

Food

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grants while continuing to operate and partially fund the federal food assistance program — which serves some immigrants — the state may be in violation of the Constitution's Equal Protection Clause.

On March 18, the state filed an appeal of the preliminary injunction to the 9th U.S. Circuit Court of Appeals.

Gov. Chris Gregoire and other officials say this sets a worrisome precedent as the state looks to close an estimated \$5 billion gap for the next two-year budget. In September, the Democratic governor ordered spending cuts of 6.3 percent across all general-fund state agencies to make up for a revenue shortfall.

“Now, can you imagine the ramifications of that on any and all programs that we might look at now that are state-funded-only programs?” Gregoire said the day after the injunction was issued.

Programs that receive no outside money are the first to be considered for cuts “because they are state-only and we should have the say over whether we fund them or we don't,” Gregoire added.

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While the potential implications of the ongoing litigation have unsettled state officials, attempts to block budget cuts in court are nothing new, said Narda Pierce, general counsel in the Office of the Governor. She called such lawsuits “a constant, ongoing challenge.”

“Plaintiffs often ask for a temporary restraining order and then a preliminary

injunction, and meanwhile the clock is running and money is going out the door, requiring cuts in other programs,” Pierce said.

The FAP case is one of six pending lawsuits challenging budget cuts to programs within the Department of Social and Health Services, the state's largest agency.

That number is likely to increase as Washington and other states continue to face daunting deficits and tough spending decisions, said Peter Nicolas, a professor at the University of Washington School of Law. However, he predicted most proposed cuts would still go through.

“The concern that courts will step in for every budget cut is unlikely to occur,” he said.

Nicolas said the class-action suit in Pechman's court stands out from other budget cuts in Washington because it targets a group — legal immigrants — whose protection under the Equal Protection Clause falls within a grey area of the law.

In essence, the judge must decide whether the decision to cut the state-funded portion of the FAP is subject to “strict scrutiny” under the Equal Protection Clause. If it is, the state would have to prove that eliminating the program serves a compelling state interest.

“The Equal Protection Clause is a check on the democratic process, and in difficult times you don't want the brunt of government action to fall on vulnerable groups,” Nicolas said, adding that he would not be surprised to see the FAP case reach the U.S. Supreme Court.

A class-action lawsuit in Hawaii last year raised similar issues after the state sought to scale back a free health plan for low-income legal migrants who don't qualify for federal Medicaid benefits. The state had hoped to save an estimated \$8 million annually through changes such as limiting outpatient hospital visits.

Consumption

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the world's population is infected with tuberculosis, and two million people die from it every year. King County's active TB rate is consistently among the highest for any local area in the country, reflecting the global nature of King County's community. Of the 116 people diagnosed with active TB in 2010, 84 percent were born outside the United States.

Public Health – Seattle & King County's TB Control program ensures that people with active, or infectious, TB are diagnosed and treated until cured. They also evaluate and treat, if appropriate, people exposed to infectious TB, so it does not continue to spread. Everyday, TB program staff ensure that infectious TB patients adhere to drug treatment, which consists of multiple medications for six months or longer. More than

2,800 clients make almost 12,000 visits to the TB clinic annually for treatment. The TB Control Program also evaluates immi-

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grants and refugees who are suspected of having active TB.

However, because of state and King County budget crises, the TB Control Program faces continued funding chal-

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“Overall it was devastating, there were various forms of trying to address this violence, and many meetings trying to deal with the hate,” Smith says.

NAACP members held a forum in February that concluded residents needed to “send a message to those who would dare target individuals,” she said.

“You can't stop hate but you can let them know that they will not destroy your community.”

Harpham, who has extensive ties to white supremacist groups, made yes and no answers during his brief court appearance

last week in which he was indicted by a grand jury on charges of attempted use of a weapon of mass destruction and unauthorized possession of an unregistered explosive device.

Federal prosecutors have sealed nearly all the information in what authorities have termed a case of attempted domestic terrorism, a decision Harpham's lawyer called “somewhat unusual.”

Harpham is an Army veteran who lives near Addy, 50 miles north of Spokane. The bomb was found the morning of the parade on Jan. 17 and disabled before it

Got Green Jobs?




PHOTO COURTESY OF MIKE ANNEE

South Seattle residents addressed the City of Seattle to make good on its promise of green jobs at Got Green's community event, Wednesday, March 16. Deputy Mayor Darryl Smith, was present to represent Mayor McGinn.

The City of Seattle will launch the Community Power Works - a \$20 million stimulus project to weatherize 2,000 homes in SE Seattle - April 19. Fourteen low-income trainees participating in the region's only union-certified weatherization - a partnership between Got Green, a grassroots organization working to ensure that low-income and communities of color benefit in the green economy, and its labor partner - LIUNA (Laborer's International Union of North America — graduated March 18th. These trainees will be in the pool of qualified local hires for contractors participating in the City's Community Power Works to retrofit homes to become more energy efficient.

Got Green, along with its labor partners, negotiated two community hiring agreements with City of Seattle to employ local residents who have graduated from certified weatherization training programs into family-wage jobs.

Residents, community partners, and labor representatives were at Got Green's weatherization training event to solidify commitment from the City of Seattle that these high road green jobs will come back to the community through the hiring of the trainees.

The suit alleged that by reducing migrants' medical coverage, the state had violated their rights under the Equal

Protection Clause. In December, a federal judge in Honolulu ordered the state to restore full benefits to the program.

lenges. Over the past several years, the TB Program has reduced staff and now limits services to the highest priority cases and contacts.

“We estimate approximately 100,000 people in King County have latent, or dormant, TB infection. While they aren't contagious now, some will develop active TB in the future and could infect others,” said Dr. Masa Narita, TB Control Officer for Public Health. “TB is curable and preventable, but controlling TB is an ongoing challenge, especially with fewer resources to protect the community.”

Highlights of 2010 TB data:
116 people were reported with active TB, for a rate of 6 per 100,000 people, a decrease from 130 cases in 2009. This was noticeably higher than the U.S. rate of 3.8

cases per 100,000 people.

84 percent of infected individuals were born outside of the United States. Of these individuals, 67 (62 percent) came from five countries: the Philippines, Somalia, Ethiopia, Vietnam and India.

People of color continue to have disproportionately high rates of TB, with the highest case rate among individuals who identify their race as black (26.4 cases per 100,000) or Asian (21.4 per 100,000).

20 people (17 percent) treated for active TB were resistant to at least one TB medication.

Two multi-drug resistant TB (MDR-TB) cases were diagnosed in King County in 2010. Multi-drug resistant cases are much more expensive to treat, costing up to \$250,000 each.

could explode. No one was injured. Harpham's father, Cecil, has told reporters his son was with him the morning the bomb was found, and could not have planted the device. Peven said he has met with the father but could not disclose the contents of the conversation.

The father has said his son talked to racists on the Internet regularly, but never acted on racial hate.

Kevin Harpham served from 1996 to 1999 in the U.S. Army at what is now Joint Base Lewis-McChord, near Tacoma, Wash. He owns 10 acres of land north of Addy in

rural Stevens County, a few miles south of his father's home. Property records show he bought the land in 1997 and built a small house in 2007. His lawyers have said Harpham is not married and had not been recently employed.

The Spokane NAACP's website is under construction but they have a Facebook page and a special event invitation to the Sunday march also on Facebook.

Email the group at Spokane.naacp@yahoo.com.