

NAACP[®] **RESOLUTIONS**

2012

**SUBMITTED UNDER ARTICLE X, SECTION 2 OF
THE CONSTITUTION OF THE NAACP**

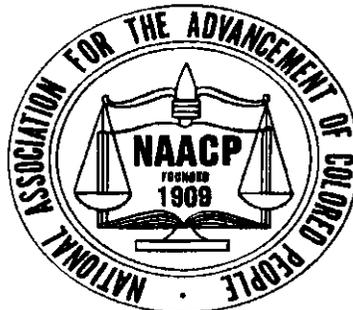
RESOLUTIONS SUBMITTED UNDER ARTICLE IX, SECTION 1 OF THE CONSTITUTION OF THE NAACP

2012

ARTICLE IX. SECTION 1. (PURPOSE OF THE CONVENTION)

1. *(Purpose of the Convention)*

The Annual Convention of the Association shall establish policies and programs of action for the ensuing year. All actions of the Convention on questions of policy and programs, which are not contrary to this Constitution, shall be binding on the Board of Directors, the Executive Committee, the Officers and all Units, except as hereinafter provided. No resolution for change of policy or program of action shall be in order unless it shall have been favorably voted upon at regular legislative meetings of a Unit in good standing, or has been submitted by the President and CEO. The resolutions for policy or program change must be certified by the President and the Secretary of the Unit, and received by the President and CEO in the National Office by May 1st, annually. The Convention shall act on all such proposed program or policy changes during its Legislative Sessions.



All resolutions contained in this packet were adopted by the 103'd Convention of the NAACP, held July 7 through July 12, 2012 in Houston, Texas. These resolutions were ratified by the National Board of Directors on October 20, 2012 and are now the Official Policy of the National Association for the Advancement of Colored People.

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COMMEMORATIVE

1. *NAACP Recognition of the Tuskegee Airmen*

WHEREAS, prior to 1941, there had never been a Black/African American U. S. Military Pilot; and

WHEREAS, the famed Tuskegee Airmen were change agents when this mode of history was changed after the U.S. Congress directed the Army Air Corps to form an all-Black combat unit; and

WHEREAS, in the summer of 1941, a group of Black airmen began training pursuant to the advocacy of the NAACP at the Tuskegee Air Field, under the command of Captain Benjamin O. Davis, Jr.; and

WHEREAS, although the Tuskegee Airmen were the first Black/African American military aviators in the U. S. Armed Forces, they were rejected due to racially motivated ideology, and subjected to racial discrimination at all levels; and

WHEREAS, despite these major adversities, the Tuskegee Airmen trained and flew with accuracy, skill, distinction and honor, thereby contributing sustainably in securing America's peace and freedom during World War II; and

WHEREAS, many prominent civil rights organizations, including the National Association for the Advancement of Colored People (NAACP) were primary advocates in addressing the blatant discriminatory practices lodged against the Tuskegee Airmen. However, this popular group of American pilots maintained their dignity and aviation precision as they displayed their commitment and dedication to a free America; and

WHEREAS, the Alabama State Conference of NAACP, during its recently scheduled Quarterly Conference, duly recognized the Tuskegee Airmen, reflecting upon the "Red Tails"-Tuskegee Viewing on the campus of Tuskegee University. The movie "Red Tails" opened in theaters across the country on January 20, 2012 and presented Hollywood's version of the Famed Tuskegee Airmen.

THEREFORE, BE IT RESOLVED that in recognition of this "Legacy of Success," the NAACP encourages its Units (Local, State, and Regional) to develop, plan,

and implement an appropriate Program of Expression in Honor and Recognition of the Tuskegee Airmen; and

BE IT FURTHER RESOLVED that, surviving Tuskegee Airmen in the local area and vicinity of a unit will be notified of such program recognition and formally invited to attend; and

BE IT FINALLY RESOLVED that, a copy of the approved resolution shall be delivered to all contacted Tuskegee Airmen. A copy shall also be displayed at The Tuskegee Airmen National Historic Site in Tuskegee, Alabama.

2. Cesar Chavez National Holiday

WHEREAS, Cesar Chavez championed the rights of people of color to earn, live and work with dignity and fairness; and

WHEREAS, Cesar Chavez acknowledged Rev. Martin Luther King, Jr. as one of his role models for non-violent social change; and

WHEREAS, former Senator and current President of the United States Barack Obama's statement for a Cesar Chavez national holiday: "Chavez left a legacy as an educator, environmentalist, and a civil rights leader. And his cause lives on as farm workers and laborers across America continue to struggle for fair treatment and fair wages. We find strength in what Cesar Chavez accomplished so many years ago. And we should honor him for what he's taught us about making America a stronger, more just and more prosperous nation. That's why I support the call to make Cesar Chavez's birthday a national holiday. It's time to recognize the contributions of this American icon to the ongoing efforts to perfect our union." Senator Barack Obama March 31, 2008; and

WHEREAS, Cesar Chavez's birthday, March 31st is celebrated in California as a state holiday, intended to promote service to the community in honor of Chavez's life and work. March 31, 2011 marked the eighth annual Cesar Chavez Day of Service and Learning, a California state holiday in remembrance of Cesar Chavez, Founder of the United Farm Workers Union and pioneer in the struggle for fair wages and humane working conditions for farm workers and their families. Cesar Chavez Day of Service and Learning is a moving reminder of the relevance of Cesar's legacy and testament to his leadership. In the spirit of service learning, millions of Californians from urban and rural communities came together to honor his life and work; and

WHEREAS, San Diego shipyard announcement of the Navy's newest cargo ship: USNS Cesar Chavez. Cesar Chavez will be designated as a United

States Naval Ship (USNS) and operated by the Navy's Military Sealift Command. TAKE 14 is designed to operate independently for extended periods at sea and can carry two helicopters and their crews. The ship is 185 feet in length, has a waterline beam of 105.5 feet, displaces approximately 41,000 tons, and is capable of reaching a speed of 20 knots. "Cesar E. Chavez inspired young Americans to do what is right and what is necessary to protect our freedoms and our country"; and

WHEREAS, Cesar Chavez's birthday is recognized by many state government offices, community colleges, and libraries are closed. Ten states have established Cesar Chavez Days (Arizona, Texas, California, Colorado, New Mexico, Utah, Illinois, Michigan, Wisconsin and Rhode Island); and

WHEREAS, organizations and labor unions in U.S. cities have already agreed to hold Cesar Chavez national holiday events on or near the date of Cesar's birthday March 31, including in Los Angeles, San Francisco, Sacramento, San Antonio, Houston, Tucson, Portland, Omaha, Providence, Reno, Grand Rapids, Lubbock and yes, Charleston, South Carolina and Atlanta, Georgia; and

WHEREAS, Cesar E. Chavez is one of the most important leaders of the 20th Century. His legacy of workers' rights, civil rights, environmental justice, equality for all, peace, non-violence, children and women's rights, deserves national recognition. He inspired millions of people across the country of all races and nationalities to engage in social and economic justice for farm workers. His life work to empower the poor and disenfranchised is a model for all.

THEREFORE, BE IT RESOLVED that the NAACP urges that March 31st be fully adopted as a legal National holiday devoted to service to the community in honor of Chavez's life and work; and

BE IT FURTHER RESOLVED that the NAACP call on the United States Congress to establish a federal paid holiday in honor of Cesar E. Chavez, on his birthday, March 31st. This holiday should include a Cesar E. Chavez day of service, learning and community action; and

BE IT FINALLY RESOLVED that the NAACP reaffirms its 2005 policy to join the National Coalition for a Cesar E. Chavez National Holiday.

3. Celebrating the Life of the Late Robert L. Carter

WHEREAS, the Honorable Robert L. Carter, II was born on March 17, 1917 in Careysville, Florida, the youngest of nine children and raised in Newark, New Jersey; and

WHEREAS, upon graduating from high school at the age of sixteen, Carter received degrees from Lincoln University in Pennsylvania (1937), Howard University School of Law (1940) and Columbia University (1941); and

WHEREAS, after spending three years serving his nation in the U.S. Army Air Corps, Carter came to the NAACP as legal assistant to then-General Counsel Thurgood Marshall in 1944, and was then appointed to Assistant Special Counsel the following year; and

WHEREAS, Carter's legal prowess was shown most prominently as lead attorney in the NAACP's most pivotal school desegregation cases including *Sweatt v. Painter* and as the chief litigator and strategist for *Brown v. Board of Education*; and

WHEREAS, Carter succeeded U.S. Supreme Court Justice Thurgood Marshall as General Counsel of the NAACP from 1956-1968, arguing and winning twenty-five of his twenty-six cases before the United States Supreme Court; and

WHEREAS, Carter co-founded the National Conference of Black Lawyers in 1968 to "serve as the legal arm of the movement for Black Liberation... and to work in coalition to assist in ending oppression of all peoples"; and

WHEREAS, President Richard M. Nixon nominated and Carter was appointed to the United States District Court for the Southern District of New York in 1972, where he served until his death on January 3, 2012; and

WHEREAS, the NAACP bestowed upon Judge Carter its highest honor, the Spingarn Medal, in 2004, for his extraordinary service to his nation and people.

THEREFORE, BE IT RESOLVED, that this 103'd National Convention of the National Association for the Advancement of Colored People in Houston, Texas sends its deepest condolences to the Carter family for their tremendous loss; and

BE IT FINALLY RESOLVED that the NAACP celebrates the sacrifice and legacy of the late Honorable Robert L. Carter, and that a copy of this resolution will be given to his family as well be placed in the archives of the NAACP.

4. Celebrating the Life of the Late John Payton

WHEREAS, John Payton was born December 27, 1946 and raised in Los Angeles, California; and

WHEREAS, Payton attended Pomona College in California, becoming heavily involved in the civil rights movement, co-founding the institution's Black Student Union, and assisting to recruit African American students to the school; and

WHEREAS, in 1978, after graduating from Harvard Law School, where he served as an editor of the Harvard Civil Rights and Civil Liberties Law Review, Payton began his twenty year career at the D.C. law firm, Wilmer Hale; and

WHEREAS, Payton's vision of giving back to his community included serving as the District of Columbia's Corporate Counsel, D.C. Bar President, and as part of an international election observing team during the 1993 South African elections; and

WHEREAS, Payton never lost his commitment to civil rights, taking many *pro bono* cases, including representing the NAACP in the antitrust lawsuit, *NAACP vs. Claiborne Hardware Co.*, in Mississippi, and the *City of Richmond vs. J.A. Croson Co.* for affirmative action policies before the Supreme Court; and

WHEREAS, the University of Michigan tapped Payton to serve as lead counsel for their two affirmative action cases *Gratz v. Bollinger* and *Grutter v. Bollinger*, where he represented the school through the U.S. Supreme Court's historic 2003 split decision; and

WHEREAS, in 2008, the NAACP Legal Defense and Educational Fund hired Payton to serve as its sixth Director-Counsel, where he tirelessly worked until his passing on March 22, 2012.

THEREFORE, BE IT RESOLVED that, this 103'd National Convention of the National Association for the Advancement of Colored People in Houston, Texas sends its deepest condolences to the Payton family, while also honoring his lifetime commitment to civil rights and the pursuit of justice; and

BE IT FINALLY RESOLVED, that a copy of this resolution will be given to his family as well be placed in the archives of the NAACP.

CRIMINAL JUSTICE

1. *Exit Strategy to End the War on Drug*

WHEREAS, the United States has 5% of the world's population, but 25% of its prisoners; and

WHEREAS, federal, state, and local costs of the war on drugs exceed \$40 billion annually and has cost \$1 trillion over the last 40 years; and

WHEREAS, low-level, non-violent drug crimes now produce a lifetime of consequences for formerly incarcerated drug offenders; and

WHEREAS, during the last 5 years more than 60,000 people have been killed in Mexico as a result of drug war violence; and

WHEREAS, the majority of victims to drug-related offenses in America are African Americans; and

WHEREAS, since 2001, Portugal has decriminalized drugs and provides a model exit strategy to end the war on drugs in the United States; and

WHEREAS, between 2001 and 2006 in Portugal, rates of lifetime use of any illegal drug among seventh through ninth graders fell from 14.1% to 10.6%, an lifetime heroin use among 16- 18 year olds fell from 2.5% to 1.8%; and

WHEREAS, the majority of people who use drugs do not fit the stereotype of the 'amoral and pitiful addict' -of the estimated 250 million drug users worldwide, the United Nations estimates that less than 10% can be classified as dependent; and

WHEREAS, the NAACP continues to discourage illegal drug use of any type and recognizes that addiction is a chronic medical illness that is treatable.

THEREFORE, BE IT RESOLVED that the NAACP reaffirm its commitment to push for programs that divert low-level, small-scale drug offenders at the point of arrest to interventions that engage offenders in chemical dependency treatment and other social services as opposed to arrest and incarceration; and

BE IT FURTHER RESOLVED that the NAACP work toward making all low-level, small-scale drug offenses be reclassified as misdemeanors rather than felonies; and

BE IT FURTHER RESOLVED that the NAACP reaffirm its commitment to improving public health by stemming the spread of blood-borne diseases through policy reforms such as eliminating barriers to needle exchange programs- including eliminating penalties for having residue in such syringes; and

BE IT FURTHER RESOLVED that law enforcement priorities and investments shift from primary low-level, small-scale drug offenses to violent, organized crime, drug, and gun traffickers, in order to reduce harm associated with the illicit drug market; and

BE IT FURTHER RESOLVED that the NAACP advocates that the United States government pilot the Portugal Decriminalization program in three United States cities and apply the lessons learned of the program in other jurisdictions throughout the United States; and

BE IT FURTHER RESOLVED that the NAACP participate in the bus caravan recognizing African American victims of the war on drugs; and

BE IT FINALLY RESOLVED that the NAACP elevate the voices of victims of the drug war from both the U.S. and Mexico in efforts to end the U.S. war on drugs.

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WHEREAS, the Sentencing Commission has executed provisions within the United States Federal Sentencing Guidelines which resulted in the unconstitutional and disparate treatment of convicted felons, to wit: The biased sentencing and incarceration practices and policies of the federal government perpetrated against African and Hispanic Americans; and

WHEREAS, the intended purpose of formulating the United States Federal Sentencing Guidelines was to ensure uniform and unbiased sentencing of every offender, due to unchecked and unfettered judicial discretion; and

WHEREAS, the NAACP Washington Bureau, as well as nationally recognized prisoner advocacy and reform groups such as: FedCure, FAMM (Families Against Mandatory Minimum), Middle Ground, Sentencing Project Policy, Justice Policy Institute, and November Coalition, all agree that studies have concluded that African and Hispanic Americans disproportionately suffer much harsher and lengthier prison sentences than White Americans, under the current United States Sentencing Guidelines scheme, especially as it applies to prior offenses and drug offenses; and

WHEREAS, the herein outlined and proposed amendments be equitable in addressing past and present unconstitutional and disparate treatment of African,

Hispanic and poor Americans within the judicial system, that have been inflicted as a result of the unconstitutional mandatory and current advisory guidelines.

THEREFORE, BE IT RESOLVED that the NAACP stands collectively opposed to current Mandatory Minimum laws in any form, and united behind the restoration of judicial discretion (discretionary powers) back into the perimeters of our nation's judges, within constitutional limits, as set forth in *Apprendi vs. New Jersey*, *Blakely vs. Washington*, and *United States vs. Booker*; and

BE IT FURTHER RESOLVED that the proposed amendments shall replace current Amendments 307, 487, 5c1.2 of the United States Sentencing Guidelines, which shall read as follows:

(A) Statutory Mission Amendment 307

The judge must select a sentence from within the guideline range. However, if a particular case presents atypical features, the amendment would allow the judge to depart from the guidelines and sentence the offender outside of the guideline range.

In such cases, the judge must specify the reason(s) for the guidelines departure, per Title 18 U. S. C. 3553 (in doing so, the judge shall not violate the offender's Fifth and Sixth Amendment Rights to indictment and trial by jury, as set forth in *Apprendi vs. New Jersey*, 520 US 466 (2000); *Blakely vs. Washington*, 159 LED 2d 403 (2004); and *United States vs. Booker*, 125 S. 738 (2005).

If the court sentences the offender within the guidelines range, an appellate court may review the sentence to determine if the guidelines were correctly applied. Moreover, an appellate court may review not only the correctness of the applicable guidelines, but the reasonableness and correctness of any departure as well, per title 18 U.S. C. 3742. This Amendment shall be retroactive in its application to all cases dating back from the inception of the United States Sentencing Guidelines, November 1, 1987; and

(B) Clarification of Cocaine Base Penalties for Enhancement Purposes -Amendment 487.

"Cocaine Base," for the purpose of these guidelines means any form of cocaine base that has a different chemical composition than cocaine hydrochloride. This clarifying Amendment shall be retroactively applied to all cases under the United States Sentencing Guidelines, enacted November 1, 1987; and

(C) The Repeal of All Mandatory Minimum Laws Associated With The So-Called "War On Drugs" Amendment 5c1.2 In the case(s) of an offense under Sections 401, 404, and 406, of the Control

Substance Act, or any other relative drug possession statutes, the court shall impose a sentence in accordance with the aforementioned guidelines, notwithstanding, any other provisions of the law, to also include Title 18 U.S. C. 3553 (f) 1-5.

BE IT FINALLY RESOLVED that the NAACP take a stand collectively to take a prudent approach to adequate legal redress, to resolve the shameful and unjust prosecutorial and sentencing practices perpetrated on African and Hispanic Americans, and to protect the civil and human rights of American citizens and prisoners who suffer harsh mass punishment through unjust and draconian laws, as a moral compass and obligation. Seek for a fair and equitable resolution by the re-establishment of federal parole for all federal prisoners; seek the support of the NAACP's Multi-Media Campaign to publicly demand that President Obama, the U.S. Congress, and the U.S. Sentencing Commission amend and adopt guidelines that reflect a more constitutionally fair and equitable sentencing scheme by repeal of the present biased and racially insensitive provisions and statutes of the Comprehensive Crime Control Act of 1984 and Anti-Drug Act of 1986.

3. ~~The Repeal of Congressional Intent of Title 18 U.S.C. Section 924(c) (Gun Stacking Charges)~~

WHEREAS, the United States Supreme Court's statutory interpretation of 18 U.S. C. Section 924(c), in Deal vs. United States, 508 US 129 (1993), has led to "multiple punishment" under Section 924(c) in a single proceeding contrary to congressional intent; and

WHEREAS, Title 18 U.S. C. Section 924(c) "Firearms and/ or Ammunition" statute passed by Congress, was clearly intended to target recidivists, who commit second and/or subsequent offenses; and

WHEREAS, the proper use of any "second" and/or "successive" (924(c)) would be better served as a "recidivist penalty." As in many cases, a defendant is charged as an aider and abettor, but punished by applying multiple sections of 924(c), primarily due to non-cooperation. Notwithstanding, that in many instances, the defendant may be a "first-time" offender; and

WHEREAS, the federal courts have sentenced thousands of defendants as if they were charged in "multiple" indictments, and/or convicted previously in different jurisdictions, courts, and/or trials; and

WHEREAS, the United States Justice Department's abuse and manipulation of Title 18 U.S. C. 924 (c) as a sentencing scheme has led to serious Fifth Amendment (due process) and Fourteenth Amendment (equal right to protection under the law) violations.

THEREFORE, BE IT RESOLVED that Congress must repeal Title 18 U. S. C. Section 924 (c), or people of color will continue to be singled out by the U. S. Department of Justice for massive, unconstitutional, unwarranted, and unjust sentences (even for "first-time" offenders).

4. *The Repeal of the Post-Conviction Provision(s) as Promulgated in the Anti-Terrorism and Death Penalty Act of 1996*

WHEREAS, the post-conviction review opportunities have been a bulwark of America's criminal justice system, where defendants were afforded judicial opportunities to realize ultimate fairness in the judicial proceedings and post-conviction remedies through the establishment of the habeas corpus procedures, as applied under Title 28 U.S.C. 2255; and

WHEREAS, President Barack Obama, is on record as saying he will "review and consider the return of the habeas corpus to its original form"; and

WHEREAS, the Anti-Terrorism and Death Penalty Act of 1996 still exists and is being applied unfairly by limiting the scope of Title 28 U.S.C. 2254 and 2255, thus restricting a defendant's opportunity and ability to utilize the statutes to collaterally attack the constitutionality of his/her conviction after just one year from the time of the final judgment, irrespective of how egregious and/or unjust as a matter of law.

THEREFORE, BE IT RESOLVED that the NAACP will work to amend the statutes to read "habeas corpus requests can be made at anytime" and also applied retroactively.

5. *Police Brutality Against African American and Other Minorities*

WHEREAS, African Americans and other minorities are targeted and detained in encounters with the police at a significantly higher proportion than their representation in the population; and

WHEREAS, African Americans and other minorities suffer unwarranted psychological, verbal, emotional and physical abuse in larger and increasingly disparate amounts by the hands of the police; and

WHEREAS, police are trained to use their guns, Tasers, and stun guns, or other excessive measures to gain control of a situation; and

WHEREAS, police brutality on African Americans and other minorities has been systematic and continues to go unchecked; and

WHEREAS, poor and working class communities are affected in disparate numbers than privileged communities; and

WHEREAS, current remedies under local, state, and federal laws are inadequate.

THEREFORE, BE IT RESOLVED that the NAACP reaffirms the following previous resolutions against police misconduct:

- 1978–Prosecution of Police and Correctional Officers for Criminal Acts
- 1978 - Police Brutality
- 1979 - Police Brutality
- 1980 - Indiscriminate Use of Firearms by Police
- 1983 - Use of Chokeholds by Police
- 1983 - Police Brutality
- 1987 - Police Brutality
- 1992 - Police Brutality
- 1996–Excessive Force by Law Enforcement Officers and Police Departments
- 2005- Calling For A Ban on Tasers
- 2007 – Establish Model Standards, Policies and Training to Prevent Police Misconduct and Excessive Use of Force

BE IT FINALLY RESOLVED that the NAACP educate the public and lawmakers and advocate for the reclassification of Tasers and stun guns as dangerous and deadly weapons; and that chokeholds and piling on tactics be classified as dangerous and deadly policing methods.

6. Saving Young Black Men to Make America Better

WHEREAS, in just over four decades, the number of people incarcerated in America has increased nearly five-fold, from roughly 500,000 to 2.3 million; and

WHEREAS, the average prison stay in the United States is two years, with more than 600,000 people returning home from prison each year; and

WHEREAS, over half of the nation's prisoners are persons of color and incarcerated for non-violent offenses; and

WHEREAS, with the limited opportunities for employment or support, many ex-offenders cycle back into prison after committing new crimes; and

WHEREAS, America spends \$70 billion a year on its prisons, while dollars for prevention, treatment, education, and services to deal with the challenges that

lead individuals to crime and imprisonment in the first place remain inadequate or nonexistent; and

WHEREAS, serious and violent criminals comprise only a small portion of the extraordinary expenditures on prisons and jails; and

WHEREAS, a national survey of prison wardens revealed that half of their prisoners could be discharged at no greater perceived threat to public safety.

THEREFORE, BE IT RESOLVED that the leaders of the United States Department of Justice, Bureau of Justice Statistics conduct a study on the racially and ethnically disparate impact of the field of crime and justice as it relates to families and communities of color, and provide recommendations to the challenges found; and

BE IT FURTHER RESOLVED that the NAACP calls upon state legislatures to convene criminal justice task forces to enact provisions to substantially reduce their correctional populations; and

BE IT FURTHER RESOLVED that the NAACP reaffirms its 1997 resolution addressing the disproportionate numbers of African Americans in the prison population, largely as a result of the sentencing disparity between crack and cocaine; and

BE IT FURTHER RESOLVED that the NAACP reaffirms its 1989 resolution addressing the disproportionate numbers of African Americans in the prison population, largely as a result of a deficiency in sufficient legal representation for these individuals.

7. Ending Racial Profiling in the United States

WHEREAS, according to the End Racial Profiling Act, racial profiling is defined as the practice of a law enforcement agent or agency relying, to any degree, on race, ethnicity, national origin, gender, or religion in selecting which individual to subject to routine or spontaneous investigatory activities or in deciding upon the scope and substance of law enforcement activity following the initial investigatory procedure, except when there is trustworthy information, relevant to the locality and timeframe, that links a person of a particular race, ethnicity, national origin, gender, or religion to an identified criminal incident or scheme; and

WHEREAS, racial profiling is an issue that has plagued our nation for decades, specifically targeting the African American communities and African American men in particular; and

WHEREAS, in the 1990s, "Driving While Black or Brown" and racial profiling were recognized as issues of national importance, and the End Racial Profiling

Act was introduced in 2001 with bi-partisan support in the House and Senate;
and

WHEREAS, our nation's response to the attacks of September 11, 2001 changed the conversation on racial profiling to make it permissible in our nation's consciousness, and thus racial profiling now impacts Arab, Muslim, and South Asian communities in the name of "national security" as well as Latino communities and other immigrant communities through unfair targeting in immigration enforcement; and

WHEREAS, there has been recent national attention on the issue of racial profiling as a result of the tragic death of Trayvon Martin.

THEREFORE, BE IT RESOLVED that the NAACP seeks to promote understanding and build alliances among the many directly affected communities fighting against racial and religious profiling.

THEREFORE, BE IT RESOLVED that the NAACP, at all levels continue to oppose racial profiling of any group; and

BE IT FURTHER RESOLVED that NAACP Units work locally on issues related to racial profiling and endorse the Racial Profiling: Face the Truth Campaign; and

BE IT FURTHER RESOLVED that NAACP Units contact their congressional members and encourage them to co-sponsor and pass the End Racial Profiling Act of 2011; and

BE IT FINALLY RESOLVED that the NAACP reaffirms its 2000 Resolution on "Calling Upon the Attorney General and the Department of Justice to Investigate the Abuse of Fourth Amendment Rights."

~~8. Retroactive Abolishment of Juvenile Life Without Parole Sentences~~

WHEREAS, the United States currently, nationwide, leads other industrialized nations with over 2,400 individuals imprisoned serving life without parole sentences for crimes committed as juveniles; and

WHEREAS, sentencing juveniles to life without the possibility of parole contravenes international law, and with the U.S. failing to ratify the U.N. Convention on the Rights of the Child (signed by the U.S. on February 16, 1995), banning the practice of sentencing juveniles to life without parole; and

WHEREAS, the United States failure to ratify the U.N. Convention of the Rights of the Child places the U.S. in violation of the Vienna Convention of the Laws of Treaties (entered into force on January 27, 1980-to which the U.S. is a party); and

WHEREAS, nationwide youth of color and youth from poor communities are more likely to be certified for adult adjudication than their white or affluent peers facing similar criminal charges; and

WHEREAS, currently in several states (Michigan, Ohio, Connecticut, North Carolina, Virginia, Wisconsin, and the District of Columbia) representatives and legislators have proposed legislation aimed at abolishing juvenile life without parole sentences in their states and jurisdictions; and

WHEREAS, many individuals serving life without parole sentences are first-time offenders and their criminal offenses indicate that their participation was minor and another participant was the actual perpetrator of the crime; and

WHEREAS, the American Civil Liberties Union, Amnesty International, The Campaign of Youth Services, Center for Children's Law and Policy, Center for Juvenile Justice Reform, National Juvenile Justice Network, Human Rights Watch, and many other organizations currently call for an end to the sentencing of juvenile offenders to life without the possibility of parole; and

WHEREAS, countless individuals who have been under such terms of imprisonment since they were adolescents are now rehabilitated and can become productive members of society if given a second chance; and

WHEREAS, a life sentence for a juvenile can be a confinement term of 40, 50, or 60 years due to life expectancy; and

WHEREAS, 73% of the people (whose race has been identified) serving life without parole in U.S. federal prisons for a crime committed under age 18 are people of color; and

WHEREAS, there has been a shifting trend within the state judiciary system as to the sentencing of juvenile offenders to life without parole, in many states, judges have used their discretion in sentencing certain juveniles outside of the mandatory guidelines; and

WHEREAS, mandatory sentencing of juvenile offenders is archaic and inhumane, in that, it leaves juvenile offenders with no rehabilitative incentive; and

WHEREAS, juveniles are considered a suspect class, in that, juveniles are given limited rights by the U.S. and individual state laws, restricting persons under the age of 18 from such acts as voting, driving, buying liquor or tobacco products; and

WHEREAS, juveniles are not considered to have the culpable mental state to handle such responsibilities in a reasonable manner and fashion as his/her adult counterparts.

THEREFORE, BE IT RESOLVED that the NAACP reaffirms its support to eradicate and eliminate federal and state policies and laws that allow the criminal justice system to sentence juvenile offenders to the ultimate and final sentence of life without parole, and virtual death sentences; and

BE IT FINALLY RESOLVED that the NAACP takes a stand and works to ensure that any abolishment of juvenile life without parole sentences should be applied retroactively as well.

9. Requiring Mandatory Investigations by the Department of Justice of Cases Where Individuals Die While in Police Custody

WHEREAS, there have been several incidents where seemingly healthy individuals were arrested and taken into custody by local and state law enforcement agencies; and

WHEREAS, within a matter of hours these individuals experienced severe medical conditions that led to their demise; and

WHEREAS, these law enforcement agencies in the majority if not all of these incidents stated that their actions were within their policies and procedures and did not cause any unnecessary harm to these individuals; and

WHEREAS, in rare situations does the autopsy report indicate that the cause of death was blunt-force trauma or the possible unnecessary actions of law enforcement personnel; and

WHEREAS, law enforcement continue to deny that they used excessive force and the investigations if any are conducted by another local law enforcement agency which causes the entire investigation to be suspect; and

WHEREAS, the majority of the time the next of kin is not able to afford an independent autopsy or investigation and the case is closed without ever knowing the real cause of death.

THEREFORE, BE IT RESOLVED that the NAACP and its Units support pending Congressional legislation entitled, "Deaths in Custody Reporting Act," to ensure that all deaths in custody, as defined in this legislation, are referred to and investigated by the Department of Justice (DOJ); and

BE IT FINALLY RESOLVED that the NAACP request that the Department of Justice adopt policies that makes it mandatory for DOJ to vigorously investigate

cases in which an individual dies where there is an allegation of civil rights violation or excessive force while in the custody of law enforcement regardless of the outcome of local investigations.

10. NAACP Opposes the For-Profit Prison Industry

WHEREAS, the U.S. has the highest documented incarceration rate in the world, with 2.3 million people behind bars. At year-end 2009, almost 3 million adults, or 743 out of every 100,000 in our nation's population were incarcerated and another 4,933,667 were on probation or parole; and

WHEREAS, over the past four decades, the number of people incarcerated in our country quadrupled from roughly 500,000 to 2.3 million; and

WHEREAS, racial and ethnic minority Americans are disproportionately overrepresented in America's prison population; 60% of America's prisoners are non-white; and

WHEREAS, as was so clearly demonstrated in the April 2011 NAACP Report *Misplaced Priorities*, escalating investments in incarceration over the past 30 years have undermined educational opportunities and are currently causing tremendous strain on several states' budgets; and

WHEREAS, in 2005, the average annual cost of incarceration was \$23,876 per state prisoner with variations of \$13,000 in Louisiana to \$45,000 in Rhode Island; and

WHEREAS, as of 2011, we spent nearly \$70 billion each year to incarcerate people in prisons and jails, to imprison young people in detention centers and "youth jails" and to keep 7.3 million people under watch on parole or probation in our communities; and

WHEREAS, private prisons are even more costly; the cost on average \$56 per prisoner per day compared to state prisons which cost an average of \$48 per prisoner per day; and

WHEREAS, private prisons are less safe; inmate-on-inmate violence is 66% higher in private prisons than in state-owned prisons and violence toward staff 49% higher in private prisons; and

WHEREAS, private prison corporations have a long record of mismanagement, abuse and corruption and are not accountable to the public but to shareholders; and

WHEREAS, private prisons have, in general, lower pay and much higher turnover among employees; and

WHEREAS, private prisons profit through the incarceration of others; the more people who are imprisoned in the United States, the more money private prison owners and operators make; and

WHEREAS, Corrections Corporations of America (CCA)- the nation's largest owner and operator of privatized correctional and detention facilities and one of the largest prison operators in the United States, behind only the federal government and three states, which currently owns and operates more than 60 facilities including 44 company-owned facilities, with a design capacity of more than 85,000 beds in 19 states and the District of Columbia- recently sent a letter to 48 U.S. Governors announcing the "Investment Initiative," a new plan to spend up to \$250 million to buy prisons from state, local, and federal government entities on conditions of a minimum commitment of 20 years for the facility and maintaining 90% capacity over the twenty year period; and

WHEREAS, by requiring a minimum prisoner capacity, CCA removes any incentive for a reduction in the number of people incarcerated including sentencing reform or a decrease in crime; and

WHEREAS, the United Methodist Church, Presbyterian Church USA, Southern Catholic Bishops and Catholic Bishops, and Episcopal Diocese of Newark have all joined the NAACP in declaring their opposition to profit-making from the punishment of human beings and an abdication of our responsibility to care for our sisters and brothers.

THEREFORE, BE IT RESOLVED that the NAACP will strongly advocate for the abolishment of private, for-profit prisons and urge transparency and accountability for those that are in existence; and

BE IT FURTHER RESOLVED that the NAACP is opposed to the selling of a federal, state or local prison facility to any private company; and

BE IT FINALLY RESOLVED that the NAACP and its Units support legislation that prevents the sale of any federal, state or local prison or jail to any for-profit entity.

11: Repealing "Stand Your Ground" Type Laws, Protecting Black Americans and Honoring the Life of Trayvon Martin

WHEREAS, on February 26, 2012, Trayvon Martin was shot to death while walking home from his local 7-11 because he was deemed "suspicious" by George Zimmerman- a self-appointed neighborhood watch captain; and

WHEREAS, Trayvon Martin was not found with a gun, only with skittles, soda and wearing a sports hoodie; and

WHEREAS, Florida's "Stand Your Ground" law includes an "immunity provision" that protects the shooter from arrest unless police can determine that the force used was indeed unlawful; and

WHEREAS, these laws eliminate the "duty to retreat" and such duty should be an initial action taken to maintain calm in any potential situation that could result in harm or deadly force; and

WHEREAS, on October 1, 2005, Florida became the first state in the Union to pass the "Personal Protection Bill," which greatly expands the "Castle Doctrine," eliminating the requirement to retreat in cases of defending ones house against intruders, which has become known as the "Stand Your Ground" law; and

WHEREAS, since that time, 32 more states have copied at least part, if not all, of Florida's statute; and at least five (5) states, including Florida, have an "immunity provision"; and

WHEREAS, "justifiable homicides," murders in which the perpetrator has not been charged with murder, usually drastically increase after the implementation of these laws – in Florida for example, such homicides increased by 300% in a five-year period, and FBI data indicates that the same is true for other states; and

WHEREAS, if the reckless and misguided intent of the "Stand Your Ground" law is to create safer communities, one might expect to see a decrease in crime. However, the 2006 Florida annual crime statistics indicate just the opposite result. Although other crimes decreased in 2006, gun crimes, including murders, armed robberies, and assaults increased. In fact, according to the Florida Department of Law Enforcement website as of June 25, 2007, murders increased statewide by 42%; and

WHEREAS, groups such as the American Legislative Exchange Council (ALEC) – who promotes conservative public policy by drafting legislation and pushing for policies in state legislatures – and the NRA have promoted "Stand Your Ground" laws across the country.

THEREFORE, BE IT RESOLVED that the NAACP – in honor of the life of Trayvon Martin and similar cases, and because "Stand Your Ground" type laws undermine the civil rights of African Americans and other people of color- initiate a national effort to halt the expansion of "Stand Your Ground" type laws, and repeal those existing throughout the country; and

BE IT FURTHER RESOLVED that the NAACP reaffirms its commitment to the enactment, at the federal, state and local levels, of safe, sane and sensible gun laws, as well as aggressive anti-racial profiling laws, which include training from

the top law enforcement officials down to the members of community watch groups as how to identify racial profiling and not use it; and

BE IT FURTHER RESOLVED that the NAACP calls upon its Units to move from moment to movement and use this opportunity of heightened awareness to promote education on how our communities can protect themselves from these "Stand Your Ground" laws and their unequal application; and

BE IT FINALLY RESOLVED that the NAACP call for the federal review of state "Stand Your Ground" laws to include racially disaggregated data in regards to the race, ethnicity and gender of the perpetrator and the victim of the "self defense" homicide.

ECONOMIC DEVELOPMENT

1. *Collective Bargaining Rights of Public Employees and the "Human Rights as Home Campaign"*

WHEREAS, the Reverend Doctor Martin Luther King, Jr. in his last days with us, spoke of "...going beyond purely civil rights to questions of human rights," and said, "Now our struggle is for true equality, which means economic equality"; and

WHEREAS, the surest path to economic equality for all workers has been the exercise of their internationally-recognized human rights of freedom of association and collective bargaining; by forming and/or joining a union, and collectively bargaining for a fair share of the product of their labor and the investments of their pension funds; and

WHEREAS, inalienable human rights, including the rights of workers, are held to be universal, indivisible, interdependent, and interrelated; and

WHEREAS, in exercising their recent gains in strength in state legislatures across the USA, anti-labor majorities have mounted a concerted effort to rollback decades of progress in the exercise of workers' economic human rights, especially the exercise of the rights of freedom of association and collective bargaining by public employees, as well as other workers' rights; and

WHEREAS, the U.S. Government is obligated to defend the universal rights of Freedom of Association and Collective Bargaining by the Constitution of the International Labor Organization (ILO), and more directly, through its

commitments in Free Trade Agreements (FTAs), like the Peru Free Trade Agreement, which obligate the USA to "...adopt and maintain in its statutes and regulations, and practices there under, the following rights, as stated in the *ILO Fundamental Principles and Rights at Work and its Follow-up...*: (a) freedom of association; (b) the effective recognition of the right to collective bargaining"; and

WHEREAS, Paragraph 2 of Article IV of the U.S. Constitution negates the authority of state legislatures to strip public employees of their right to collective bargaining, and makes the actions of state legislatures to violate public employees' rights illegal, in light of U.S. Government obligations to uphold the ILO Fundamental Principles and Rights at Work; and

WHEREAS, the U.S. Human Rights Network, of which the NAACP is a member organization, has an ongoing "Human Rights at Home" Campaign, which "...blends public education, media outreach, and advocacy efforts to increase awareness among state and local officials of their respective responsibilities to protect and promote human rights." and "...seeks to share information and increase collaboration among domestic human rights, civil rights, civil liberties and social justice groups in support of campaign goals.", and thus, is an ideal vehicle for addressing workers' rights violations as human rights violations; and

WHEREAS, Dr. Martin Luther King, Jr. spent his last days raising support for public employees seeking to exercise their human rights in Memphis, Tennessee.

THEREFORE, BE IT RESOLVED that the NAACP shall provide education to members and the public regarding human rights, including economic human rights and the rights of workers delineated in the ILO Fundamental Principles and Rights at Work, which have been incorporated into the International Human Rights Law framework; and

BE IT FURTHER RESOLVED that the NAACP shall advocate for prioritizing the protection of the rights of workers, including public employees and diversity in the investment of their pension funds, in the objectives of the U.S. Human Rights Network's Human Rights at Home Campaign; and

BE IT FURTHER RESOLVED that the NAACP shall advocate that this priority be included in the calls for an Executive Order by President Barack Obama which includes "...an explicit commitment implementing the full spectrum of human rights as envisioned in the Universal Declaration of Human Rights, recognizing that every human being is entitled not only to civil and political rights but also to economic, social and cultural rights...", which rights include the rights of workers; and

BE IT FINALLY RESOLVED that the NAACP shall encourage its Units to join with U.S. Human Rights Network member organization affiliates and other allies

in their localities and states to organize an effective support for the Human Rights at Home Campaign.

2. ~~Saving Home Ownership and Building Wealth in African American Communities~~

WHEREAS, the National Association for the Advancement of Colored People (NAACP) fights for economic fairness and economic equality as one of its core initiatives; and

WHEREAS, to ensure the political, educational, social, and economic equality of all citizens is a key provision in the United States Constitution and is part of NAACP core values; and

WHEREAS, historically, home ownership is one of the primary means for people to build equity and wealth; it is also, sadly, an area in which racial and ethnic minorities have been and continue to be disproportionately discriminated against; and

WHEREAS, racial segregation in housing virtually assures segregation in school, recreation, community facilities, and severely limits access to new job opportunities; and

WHEREAS, racial targeting from disproportionately steering African Americans and other people of color into unsustainable loans and stripping them of potential wealth will impact African American families and communities for generations; and

WHEREAS, in large part due to the bursting of the housing bubble it has been estimated that African Americans between the years of 2005 to 2009 have lost-over 50% of their wealth and now have only 5% of the wealth of white Americans - these factors are creating a scenario where African Americans and other low wealth Americans could be locked out of the housing market for the foreseeable future; and

WHEREAS, the door to homeownership for many African Americans and other people of color will be closed, if government intervention is not escalated.

THEREFORE, BE IT RESOLVED that the NAACP calls on the Obama Administration and the Congress to continue to reform the financial industry and Wall Street by strengthening and adequately funding the U.S. Consumer Financial Protection Bureau (CFPB); and

BE IT FURTHER RESOLVED that the NAACP develop a homeownership advocacy and policy initiative that helps resolve the current housing and foreclosure crisis and assist in charting a policy agenda that ensures future

housing and wealth building for African Americans and other low to middle income people of color; and

BE IT FURTHER RESOLVED that the NAACP fight to ensure federal lending programs that expedite responsible lending in African American and other communities of color and also require consumer education targeted to under-served communities and under-served minorities consumers on the topics of: pre-purchase and post-purchase homeownership education, financial literacy, budgeting, money management and credit, home preservation, mortgage foreclosure prevention services, and non-predatory mortgage lending services; and

BE IT FINALLY RESOLVED that the NAACP advocates for policies that ensure: non-discriminatory lending, provide continued and increased funding for certified housing counseling, more assistance to help those persons devastated by the foreclosure crisis, that the federal government, banks, and financial institutions must increase mortgage principal reductions tied to current home values and increase efforts to end housing discrimination.

EDUCATION

1. *Dr. W.E.B. Dubois, Justice Thurgood Marshall, Dr. Carter G. Woodson - NAACP Education*

WHEREAS, the NAACP has long supported the teaching of racially and ethnically diverse historical accounts of our great nation, including African-American history; and

WHEREAS, several states have added varying levels of African and African-American historical content to the standard history curriculum, but the level of implementation varies at the local level; and

WHEREAS, knowledge of diverse cultures and the totality of American history is necessary for students to succeed as informed democratic citizens, successfully graduate college or pursue fulfilling careers; and

WHEREAS, several other states such as Texas, have made efforts to erase black and other racial and ethnic minority history and replace it with an ideologically slanted curriculum that could interfere with students' graduating, ready for college or careers.

THEREFORE, BE IT RESOLVED that the NAACP reaffirms the 2007 resolution stating that "All students, especially African-American students, will be able to read in their school history texts an accurate account of the contributions of African-Americans (in all fields of endeavor) to the settlement, growth and development of this country;" and

BE IT FURTHER RESOLVED that the NAACP will work in states to strengthen existing laws and require implementation of teaching all students a valid, historically accurate curriculum that includes African and American history and prepares all students for college and career success; and

BE IT FINALLY RESOLVED that where states do not have laws to ensure the teaching of a valid, historically accurate curriculum that includes African and American history among other historical perspectives and accounts, the NAACP will advocate for the creation of such laws with strong comprehensive implementation guaranteeing states and districts' compliance.

~~2. A Call to Stop the Exploitation of National College Athletes~~

WHEREAS, billions of dollars are made from marketing, merchandise, television deals and through sports venues every year; and

WHEREAS, many college coaches of division-one programs receive salaries ranging from hundreds of thousands of dollars to millions every year, which in many cases is a higher salary than the school president receives; and

WHEREAS, the athletes whose performances and likenesses are the sole products of the National College Athletic Association ("NCAA") and its partner universities for increasingly massive amounts of revenue; and

WHEREAS, no NCAA partnered university nor the NCAA itself engages in any form of legal direct financial payment or revenue sharing program with the athletes who generate the vast majority of all money made by the NCAA and its partnered universities; and

WHEREAS, the NCAA claims that the students are fairly compensated by receiving scholarships to attend the school as fulltime students, but in numerous cases the athletes receive a far inferior education than their student peers do; and

WHEREAS, athletes are treated like and expected to perform as professionals in the sport that they participate in and are subject to massive public and institutional scrutiny that also puts them on par with paid athletes in professional sports entertainment leagues; and

WHEREAS, even a perfectly administered scholarship would constitute a paltry sum when its value is compared to the immense immediate financial value generated by the individual athletes every year that they perform and for all time as their legacy continues to generate renown and value for the institutions they attended; and

WHEREAS, the NCAA maintains that athletes are not like employees while they continue to sell licensing for the athletes likenesses to television, internet media, and video game companies for profit as a professional sports entertainment league would; and

WHEREAS, these problems are systemic and appear prominently in NCAA football and its Bowl season activities along with other less revenue-generating sports where no financial incentive or compensation is given directly to the athletes or their families; and

WHEREAS, a recent study conducted by the National College Players Association (NCPA) found that, due to the NCAA's policy that universities are not allowed to give athletic scholarships to cover the full cost of attendance, student-athletes are left with an average of \$2,951 per year of unaccounted for expenses, many student-athletes cannot afford without unsanctioned financial gifts or payments due to their lack of time to commit to a paying job and common lack of a family's ability to financially support the student-athlete.

THEREFORE, BE IT RESOLVED that the NAACP reaffirms its earlier resolutions of 1974, 1987 and 2000 expressing its concern with the exploitation of African American student athletes and the impact on their families, the need to ensure that adequate academic resources are provided to each athlete to ensure graduation; and

BE IT FURTHER RESOLVED that the NAACP will advocate for the NCAA to immediately conduct a study, which shall be made public, on the implications on athletes if all restrictions on the athlete's financial gains and rights to transfer schools were to be removed; and

BE IT FINALLY RESOLVED that the NAACP demand the NCAA revise their policy to ensure adequate financial support for student athletes to ensure complete payment of their academic and living expenses so long as they remain enrolled in their respective institutions.

3. Student Loan Forgiveness for Volunteer Services

WHEREAS, U.S. student loan debt now surpasses credit card and auto-loan debt, at an estimated \$1 trillion, according to the Consumer Financial Protection Bureau; and

WHEREAS, in 2007-08, 92 percent of students at for-profit colleges borrowed student loans, 27 percent of students at public colleges and 60 percent of students at private non-profit colleges; and

WHEREAS, two-thirds of college seniors who graduated in 2010 had student loan debt, with an average of \$25,250 for those with debt, up five percent from the previous year. The five percent increase in average debt at the national level is similar to the average annual increase over the past few years; and

WHEREAS, in the current economic climate, recent college graduates who borrowed for their education face particular challenges in paying back their student loans. The unemployment rate for young college graduates rose from 8.7 percent in 2009 to 9.1 percent in 2010, the highest annual rate on record; and

WHEREAS, based on national surveys conducted by the U.S. Department of Education, on average, graduates of for-profit four-year colleges are much more likely to borrow student loans and borrow significantly more than their counterparts at public and private nonprofit colleges; and

WHEREAS, data released by the U.S. Department of Education shows a sharp increase in the rate at which student loan borrowers are defaulting; and

WHEREAS, the official "two-year cohort default rates" show that 8.8 percent of student loan borrowers who entered repayment in 2009 had defaulted by the end of 2010, up from 7 percent for those entering repayment in 2008; and

WHEREAS, across all colleges, about 320,000 borrowers who entered repayment in 2009 defaulted by the end of 2010—81,000 more than the 239,000 borrowers who entered repayment in 2008 and defaulted by the end of 2009; and

WHEREAS, research indicates that most student loan borrowers who default do so after the two-year window is over; and

WHEREAS, the consequences of default for students is severe and long-lasting. The resulting debt can follow borrowers for the rest of their lives, ruining their credit, making it difficult to buy a car or a home or even rent an apartment, limiting their job prospects, and making it impossible to get federal grants or loans to return to school; and

WHEREAS, for-profit colleges overall have the highest two-year cohort default rates. For borrowers entering repayment in 2009, 15 percent of borrowers from for-profit colleges defaulted-more than twice the rate at public colleges (percent) and more than three times the rate of non-profit colleges (4.6 percent); and

WHEREAS, volunteering is an opportunity to make a big difference in one's life and in the lives of those around them, and provides an opportunity to learn and apply skills and ideals toward helping others and meeting critical needs in the community; and

WHEREAS, national volunteer programs such as AmeriCorps and its programs have a long history of encouraging and supporting civic engagement; and

WHEREAS, volunteering allows individuals to address critical needs in communities all across the country and provide opportunities, such as tutoring and mentoring disadvantaged youth, fighting illiteracy, improving health services, building affordable housing, teaching computer skills, cleaning parks and streams, managing or operating after-school programs, helping communities respond to disasters, and building organizational capacity; and

WHEREAS, volunteer programs are offering full and part-time members who complete their programs service awards to pay for college, graduate school, or to pay back qualified student loans.

THEREFORE, BE IT RESOLVED that the NAACP will advocate at state and federal levels for the government to allow for youth, college graduates, and adults to volunteer in local schools, community centers and social service agencies as a means of attaining student loan forgiveness.

4. Student Discipline Resolution for National NAACP 2012 Restorative Justice in Zero Tolerant Environments

WHEREAS, the 2011 National Education Policy Report found that K-12 public school student suspensions for nonviolent infractions are

increasing, setting the stage for chronic truancy, impacting learning, and increasing the risk of drop out; and

WHEREAS, it has been shown that restorative methods of discipline for nonviolent infractions are often more effective than punitive ones for improving student retention, grades and graduation; and

WHEREAS, African American students in middle schools are suspended at disproportionately high rates to non-minority students according to national statistics; and

WHEREAS, this disproportionately high rate involving African Americans and Latinos, whether intentional or not, is indicative of institutionalized racism.

THEREFORE, BE IT RESOLVED that the NAACP will work aggressively toward getting the U.S. Department of Education and all State Departments of Education and all local school districts to issue and promote to legislators ***funded mandates*** such as:

1. requiring all public school districts to generate and report annually to the state and to the public (via their district website) statistics on disciplinary actions regarding all enrolled students by type of infraction, type of disciplinary action and its duration as well as age, grade level, race/ethnicity and gender of the student;
2. requiring each such school district to develop and implement restorative justice methods, a peerjudicial system, schoolwide positive behavioral support and classroom and behavioral management training for teachers to reduce nonviolent infractions;
3. requiring each such school district to develop and implement an action plan for reducing the racial/ethnic disproportionality of suspensions for non-violent infractions; and
3. requiring all State Departments of Education to include "adequate progress" toward achieving such proportionality as one of its mandatory criteria for continued state funding without restriction enhancements.



1. To Set a Goal of 25% Renewable Energy by 2025

WHEREAS, the NAACP has committed to Resolutions on Environmental and Climate Justice in 1993, 1996, 2000, 2001, 2002, 2003, 2009 and 2011; and

WHEREAS, the U.S. House of Representatives has passed a resolution that sets a national goal of 25% of total energy coming from domestic, renewable sources-including ethanol and biodiesel-by the year 2025; and

WHEREAS, renewable energy sources currently provide roughly 6% of the United States' total energy needs; and

WHEREAS, African Americans are disproportionately impacted by air pollution, particularly from fossil fuel based energy production processes and people of color and the poor are more likely to be burdened with environmentally-related health conditions; and

WHEREAS, African American children are more likely to be asthmatic than Whites, regardless of their family income, and African Americans are twice as likely to die from asthma and more likely to die from lung disease in spite of lower smoking rates. African Americans lack access to health insurance at 150% the rate of uninsured in the general population; and

WHEREAS, according to the Bureau of Labor Statistics, the February 2012 unemployment rates for African Americans, Hispanics, and Whites was 14.1%, 10.7% and 7.3%, respectively. Data has shown that even when you compare black and white workers, same age range, same education, you still see significant gaps in unemployment rates; and

WHEREAS, as it relates to the energy industry, African Americans spend the greatest proportion of their income on energy, yet benefit from a excessively low fraction of the revenue from the energy industry: Though African Americans spent \$40 billion on energy in 2009, African Americans only comprised 1.1% of those employed in the energy sector and earn less than 1% of the revenue derived from the energy market; and

WHEREAS, it is critical for the U.S. to diversify its economy and we encourage strategic investments in emerging alternative and renewable energy industries, such as wind turbines, solar energy, electric or hybrid cars, advanced battery

production and other 21st century technology which moves the nation toward energy independence. We also emphasize that such investments are not just about protecting the environment but are also about creating economic opportunity and healthy environments in distressed neighborhoods, while we must ensure that new industry and jobs meet the needs of the present without compromising the future; and

WHEREAS, we must ensure that "No Worker is Left Behind", by ensuring that the African American workforce is adequately trained and prepared for these newly created job opportunities. Our critical challenge is to present to our communities, palatable research, proven workforce development models and opportunities for income generation and wealth building as it relates to the advancement of clean energy; and

WHEREAS, the NAACP Environmental and Climate Justice Program serves as a thought leadership forum through which our allies and partners work together on common interests to organize and host both domestic and global policy events furthering the mission of renewable energy.

THEREFORE, BE IT RESOLVED that the NAACP commit to bringing renewable energy into the mainstream of the U.S. economy and lifestyle through research and communications programs and membership committees, and that we work in all sectors of the renewable energy industries including wind power, solar energy, geothermal energy, hydropower, ocean energy, biomass, bio-fuels, and waste energy and set a goal of 25% of renewable energy by 2025; and

BE IT FINALLY RESOLVED that the renewable energy industry promises to create at least 25% of jobs for the African American community.

2. Fighting Environmental Racism

WHEREAS, the NAACP has a long history of fighting environmental racism; and

WHEREAS, many of the environmental health hazards located disproportionately in communities of color result from outdated and ineffective federal chemical policy; and

WHEREAS, the Toxic Substances Control Act of 1976 is the only major environmental law that has never been updated since its inception; and

WHEREAS, the Toxic Substances Control Act does not require toxicological testing of chemicals before they are used in commerce, therefore many toxic chemicals are in use unnecessarily today; and

WHEREAS, there are 82,000 chemicals registered with the U.S. Environmental Protection Agency as potentially used in consumer products in the United States,

of these, EPA has only been able to require health and safety data on 200 of the 62,000 chemicals grandfathered in under this 35 year old law, and has been able to restrict the use of only five chemicals; and

WHEREAS, African American, Latino, American Indian/Alaskan Native, and Asian American/Pacific Islander communities, as well as, low income white communities are disproportionately impacted by health effects from chemical exposure during production use, disposal and post-use legacy exposure to toxic chemicals.

THEREFORE, BE IT RESOLVED that the NAACP support comprehensive reform of national chemical policy to require toxicological assessment of all chemicals and to require that they meet a health-based safety standard before being allowed into commerce; and

BE IT FINALLY RESOLVED that the NAACP supports a chemical policy that allows identification of geographically based chemical "hotspots" for priority in a focused reduction of toxic chemical exposure in air, water and on land.



1. NAACP Supports Obesity Prevention and Healthy Environments for the African American Communities

WHEREAS, an alarming number of young and adult African Americans are obese and suffering from chronic diseases; and

WHEREAS, obesity rates have soared among all age groups, increasing more than four-fold among children ages 6 – 11 over the last 40 years; and

WHEREAS, according to the Center for Disease Control and Prevention (CDC), obesity costs our nation as much as \$147 billion per year in direct healthcare costs and lost productivity; and

WHEREAS, many African Americans have limited accessibility to healthy foods and are exposed to high sodium foods; and

WHEREAS, many African American children are exposed to unhealthy foods through commercial ads enticing purchase at local grocery stores(s) and schools.

THEREFORE, BE IT RESOLVED that the NAACP encourages school systems across America to promote healthy living strategies in the classroom to include nutrition education and seminars on health and the effects of environments on one's well being; and

BE IT FURTHER RESOLVED that the NAACP stands opposed to the lack of available healthy foods in African American neighborhood grocery stores and public schools; and

BE IT FINALLY RESOLVED that the NAACP units will work through the local, state and federal legislative process to ensure that such practices will be closely monitored until finally changed for better health.

HOUSING

1. *The Privatization of Public Housing and Its Impact on African Americans and Other People of Color*

WHEREAS, the mission of the National Association for the Advancement of Colored People (NAACP) is to ensure the political, educational, social, and economic equality of rights of all persons and to eliminate race hatred and racial discrimination; and

WHEREAS, urban renewal and revitalization continue to displace African Americans from their communities and increase the costs of housing making decent housing unaffordable for many; and

WHEREAS, 170,000 families needed shelter in 2009, up from 159,000 in 2008, according to an annual survey from the U.S. Department of Housing and Urban Development [HUD]; and

WHEREAS, between 2005 and 2009 the African American population has lost over 50% of their wealth in the recent unprecedented number of foreclosures due to double-digit unemployment, underemployment, and predatory lending and disproportionately relies on public housing; and

WHEREAS, the rights of public housing residents to decent affordable housing are protected with regards to notification, the right to return, and relocation assistance; and

WHEREAS, the privatization of public housing significantly impacts African Americans and other communities of color.

THEREFORE, BE IT RESOLVED that the NAACP reaffirms its support for public housing and public housing policies that strengthen all low and moderate income communities; and

BE IT FINALLY RESOLVED that the NAACP investigate the privatization of public housing stock and its effects on African Americans and other communities of color and reports its findings to the 2013 National Convention.

IMMIGRATION

1. *Establishing a Haitian Family Reunification Program*

WHEREAS, the NAACP is deeply concerned about the precarious status of many Haitian children, elders and families, as they wait in Haiti to be reunited with their loved ones here in the United States, and for so many, the conditions in Haiti since the devastating earthquake of 2010 continue to remain unstable and even dangerous; and

WHEREAS, currently 112,000 Haitians are beneficiaries of family-based Visa Petitions, which U.S. citizens or legal permanent resident family members in the United States have filed, and which the Department of Homeland Security has already approved, all are "legal" and will eventually be joining their families here. However, they remain on a "Wait List" of nearly three to eleven years in Haiti, where many may not survive given conditions there; and

WHEREAS, establishing a Haitian Family Reunification Parole Program (HFRPP), modeled after the Cuban Family Reunification Parole Program, would alleviate this crisis by simply allowing Haitians already approved for Visas to wait in the United States with their families rather than in Haiti.

THEREFORE, BE IT RESOLVED that the NAACP will contact the appropriate authorities and urge the immediate implementation of actions to remedy this situation by establishing a Haitian Family Reunification Program and issue an Action Alert to garner support from NAACP units and members.

2. Fair and Comprehensive Immigration Reform

WHEREAS, U.S. Immigration and Customs Enforcement (ICE) has developed a program that entangles and burdens local police with civil immigration enforcement, known as Secure Communities (S-Comm) which requires the sharing of fingerprint information at the point of booking by local or state law enforcement, citizen or non-citizen, no matter the severity, with the Department of Homeland Security/ICE and since implementation of S-Comm individuals who are picked up by the police for a minor offense, or traffic infraction have ended up in deportation proceedings; and

WHEREAS, the program has torn apart local communities throughout the country and has eroded public trust of the police within immigrant communities, leading Governors Pat Quinn of Illinois, Andrew Cuomo of New York, and Patrick Duval of Massachusetts to formally request to terminate, suspend or refuse to sign an agreement with ICE with regard to S-Comm, and law enforcement officials have expressed strong concerns regarding the damage caused by S-Comm on community policing; and

WHEREAS, ICE's own current data has consistently shown that the vast majority of those deported due to S-Comm (about 70%) have no criminal convictions or were arrested on minor charges, including traffic violations. This is why the Congressional Hispanic Caucus on March 5, 2011, sent a letter to President Obama, asking him to suspend S-Comm pending a thorough review of this deeply flawed program; and

WHEREAS, the U.S. Congressional Hispanic Caucus, the U.S. Congressional Progressive Caucus, and the Los Angeles Congressional Delegation have all called upon President Barack Obama to suspend S-Comm nationally because of concerns over racial profiling and the harm caused to victims of crime in such a way that victims of crime, including survivors of domestic violence, have been swept up into deportation proceedings by S-Comm after calling the police for help.

THEREFORE, BE IT RESOLVED that the NAACP calls upon President Barack Obama, Department of Homeland Security Secretary Janet Napolitano, and Congress to take steps to pass just, fair and comprehensive immigration reform, rather than strengthen deeply flawed police/ICE collaboration programs like S-Comm that erode trust between local police and the community.

INTERNAL AFFAIRS

1. Reaffirming the NAACP's Commitment to Outreach of Young Adult Members

WHEREAS, membership is the lifeblood of the NAACP; and

WHEREAS, the current age demographic of NAACP members include youth members under the age of 21 and adult members over age of 40; and

WHEREAS, young adults and professionals are significant force-multipliers within the community, tend to be highly civically engaged and active in aggressively creating change; and

WHEREAS, the Young Adult Committee is a standing Branch committee with the objective to recruit young adult members; and

WHEREAS, initiatives such as the Leadership 500 Summit which recognizes and provides programmatic training for young professional members; and

WHEREAS, many former youth council and college chapter members do not become active members of a local Branch; and

WHEREAS, young adults and professionals between the ages of 21 and 40 could have a stronger presence in the NAACP especially if they are afforded the resources or support that specifically caters to this population; and

WHEREAS, this young adult and professional population has a critical role to play in the future of the NAACP in terms of leadership, talent, resources and capacity; and

WHEREAS, the longevity of the NAACP would benefit from investing in a progressive young adult and professional base; and

WHEREAS, an organization better reflective of the broad demographics of our community would allow the NAACP to continue to remain relevant.

THEREFORE, BE IT RESOLVED that the NAACP will form an Advisory Group to include youth, young adults and professionals to develop a plan to recruit, retain, and engage young adult and young professional members in the work of the NAACP; and

BE IT FURTHER RESOLVED that the NAACP Membership Department will develop and implement a membership campaign targeted in recruiting young adult and young professional members between the ages of 21 and 40 to become active members in Branches; and

BE IT FINALLY RESOLVED that material developed for training and other NAACP endeavors include content relevant to these groups.

LEGISLATIVE

1. *Placing a Bust of Clarence Mitchell, Jr., in the Rotunde of the United States Congress*

WHEREAS, Clarence Mitchell, Jr., as director of the NAACP Washington Bureau and legislative chairman of the Leadership Conference on Civil Rights from 1950 to 1978, led the NAACP mission in Washington for leadership by the President in the struggle for passage of civil rights laws by Congress; and

WHEREAS, Clarence Mitchell, Jr., in seeking to keep the idea of the wartime Fair Employment Practice Committee alive, got presidents Truman, Eisenhower, Kennedy and Johnson to issue executive orders barring racial discrimination in employment by the government and by private companies holding government contracts; and

WHEREAS, Clarence Mitchell, Jr., led in developing and executing the strategy that won passage of the 1957 Civil Rights Acts, which, as the first such measure passed by Congress in 82 years, broke the psychological barrier to the passage of such legislation; and

WHEREAS, in seeking stronger and broader civil rights laws, Clarence Mitchell, Jr., continued in his unflagging devotion to this struggle and won passage of the 1960 Civil Rights Act, the 1964 Civil Rights Act, the 1965 Voting Rights Act, and the 1968 Fair Housing Act; and

WHEREAS, following enactment of the landmark civil rights laws, Clarence Mitchell, Jr., led the struggle for passage of strengthening measures to further assure protection of the constitutional rights of African Americans, women, and other minorities suffering discrimination; and

WHEREAS, passage of the civil rights laws further helped to affirm the basis for adoption of other constructive national policies by the Executive Branch for the protection of civil rights; and

WHEREAS, a central part of the mission of Clarence Mitchell, Jr., as the lobbyist for the civil rights movement, was blocking passage of legislation that was harmful to African Americans; and

WHEREAS, Clarence Mitchell, Jr., firmly established the NAACP's presence in Congress as the leader of the struggle for civil rights laws by testifying at least 180 times before congressional committees in the quest for civil rights laws between 1946 and 1978, when he was employed by the Association; and

WHEREAS, in 1969, the NAACP expressed its appreciation to Clarence Mitchell, Jr., for his dedicated service and leadership of the civil rights struggle by awarding him its 54th Spingarn Medal; and

WHEREAS, President Johnson publicly acknowledged the unparalleled contributions Clarence Mitchell, Jr., as a civil rights lobbyist, by noting in 1968 that, "he didn't have the highest title in the room, but all in all he had forced down my door more than any other person"; and

WHEREAS, in 1980, President Jimmy Carter awarded Clarence Mitchell, Jr., the Presidential Medal of Freedom, which read:

Clarence Mitchell, Jr., for decades waged in the halls of Congress a stubborn, resourceful and historic campaign for social justice. The integrity of this "101st" senator earned him the respect of friends and adversaries alike. His brilliant advocacy helped translate into law the protests and aspirations of millions consigned for too long to second-class citizenship. The hard-won fruits of his labors have made America a better and stronger nation.

WHEREAS, upon his death in 1984, Senator Howard Baker, Jr., eulogized Clarence Mitchell, Jr., on the floor accordingly: "In those days, Clarence Mitchell was called the 101st senator, but those of us who served here then knew full well that this magnificent lion in the lobby was a great deal more influential than most of us with seats in the chamber"; and

NOW, THEREFORE, BE IT RESOLVED that the National Association for the Advancement of Colored People call upon the Congress of the United States of America to accord this giant of the modern civil rights movement national recognition of his historical role in ensuring that the Legislative Branch join the Judicial and Executive Branches of Government in providing protections for the constitutional rights of African Americans and all others suffering denials of their

civil rights by having made and placing a bust of Clarence Mitchell, Jr., in the United States Capitol Building.

2. Affirming the Universal Health Care Law While Calling for More Mental Health Services In African American Communities

WHEREAS, on March 23, 2010, H.R. 3590, the NAACP-supported, *Patient Protection and Affordable Care Act* that was signed into law by President Barack Obama for a much needed overhaul of our nation's broken health care system; and

WHEREAS, prior to enactment of this law, over 50 million Americans had no health insurance; and

WHEREAS, African Americans make up almost 1/3 of the uninsured population in this country; and

WHEREAS, the current law will extend health insurance coverage to about 32 million American men, women and children who do not currently have health insurance coverage; and

WHEREAS, having access to quality, affordable health care is a civil and human right and should not be reserved for the wealthy, or the few; and

WHEREAS, many health issues are preventable and far too often African American patients enter medical facilities late in the progression of their diagnosis; and

WHEREAS, stigma and barriers to access mental health services continue to be issues in the African American community; and

WHEREAS, since enactment of the Patient Protection and Affordable Care Act, of the 2.5 million young adults under the age of 26 that have health coverage, 1.3 million represent communities of color; and

WHEREAS, under the new law, states are required in 2014 to establish state insurance exchanges through which residents may obtain better tailored and more cost effective health insurance; and

WHEREAS, a total of 26 states, the National Federation of Independent Business and two individual citizens filed suit against the federal departments of Health and Human Services, Treasury and Labor (and their secretaries); and

WHEREAS, the case was brought to the Supreme Court in March 2012 to remove the individual mandate to be implemented on the state level and limit the expansion plan for Medicaid to cover more patients.

THEREFORE, BE IT RESOLVED that the NAACP strongly supports the full implementation of the *Patient Protection and Affordable Care Act*; and

BE IT FURTHER RESOLVED that the NAACP will advocate that the Affordable Care Act expand treatment delivery services to include mental health; and

BE IT FURTHER RESOLVED that the NAACP strongly support the expansion of Medicaid to cover the "working poor" who make too much money to qualify for federally funded health coverage and not enough to purchase their own health plans; and

BE IT FURTHER RESOLVED that the NAACP strongly oppose action taken by the Attorney Generals of Alabama, Alaska, Arizona, Colorado, Florida, Georgia, Idaho, Indiana, Iowa, Kansas, Louisiana, Maine, Michigan, Mississippi, Nebraska, Nevada, North Dakota, Ohio, Pennsylvania, South Carolina, South Dakota, Texas, Utah, Washington, Wisconsin, and Wyoming who are named in the suit to block the individual mandate clause and expansion of Medicaid; and

BE IT FURTHER RESOLVED the NAACP reaffirms its 2010 resolution supporting the full implementation of the Affordable Care Act and encourages units and state conferences of these states to take immediate action with advocacy office visits, press conferences, public forums, op-ed's and other promotional initiatives to speak out against these reckless, undemocratic legal maneuvers; and

BE IT FINALLY RESOLVED that if the Supreme Court deems the individual mandate is unconstitutional, the NAACP calls for the rest of the Affordable Care Act to remain active.

WHEREAS, the NAACP supports approval, directives and permission to activate legal and political committees throughout the United States to eradicate the unfair Truth and Sentencing Laws; and

WHEREAS, in 1994, the U.S. Congress passed Truth and Sentencing laws (Title 42 U.S.C. Section 13701 and Section 13702) making grants available to state governments to construct, develop, expand, modify, operate or improve correctional facilities ... for confinement of violent offenders... and to implement truth in sentencing laws for violent offenders, specifically, but none the less limited to, requiring first time violent offenders to serve not less than 85% of the sentence imposed and increasing the average prison time and percentage of sentence which will be served by violent offenders; and

WHEREAS, Title X-supported clinics provide a number of related preventive health service such as: patient education and counseling; breast and pelvic examinations; breast and cervical cancer screening according to nationally recognized standards of care; sexually transmitted disease (STD) and Human Immunodeficiency Virus (HIV) prevention education, counseling, testing and referral; and pregnancy diagnosis and counseling; and

WHEREAS, women of low income and women of color are the most affected by cervical and breast cancer in the United States; and

WHEREAS, according to the National Cancer Institute, nearly 27,000 African American women are expected to be diagnosed with breast cancer this year. And while they are less likely than white women to be diagnosed with breast cancer they are more likely to die from it than any other race-and more likely to be diagnosed at an advanced stage; and

WHEREAS, according to the American Cancer Society, Latino women are more likely to be diagnosed with large tumors and late stage breast cancer than white women; and

WHEREAS, the risk of Asian women, who migrate to the U.S., to develop cancer increases up-to-six fold according to the National Cancer Institute; and

WHEREAS, women of color are more likely to not have adequate health care coverage than white women; and

WHEREAS, in many communities across the country, organizations like Planned Parenthood and other health service agencies are a source of preventive health care for women; and

WHEREAS, Planned Parenthood had been serving with the Title X funds, almost 3 million women, men and young people annually.

THEREFORE, BE IT RESOLVED that the NAACP take its rightful place in history, and call all of its units to mobilize and advocate for the protection and restoration of Title X funding to Women Health Programs in the United States of America; and

BE IT FINALLY RESOLVED, that the NAACP will continue to advocate for equal access to health care in the United States.

5. NAACP Opposes Modern Day Slavery and Human Trafficking

WHEREAS, slavery still exists. Tens of millions of people are enslaved around the world in debt bondage, forced labor, child labor, sex trafficking, and other modern manifestations of this ancient scourge; and

WHEREAS, according to the Alliance to End Slavery and Trafficking (ATEST), today there are more men, women and children enslaved than at any other time in history; and

WHEREAS, the NAACP, which was founded just over 45 years after the end of slavery in the United States, perhaps more than any organization, is sadly too familiar with the sins of slavery and its repercussions for generations to follow; and

WHEREAS, the United States government considers human trafficking to include all of the criminal conduct involved in forced labor and sex trafficking, essentially the conduct involved in reducing or holding someone in compelled service; and

WHEREAS, the current size and continued growth of the human trafficking industry is unacceptable; there are modern strategies to help end this serious problem, such as toll free hotlines and increased awareness; and

WHEREAS, the *Trafficking Victims Protection Act*, a key tool in the United States' arsenal against modern day slavery, expired at the end of 2011, despite being enacted in 2000 with strong bipartisan support and reauthorized, again with strong bipartisan support, in 2003, 2005 and 2008.

THEREFORE, BE IT RESOLVED that the NAACP supports federal legislation to assist governmental, international and non-governmental agencies in their efforts to end modern day slavery and human trafficking; and

BE IT FURTHER RESOLVED that the NAACP supports legislation to better enable State child welfare agencies to prevent human trafficking of children and serve the needs of children who are victims of human trafficking; to require companies to include in their annual reports to the Securities and Exchange Commission a disclosure describing any measures the company has taken during the year to identify and address conditions of forced labor, slavery, human trafficking, and the worst forms of child labor within the company's supply chains; and to prevent human trafficking in government contracting; and

BE IT FINALLY RESOLVED that the NAACP supports the immediate reauthorization of the *Trafficking Victims Protection Act* and calls on Congress to provide sufficient funding in fiscal year 2013 for programs that work to combat the growing problem of human trafficking and slavery; and

BE IT FINALLY RESOLVED that the NAACP reaffirms its 2009 Resolution on Slavery to urge the United States Department of State and the Department of Justice to redouble its efforts to develop and implement a multi-faceted approach to fighting and eliminating slavery and human trafficking.

6. NAACP Supports Full Reinstatement of Housing Counseling Funding

WHEREAS, the Department of Housing and Urban Development (HUD) Counseling Assistance Program was developed in 1968 to address a broad range of housing counseling needs of working families and seniors of modest means; and

WHEREAS, the HUD Counseling Assistance Program is the only federal program that provides direct support for households considering purchasing their first home, non-foreclosure post purchase counseling, renter and homeless prevention counseling and mortgage counseling for seniors; and

WHEREAS, since fiscal year 2009, HUD-approved housing counseling agencies nationwide have provided more than four million families with individual housing counseling; counseled more than 420,000 pre-purchase households, resulting in 185,000 who purchased homes or are homeownership-ready; worked to prevent mortgage delinquency for 2.6 million households, with nearly 834,000 avoiding foreclosure; supported 413,000 people with post-purchase (non-foreclosure) services, 168,000 of whom refinanced or obtained reverse mortgages; and helped more than 590,000 renters and homeless individuals resolve tenant issues or find shelter; and

WHEREAS, housing counseling organizations have been working on the frontlines of the current housing crisis to provide assistance to distressed homeowners and guidance to individuals seeking to purchase or rent a home and housing counselors act as independent advisors, helping families deal with their entire financial picture and find sustainable solutions to their housing circumstances; and

WHEREAS, in Fiscal Year 2010, the program was funded at \$87.5 million, but in Fiscal Year 2011, the program was funded at zero dollars. As a result, a housing counseling funding cuts survey found that, of those agencies surveyed, 85% of housing agencies experienced cuts in 2011; 52% of agencies reduced the number of clients they saw; 40% laid off staff and 38% reduced counselor hours; 46 agencies closed their doors or stopped providing housing counseling; over 350 counselors lost their jobs, due to funding cuts; and HUD has reported that one million fewer people were counseled in the year starting October 2010, than in the year before; and

WHEREAS, in Fiscal Year 2012 the HUD Housing Counseling Assistance Program was funded with \$45 million, only half of the funding granted two years ago; and

WHEREAS, housing counseling services assist Americans in improving their housing conditions, meeting financial needs and fulfilling the responsibilities of tenancy or homeownership and, most importantly, are helping to resolve the present housing crisis and to prevent anything like this from ever occurring again; and

WHEREAS, the use of housing counselors improves the likelihood of homebuyers entering into sustainable mortgage lending products; and

WHEREAS, from 2007 to the end of 2009 an estimated 2.5 million foreclosures occurred throughout the country with African Americans twice as likely to lose their homes in foreclosures as compared to white Americans; and

WHEREAS, the Center for Responsible Lending has estimated that between 2009 and 2012 nearly \$200 billion will be lost by African American and Latino communities due to depreciation of their homes and millions more homes are expected to be foreclosed upon over the next few years; and

WHEREAS, African Americans and Latinos were disproportionately targeted with unsustainable subprime loans and the majority of African American and Latino households are not yet homeowners; and

WHEREAS, NAACP units across the country rely on the services of housing counselors to assist members in our communities on not only housing purchases, but also what to do when they are faced with foreclosure. For example, since the latter part of 2008, the Stockton Branch of the NAACP has referred over 300 families to HUD Counselors to assist them with foreclosure and loan modification issues; and

WHEREAS, foreclosure counseling reduces the likelihood of re-default by 67% and more than doubles the chance of a homeowner receiving a loan modification.

THEREFORE, BE IT RESOLVED that the NAACP advocate for and strongly support consistent and robust federal funding for housing counseling services; and

BE IT FINALLY RESOLVED that NAACP units across our nation are encouraged to affiliate and work with local authorized and authoritative housing counselors to benefit their members.

VOTING RIGHTS

1. **NAACP Calls for the Expansion of the Right to Vote to All Eligible Citizens and for Affirmative Steps to Increase the Integrity of Elections**

WHEREAS, there has been a significant expansion in the number and type of voter suppression measures since the NAACP affirmed its opposition to efforts to disenfranchise millions of eligible American voters, disproportionately African American and other racial and ethnic minorities in 2011 and claims of mass voter fraud remain unproven despite numerous investigations; and

WHEREAS, the NAACP was instrumental in passing the Help America Vote Act of 2001 which strengthens the integrity of our elections through increased use of safe and reliable technology approaches and full funding for the Elections Assistance Commission; and

WHEREAS, the NAACP's present policy position supports expansion of voting rights including full voting rights to the residents of the District of Columbia and automatic restoration of voting rights for people with felony convictions immediately upon release from prison; and

WHEREAS, existing policy opposes voter suppression measures including discriminatory photo ID requirements for registering and voting; laws which shorten or eliminate early voting periods, same day voter registration and Sunday voting; which place onerous restrictions on the voter registration efforts of non-partisan organizations and groups; and which place stringent requirements on individuals who have moved; and

WHEREAS, since 2011 extremist legislators have expanded the attack on voting rights to include requiring proof of citizenship at the time of registration, severe limits on how many voters any one person may assist at the polls, and ballot measures seeking to institutionalize voter suppression measures into state constitutions and continue to invent new barriers to voting; and

WHEREAS, in 2011 Florida and Iowa reinstated felony disenfranchisement rules which prevent more than 500,000 people with felony convictions from voting; and

WHEREAS, recent research set forth in the NAACP's *Defending Democracy* report establishes that more than 5 million people who were eligible to vote in 2008 will be unable to vote in 2012 as a result of voter suppressive measures; recent expert testimony from Professor Kenneth Mayer in the case of *Milwaukee Branch of the NAACP, et al v. Scott Walker* established upwards of 300,000

registered voters will be unable to participate in Wisconsin's next election as a result of its newly adopted photo ID changes ;and according to a 2012 study conducted by the New York Times, in the months since Florida's third party registration restriction took effect in May 2011, 81,471 fewer Floridians have registered to vote than during the same period before the 2008 presidential election; and

WHEREAS, proof of citizenship requirements expanded to seven states in 2012 including Arizona, Texas, South Carolina, Kansas, Tennessee, Alabama, and Virginia and primary proof of citizenship documents are limited to an original or certified copy of a birth certificate or a United States passport and neither is available free of charge, and it is improbable that citizens who are eligible to vote will carry such important documents on their person; and

WHEREAS, restrictions on individuals' ability to provide ready assistance at the polls could have a significantly negative impact on the ability of as many as 1.2 million people residing in domiciliary care, congregate housing, residential care or assisted living facilities to cast a ballot on Election Day as these voters are commonly transported to the polls in groups and require assistance; and

WHEREAS, voter suppression measures institutionalized into state constitutions through ballot initiatives or constitutional amendments become a part of the fabric of the state's democratic process and are therefore a grave threat to democracy and several states including Ohio, Minnesota, Missouri, and Mississippi are currently trying to institutionalize voter suppression in this way; and

WHEREAS, felony disenfranchisement schemes remain in the state constitution of four states, Florida, Virginia, Kentucky and Iowa, despite first emerging as a voter suppression measure in the late 1890s for the specific purpose of eliminating political power and influence of African Americans; and

WHEREAS, according to the Sentencing Project, 60 percent of those incarcerated are racial or ethnic minorities and according to a 2012 bulletin of the United States Department of Justice, Office of Justice Programs, 1 in 200 United States residents is incarcerated and black men are incarcerated at a rate seven times higher than white men; black women at a rate nearly three times that of white women; and as many as 47 percent of all individuals are incarcerated for non-violent offenses.

THEREFORE, BE IT RESOLVED that the NAACP calls for the complete elimination of federal and state election laws, policies and procedures which automatically strip individuals of the right to vote if convicted of a felony, following the examples of Maine and Vermont where citizens convicted of felony convictions do not lose their right to vote and where voting rights remain separate and apart from the criminal justice system; and

BE IT FURTHER RESOLVED that the NAACP calls for the amendment of federal and state laws to provide for the automatic registration of all citizens upon reaching the voting age and that automatic voter registration be given equal weight and consideration as registration for selective service; and

BE IT FURTHER RESOLVED that the NAACP continues to call on all units to identify and fight against these disenfranchising proposals at the local, state, and federal level, including proof of citizenship at time of registration, severe limits on how many voters any one person may assist at the polls, and ballot measures seeking to institutionalize voter suppression measures into state constitutions, and any other voter suppression measures that may arise in the future; and

BE IT FURTHER RESOLVED that the NAACP calls on its units to engage in advocacy efforts to advance progressive solutions that protect and expand voting rights such as efforts to institutionalize the right to vote in the federal and state constitutions and any proposed legislation that expands the electorate; and

BE IT FINALLY RESOLVED that the NAACP will engage in a national campaign aimed at reversing voter suppression measures and expanding progressive election reforms. This campaign includes providing support to multi-faceted state voting rights campaigns, conducting national and state voter education efforts, working with national partners to expand national and grassroots capacity and shaping the public narrative through strategic communications.

Resolves Citizens United and Calls on the Passage of Local and State Policies that Overturn Citizens United and Promote Transparency and Integrity in Elections.

WHEREAS, on January 21, 2010, in the case of *Citizens United v. Federal Election Commission* the United States Supreme Court opened the door to unlimited corporate financing of elections and in so doing struck down prior deliberations on the need to regulate this kind of financing as set forth in the 1907 Tillman Act, the 1925 Federal Corrupt Practices Act, the 1943 War Labor Disputes Act, the 1947 Taft-Hartley Act, the 1971 FECA, and the 2002 BCRA; and

WHEREAS, in 2001, the NAACP affirmed its position on campaign finance as a civil rights issue and in 2007 reiterated its support for public financing of House and Senate campaigns; and

WHEREAS, after *Citizens United* outside groups largely funded by special interest monies were reported to have spent more than three times as much money to influence the 2010 elections than they did during the previous mid-term cycle; and

WHEREAS, *Citizens United* allows unlimited special interest financing of elections by for-profit corporations; and

WHEREAS, the reasoning therein directly impedes upon, and for most ordinary citizens, completely thwarts their ability to elevate their interests before their elected officials; and

WHEREAS, unlimited financing of elections through special interest money coupled with non-disclosure policies has opened the floodgate of electioneering ads and other political advertisements from anonymous front groups and those ads mean to confuse voters; and

WHEREAS, an April 2012 report by the Brennan Center for Justice showed that nearly 70 percent of Americans polled believe money in politics will lead to corruption and also revealed that African American and Latino voters reported they will be less likely to vote because they believe big money donors have far more sway than the average citizen; and

WHEREAS, special interest money is being used to fund initiatives to pass or defeat legislation amounting to an attack on democracy including the expansive attack on voting rights, immigrants, workers' rights, and women; and

WHEREAS, the NAACP reaffirms its position on campaign finance matters as a civil rights issue and its support for public financing of House and Senate campaigns.

THEREFORE, BE IT RESOLVED that the NAACP calls on all units to support local, state, and federal legislative efforts that would overturn *Citizens United* or which encourages public financing of campaigns so as to increase the public's confidence in the integrity of the nation's elections; and

BE IT FINALLY RESOLVED that the NAACP work with national partners in efforts to overturn *Citizens United* and educate units and the communities they serve on the impact of special interest money in elections through education efforts that enable units to better understand the long term impact of special interest money on elections and thereby, minority voters' ability to fully participate in the democratic process.

3. Self Determination for the District of Columbia

WHEREAS, the District of Columbia is the nation's capital where over 600,000 American citizens live; and

WHEREAS, the citizens of the District of Columbia are denied the right to vote in Congress; and

WHEREAS, the citizens of the District of Columbia bear all of the obligations and responsibilities of citizenship by paying taxes, being drafted, fighting and dying in war, and serving on juries; and

WHEREAS, all legislation enacted by the Council of the District of Columbia must be submitted to the Congress for approval or change before it becomes law; and

WHEREAS, the District of Columbia is prohibited from taxing the income of nonresidents who earn their living in the District of Columbia which narrows its tax base and creates a structural imbalance in its budget.

THEREFORE, BE IT RESOLVED that the NAACP reaffirms its 1997, 2002, 2004, 2005, 2006, 2007, 2008, and 2009 resolutions calling for the full voting rights and STATEHOOD for the District of Columbia; and

BE IT FINALLY RESOLVED that the NAACP calls on all of its Units to advocate to its members of Congress, both House and Senate to support full STATEHOOD rights for the District of Columbia.

EMERGENCY RESOLUTION

LEGISLATIVE

1. NAACP Strongly Supports Attorney General Eric Holder

WHEREAS, Eric Holder is the first African American Attorney General of the United States; and

WHEREAS, Eric Holder is among the most qualified candidates to ever hold the office of United States Attorney General in American history; and

WHEREAS, prior to becoming Attorney General, Mr. Holder served as the Deputy Attorney General under Janet Reno and lead the transition from Ms. Reno to her successor, Attorney General John Ashcroft; served as United States Attorney for the District of Columbia; served as Superior Court Judge (a position to which he was nominated by Ronald Reagan); and worked as a Trial Attorney in the Public Integrity section of the Department of Justice; and

WHEREAS, since becoming Attorney General, Eric Holder has reinvigorated the U.S. Department of Justice, and in particular the Department's work on protecting Americans' civil rights and our voting rights; and

WHEREAS, together with Assistant Attorney General for Civil Rights Tom Perez, Mr. Holder has been an extremely effective advocate for civil rights, voting rights, fair lending and fair housing, equal opportunities in education and employment, and in investigating and prosecuting law enforcement misconduct and human trafficking; and

WHEREAS, on June 28, 2012, the United States House of Representatives, driven by its extremist Members, vote, by a margin of 255 yeas to 67 nays, with 1 member voting "present" and 109 Members not voting, to cite Attorney General Eric Holder in contempt of Congress over documents in the "Fast and Furious" debacle; and

WHEREAS, to protest the vote, 108 members of Congress, led by Congressional Black Caucus Chairman Emmanuel Clever (MO), the Congressional Hispanic Caucus, the Congressional Asian and Pacific Islander Caucus, the Congressional Progressive Caucus and House Minority Leader Nancy Pelosi (CA), walked out of the Chamber in protest and did not vote; and

WHEREAS, this vote now gives Eric Holder the distinction of being the first sitting U.S. Attorney General, and indeed the first sitting member of a President's cabinet, to be found in contempt of Congress by a vote of the full House of Representatives; and

WHEREAS, the extremist supporters of the contempt of Congress citation say that the Attorney General has not been forthcoming over his knowledge of and role in the flawed "Fast and Furious" debacle, a program which was initiated by agents of the Phoenix, Arizona, office of the Bureau of Alcohol Firearms and Explosives; and

WHEREAS, the extremist supporters of the contempt of Congress citation appear to have overlooked a number of key facts, including the fact that the Attorney General has testified before Congress on this matter no less than 9 times in the past 18 months, or that the "Fast and Furious" program was closely modeled after "Operation Wide Receiver," which was developed and implemented during the previous Administration, or that once he knew the details of the "Fast and Furious" operation, Attorney General Holder immediately suspended it and called for an investigation by the U.S. Department of Justice's Inspector General; and

WHEREAS, these same extremist Members of the U.S. House of Representatives are the same ones who included "riders" to the bill funding the Department of Justice in 2013 which prohibited the Justice Department from pursuing lawsuits against states which enact discriminatory photo ID provisions when voting; against states which enact laws that codify, if not encourage racial profiling by law enforcement; in support of health care reform; in support of the guidance recently issued by the Equal Employment Opportunity Commission against criminal background checks; and against states on behalf of the National Labor Relations Board with respect to secret ballot union elections; and

WHEREAS, the NAACP is outraged that the U.S. House of Representatives is spending time and resources on this extremist partisan, political folly when there are so many crucial problems facing our nation, including a war in Afghanistan, high and frustrating unemployment rates here in the United States, a fractured criminal justice system, continuing foreclosures crisis across the nation, but to name a few, that call for national leadership.

THEREFORE, BE IT RESOLVED, that the NAACP expresses its strong support of Attorney General Holder and for his work at the U.S. Department of Justice to protect and enhance the civil and voting rights of all Americans; and

BE IT FURTHER RESOLVED, that the NAACP calls upon all of its members to contact their elected Members of the U.S. House of Representatives and the U.S. Senate to express their outrage at the treatment of the first African American and one of the best Attorney Generals in history; and

BE IT FINALLY RESOLVED, that the NAACP Washington Bureau send out updates to all units as necessary on this travesty.

2. NAACP Supports Full Implementation of the Chisom Consent Decree

WHEREAS, in 1986 a class action suit was filed in federal court on behalf of all African Americans registered to vote in Orleans Parish, Louisiana (the "Chisom suit"); and

WHEREAS, the Chisom suit established that the manner of electing justices to the Louisiana Supreme Court constituted racial gerrymandering that impermissibly diluted minority voting strength in violation of the Voting Rights Act of 1965; and

WHEREAS, after six years of litigation, the Chisom suit was settled by a federal Consent Decree (the "Chisom Consent Decree"); and

WHEREAS, the Chisom Consent Decree provided for the election of a Justice from a racial and ethnic minority majority voting district to serve on the Louisiana Supreme Court with equal compensation, benefits, expenses and emoluments due a Justice of the Louisiana Supreme Court; and

WHEREAS, one of the emoluments of a Justice of the Louisiana Supreme Court is seniority of service; and

WHEREAS, the Louisiana Constitution mandates that the Louisiana Supreme Court Justice with the most seniority of service shall be declared the Chief Justice of the Louisiana Supreme Court; and

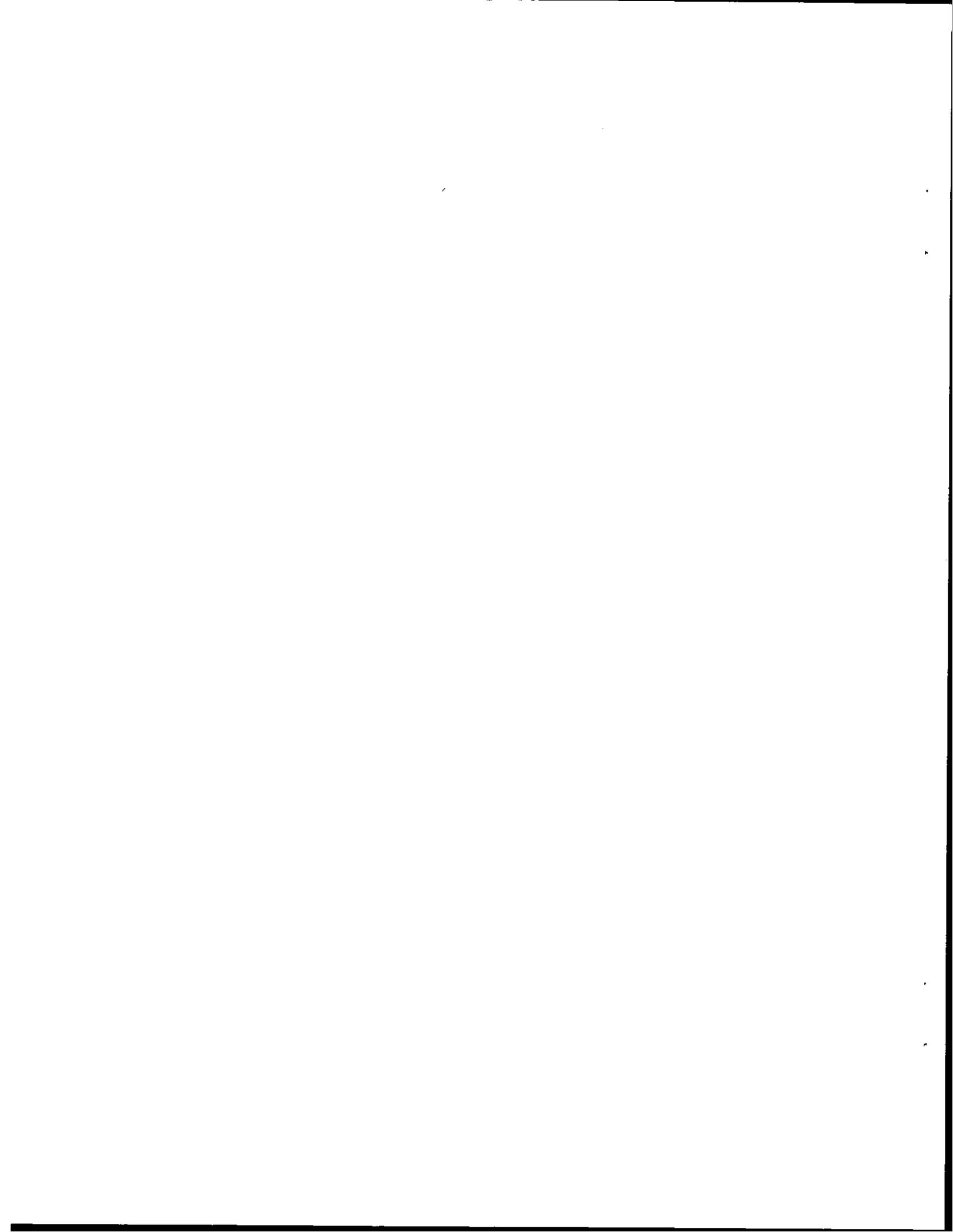
WHEREAS, Chief Justice Kimball has announced her retirement effective December 31, 2012; under existing rules, the next most senior person on the court would become the Chief Justice; and

WHEREAS, there is now an attempt by some of the Louisiana Supreme Court Justices to change the process of selecting her replacement in an effort to block opportunities which were made available to racial and ethnic minorities by the Chisom Consent Decree; and

WHEREAS, a final decision guiding this process will be made by early fall, 2012; and

WHEREAS, the Louisiana Supreme Court makes decisions that have repercussions throughout the south and indeed throughout our nation.

THEREFORE, BE IT RESOLVED, that the National Association for the Advancement of Colored People supports the demands of the Louisiana State Conference that the Chisom Consent Decree be fully enforced.



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