public hearing at McDonogh 35, New Orleans' first publicly funded black high school. It focused on the future of RSD schools and the possibility of their return to the locally elected Orleans Parish School Board. More broadly, it focused on the charter school takeover and the dispossession of the African American community. That evening, in a packed auditorium, a community activist took the microphone and thundered:

What we're talking about here tonight is a simple question of democracy. We want in Orleans Parish what every other parish has in this state and that's the right to control our own schools. High crimes and misdemeanors have been carried out against the people of New Orleans by the RSD and the people who run these charter operations. We don't believe that these schools have served the best interests of the majority of our African American students.¹⁹⁹

How government officials handle COVID-19—whose life matters and who has a say in policies to rebuild communities—is a question of democracy. If we are really "all in this together," then we need to remedy the ways that only some of us have been given a lifeboat, a vote, an education, a viable occupation, health, wealth, and a place on high ground.

Summary of Recommendations

Visionary, far-reaching transformations in policy will be critical with immediate interventions (noted secondarily):

- Paid sick leave and healthcare should be universal, with access to healthy food via subsidized neighborhood gardens, local food co-ops, and minority-owned grocery stores.
 - Data on testing, disease, and death, disaggregated by race and economic status, must be publicly available for all states. Based on such data, resources should flow to organizations rooted in affected communities, where preventive and culturally sensitive education, testing, and healthcare are available free of charge in multiple languages.
- Neighborhood public schools in urban black and brown communities must be reopened and/or rebuilt, more-than-adequately resourced by the state, staffed with experienced teachers indigenous to the community, and overseen by locally elected boards responsive to communities.
 - During school closures, public and charter schools should be required to report to local and state school boards, and charter authorizers, what each school is doing to support learning. The public should have access to digitally archived lessons for auditing purposes as well as information on student access to digital technologies.
- Housing as a right should be accessible and affordable.
 - A moratorium on eviction proceedings and utility shutoffs should be imposed. Rent should be suspended or covered via timely cash payments to low- and moderate-income families to curtail real estate speculation and gentrification in vulnerable neighborhoods.
- Minimum wage should be raised to a living wage. Beyond this, the provision of a universal basic income and cooperative economic arrangements that leave everyone whole would be ideal.
 - The federal government should designate a substantial portion of Paycheck Protection Program (PPP) funds (and future funds related to economic stability) for minority-owned businesses and nonprofits that offer essential services and employment in communities of color. Federal support for the expansion of nonprofits—run by community members—could be the basis of a COVID-19 job corp.
- Government master planning for COVID-19 recovery must include input and decision-making power by disproportionately affected communities, not solely developers, banks, business councils, corporations, lobbyists, and other powerful entities. Governors' commissions should reflect a full cross section of affected communities.

PostScript

In 1900, black laborer Robert Charles was shot in New Orleans for resisting the aggression of a white police officer who assumed he was guilty of criminal behavior by virtue of sitting on a street corner. A white lynch mob of 20,000 surrounded the house where he fled, ultimately killing and mutilating Charles' body in the street.²⁰⁰ The problem of the police, the lynch mob, and the criminalization of black people remains today.

As this policy memo goes to press, the murders of Ahmaud Arbery, Breonna Taylor, George Floyd, and Rayshard Brooks are being protested across the nation.

Black lives matter and black people should be protected from a virus just the same as the knee of an oppressive police force or those who would take their schools, only to criminalize and deny them their right to an education.

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