May 21, 2020

Hon. Nancy Pelosi  
Speaker  
House of Representatives  
Washington, DC 20515

Hon. Mitch McConnell  
Majority Leader  
United States Senate  
Washington, DC 20510

Hon. Kevin McCarthy  
Minority Leader  
House of Representatives  
Washington, DC 20515

Hon. Chuck Schumer  
Minority Leader  
United States Senate  
Washington, DC 20510

Hon. Jerrold Nadler  
Chairman  
House Judiciary Committee  
2138 Rayburn House Office Bldg.  
Washington, D.C. 20515

Hon. Jim Jordan  
Ranking Member  
House Judiciary Committee  
2056 Rayburn House Office Bldg.  
Washington, D.C. 20515

RE: Support of S. 3607, Safeguarding America’s First Responders Act of 2020

Dear Speaker Pelosi, Majority Leader McConnell, Minority Leader McCarthy, Minority Leader Schumer, Chairman Nadler and Ranking Member Jordan,

As State Attorneys General, and the chief legal officers of our respective states, we encourage Congress to swiftly enact S. 3607, the Safeguarding America’s First Responders Act of 2020 (“SAFR”). Our public safety officers risk their lives every day to keep us safe but the COVID-19 pandemic has made their sacrifice clearer. As public safety officers in our states have battled the COVID-19 pandemic, they have put themselves at risk while most Americans were able to stay home.

When public safety officers are called to respond, they do not know whether they are coming into contact with a person who is positive for COVID-19. We have seen harrowing stories about how public safety officers have taken heroic actions to save the lives of others, knowing that they risked infection in doing so.1 As Tampa Police Chief Brian Dugan said, “There’s no way for a police officer to do their job and not potentially be exposed to the virus.”2 And sadly, in many of our states, first responders have lost their lives to COVID-19.

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2 Id.
When a public safety officer loses their life in the line of duty, there are often many benefits available to their families. Federal law currently provides for the Public Safety Officers Benefits Program, administered by the Justice Department, which provides death benefits to survivors of police officers and first responders who perish in the line of duty or as the result of a work-related event. The program requires evidence linking deaths caused by an infectious disease to work-related activity. In many cases, the origin of an infection can be easily identified, but determining where and when someone contracts COVID-19 in the midst of a global pandemic presents a unique challenge. Inevitable human contact while off duty and delayed manifestation of the disease present problems a family of a public safety officer who dies of COVID-19 should not have to overcome.

SAFR works to overcome this challenge by establishing a temporary presumption that COVID-19 infections will be considered to be contracted while on duty if diagnosed within 45 days of an officer’s last shift. The legislation ensures that families of officers and first responders lost while fighting the pandemic do not face unnecessary barriers to benefits they have already been promised.

We applaud the Senate’s recent passage of S. 3607, and we urge swift action by the House of Representatives to pass this important legislation.

Sincerely,

Karl A. Racine
District of Columbia Attorney General

Ashley Moody
Florida Attorney General

Kevin G. Clarkson
Alaska Attorney General

Mitzie Jessop Taase
American Samoa Attorney General

Mark Brnovich
Arizona Attorney General

Leslie Rutledge
Arkansas Attorney General

Xavier Becerra
California Attorney General

Phil Weiser
Colorado Attorney General

William Tong
Connecticut Attorney General

Kathleen Jennings
Delaware Attorney General
Christopher M. Carr  
Georgia Attorney General  

Clare E. Connors  
Hawaii Attorney General  

Kwame Raoul  
Illinois Attorney General  

Tom Miller  
Iowa Attorney General  

Daniel Cameron  
Kentucky Attorney General  

Aaron M. Frey  
Maine Attorney General  

Maura Healey  
Massachusetts Attorney General  

Keith Ellison  
Minnesota Attorney General  

Tim Fox  
Montana Attorney General  

Leevin Taitano Camacho  
Guam Attorney General  

Lawrence Wasden  
Idaho Attorney General  

F. Aaron Negangard  
Indiana Chief Deputy Attorney General  

Derek Schmidt  
Kansas Attorney General  

Jeff Landry  
Louisiana Attorney General  

Brian Frosh  
Maryland Attorney General  

Dana Nessel  
Michigan Attorney General  

Lynn Fitch  
Mississippi Attorney General  

Douglas Peterson  
Nebraska Attorney General
Aaron D. Ford  
Nevada Attorney General

Gurbir S. Grewal  
New Jersey Attorney General

Letitia James  
New York Attorney General

Wayne Stenehjem  
North Dakota Attorney General

Mike Hunter  
Oklahoma Attorney General

Josh Shapiro  
Pennsylvania Attorney General

Peter F. Neronha  
Rhode Island Attorney General

Jason R. Ravnsborg  
South Dakota Attorney General

Ken Paxton  
Texas Attorney General

Gordon MacDonald  
New Hampshire Attorney General

Hector Balderas  
New Mexico Attorney General

Josh Stein  
North Carolina Attorney General

Dave Yost  
Ohio Attorney General

Ellen F. Rosenblum  
Oregon Attorney General

Dennise N. Longo Quiñones  
Puerto Rico Attorney General

Alan Wilson  
South Carolina Attorney General

Herbert H. Slatery III  
Tennessee Attorney General

Sean Reyes  
Utah Attorney General
T.J. Donovan  
Vermont Attorney General

Mark R. Herring  
Virginia Attorney General

Robert W. Ferguson  
Washington Attorney General

Patrick Morrisey  
West Virginia Attorney General

Joshua L. Kaul  
Wisconsin Attorney General

Bridget Hill  
Wyoming Attorney General