

NAACP[®] **RESOLUTIONS**

2002

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

2002 RESOLUTIONS

I. CIVIL RIGHTS

1. Endorsement of the Creation of the Harriett Tubman National Park

WHEREAS, the Ad Hoc Committee for the Harriet Tubman National Park, whose members include leaders of the NAACP branches throughout the State of Maryland, has proposed the creation of the Nation's first full service national park to be dedicated to the memory and spirit of a person of African descent; and

WHEREAS, the Harriet Tubman National Park would be American's first National park and full service vacation destination of special interest to people of color throughout the world; and

WHEREAS, the Harriet Tubman National Park located in Dorchester County on Maryland Eastern Shore, would include Harriet Tubman's birthplace, as well as extensive wetlands, farmlands and waterways (including parts of the Choptank River and the Chesapeake Bay) to which enslaved people adapted in their escape from bondage by way of the Underground Railroad; and

WHEREAS, the Harriet Tubman National Park would be a full service destination offering educational research and family recreational activities to include dramatizations of the Underground Railroad, instruction in oral history and genealogical research, tours featuring wildlife observation and environmental and historic interpretation, and traditional outdoor recreational activities featured in national parks; and

WHEREAS, the Harriet Tubman National Park will reveal how those persons escaping slavery creatively used the wetlands and waterways for protection from slaveholders for shelter and sustenance; and

WHEREAS, the Harriet Tubman National Park would be designed to the highest standards of historic preservation, educational value, environmental and wildlife protection and economic and land use planning; and

WHEREAS, the Harriet Tubman National Park will be the nearest recreation-based, full service national park to one-quarter of the U.S. population; and

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WHEREAS, among the greatest of Americans, Harriet Tubman deserves the highest level of public recognition that can be bestowed by the United States Congress and the Department of the Interior, including the legacy of full inclusion of all Americans in preservation and conservation.

THEREFORE, BE IT RESOLVED, that the National Association for the Advancement of Colored People endorses the creation of the Harriet Tubman National Park; and

BE IT FINALLY RESOLVED, that the NAACP will recommend to the United States Congress and the Department of the Interior the creation of the Harriet Tubman National Park.

2. Recommitment to Leadership Conference on Civil Rights

WHEREAS, the Leadership Conference was co-founded in 1950 by Roy Wilkins, Executive Secretary of the National Association for the Advancement of Colored People, to implement President Truman's Commission on Civil Rights' report to secure these rights; and

WHEREAS, at the founding of the Leadership Conference segregation was sanctioned by law and equality was a distant dream; and

WHEREAS, the Leadership Conference was an integral part of the Civil Rights Movement and pushed for the passage of the Civil Rights Act of 1957, 1960 and 1964; the Voting Rights Act of 1965 and the Fair Housing Act of 1968; and

WHEREAS, the National Association for the Advancement of Colored People historically participated in the activities of the Leadership Conference and also provided the Leadership Conference with some of its brightest leaders, namely Roy Wilkins and Dr. Benjamin Hooks; and

WHEREAS, the cause that the Leadership Conference has advanced for the last five decades – an America true to its promise of equal justice, equal opportunity and mutual respect, directly correlates with the primary focus of the National Association for the Advancement of Colored People – the protection and enhancement of the civil rights of African-Americans and other minorities; and

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WHEREAS, the Leadership Conference's agenda of fighting discrimination in all of its forms, improving inter-group relations, and promoting the full participation of every American in every facet of our nation's life is reflective of the goals and mission of the National Association for the Advancement of Colored People; and

WHEREAS, the civil rights community faces new challenges in the struggle for civil rights and social justice and still requires vigilance by the widest coalition of conscious groups and individuals; and

WHEREAS, the issues that both the Leadership Conference and National Association for the Advancement of Colored People strongly advocate for include: equity in education, enforcement of civil rights laws, qualified and diverse judiciary, equal opportunity in employment and housing, equity in our criminal justice system, federal policies against hate crimes, racial profiling, and police misconduct.

THEREFORE, BE IT RESOLVED, that the National Association for the Advancement of Colored People will rededicate its resources, efforts and membership to unit the forces of these organizations; and

BE IT FINALLY RESOLVED, that the National Association for the Advancement of Colored People shall support all efforts of the Leadership Conference.

II. CRIMINAL JUSTICE

1. Juvenile Justice

WHEREAS, African-American and minority youth (10-17 years old) are over-represented in the Juvenile Justice System and the Criminal Justice System; and

WHEREAS, African-American and minority youth are detained and held as juveniles, arrested and jailed as adults, adjudicated as juvenile delinquents, waived into criminal courts and tried as adults, incarcerated in Juvenile Detention Facilities and imprisoned with adults in prisons at a far higher rates than white youth.

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THEREFORE, BE IT RESOLVED, that the NAACP re-affirms its 2000 Resolution “Establishing State Governors Special Commissions to Study Disproportionate Minority Representation in States’ Correctional and Juvenile Justice Systems;” and

NOW, BE IT FINALLY RESOLVED, that all NAACP units in this Nation shall vigorously fight for the elimination of state and local laws, policies and practices which are responsible for the over-representation of African-American and minority youth at all levels of the juvenile and criminal justice systems.

1(a). **Reaffirming 2000 Policy on Establishing State Governors Special Commissions to Study Disproportionate Minority Representation in States' Correctional & Juvenile Justice Systems**

WHEREAS, nationally, minority individuals are markedly over-represented among inmate populations relative to their representation in the overall population; and

WHEREAS, the cause of this imbalance is likely of multiple origin; and

WHEREAS, Section 223(a)(23) of the Federal Juvenile Justice and Delinquent Prevention (JJDP) Act requires states receiving funds through the JJDP Act to assess and address over-representation of minority youth in the juvenile justice system and to take action to reduce the proportion these groups represent in the general population.

THEREFORE, BE IT RESOLVED, that the NAACP use its vast network to advocate for the appointment of special commissions to study minority over-representation within the state’s juvenile justice system; and

BE IT FINALLY RESOLVED, that where there is over-representation of inmates that the state(s) be required to take appropriate action to comply with the provisions of Sections 223(a)(23) of the Federal Juvenile Justice and Delinquent Prevention Act or any other federal laws.

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2. Calling Upon the President of the United States to Establish a Blue Ribbon Commission to Address the Racial Disparities in America's Jails and Prisons

WHEREAS, according to the Bureau of Justice Statistics, *The Sentencing Project*, there are now 6.5 million Americans incarcerated or on probation or parole; and an increase of more than 240% since 1980; and

WHEREAS, the 2000 United States' rate of incarceration of 699 inmates per 100,000 population is the highest reported rate in the world, now ahead of Russia's rate of 644 per 100,000 population; and

WHEREAS, Black males have a 29% chance of serving time in prison at some point in their life, Hispanic males have a 15% chance of serving time in prison in their life, while white males have a 4% chance of serving time in prison in their life; and

WHEREAS, according to the Bureau of Justice Statistics – *"Prison and Jail Inmates at Midyear 2001"* there were 1.96 million offenders incarcerated in prison or jail on June 30, 2001; and

WHEREAS, the report *"Prison and Jail Inmates at Midyear 2001"* confirmed that 601,800 Black males were in prison or jail on June 30, 2001; and

WHEREAS, according to the Department of Health & Human Services, there are more than 500,000 children in the system and more than 60% of these children are black and a large percentage of these children move to the juvenile justice system and on to the adult criminal justice system.

THEREFORE, BE IT RESOLVED, that the NAACP call upon the President of the United States to (1) appoint a Blue Ribbon Commission and (2) urge both Houses of the United States Congress to hold hearings to assess the reasons for the racial disparities and (3) develop intervention strategies to address the causes in America's jails and prisons at all levels.

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III. ECONOMIC DEVELOPMENT

1. Predatory and Payday Lending Practices

WHEREAS, the economic status of African-Americans in general is worse than that of white Americans; and

WHEREAS, the net worth of African-Americans is approximately 10% of that of white Americans; and

WHEREAS, many African-Americans, as well as other minorities and low-wealth citizens struggle each day to meet basic needs; and

WHEREAS, wages have not kept pace with the cost of living; and

WHEREAS, the credit needs of African-Americans and other low-wealth citizens is evident in the disparities between net worth, as well as income, and the overall cost of living; and

WHEREAS, many financial institutions, including responsible lenders in the subprime sector, are knowledgeable of the credit needs of the low-wealth population and many have responded responsibly; and

WHEREAS, these credit needs are now targeted and exploited by a growing number of predatory and payday lenders; and

WHEREAS, these predatory and payday lenders are concentrated in the subprime sector; and

WHEREAS, a recent study by the U.S. Department of Housing and Urban Development showed that borrowers in African-American neighborhoods are five times more likely to get a loan from a subprime lender – and therefore pay more – than borrowers in white neighborhoods; and

WHEREAS, borrowers in upper-income African-American neighborhoods are twice as likely as homeowners in low-income white areas to receive subprime refinance loans when refinancing; and

WHEREAS, over half of mortgage refinancing is in predominately white neighborhoods; and

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WHEREAS, studies by Fannie Mae and Freddie Mac suggest that subprime lenders charge prime borrowers who meet conventional underwriting standards higher rates than those for which they qualify; and

WHEREAS, the practice of predatory lending and high cost payday lending are stripping the wealth from these sectors of the populations; and

WHEREAS, these predatory and payday lending practices are deepening debt and stripping equity from these populations; and

WHEREAS, predatory lending strips over \$9 billion of wealth annually from American families; and

WHEREAS, the financing of excessive upfront fees strips equity from homes without providing any benefit to borrowers; and

WHEREAS, the practices of “flipping” borrowers through repeated fee-loaded refinancing strips hard-earned equity repeatedly without providing a net tangible benefit for the borrower; and

WHEREAS, responsible lenders in the subprime sector play an important role for providing borrowers, who have encountered temporary credit problems, with a bridge to conventional financing; and

WHEREAS, abusive practices such as prepayment penalties, balloon payments and negative amortization prevent this transition from taking place; and

WHEREAS, payday lenders regularly charge customers making five or more loans per year thus, creating a debt treadmill for borrowers; and

WHEREAS, payday lenders regularly charge customers rates in excess of 500%; and

WHEREAS, ninety (90) percent of total payday loans come from customers taking five or more loans per year, creating a debt treadmill for borrowers; and

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WHEREAS, forced arbitration clauses in consumer contracts insulates unfair and deceptive practices from effective review and closes the courtroom door for borrowers who have been wronged; and

WHEREAS, mortgage brokers originate over half of all mortgage loans and a relatively small number of brokers are responsible for a large percentage of predatory loans; such broker practices are largely unregulated; and

WHEREAS, many borrowers are denied justice because a predatory loan has been purchased or assigned to a third party; and

WHEREAS, disclosure, education and protections and remedies under the Federal Home Ownership and Equity Protection Act are important but inadequate responses to the problem of payday and predatory lending.

THEREFORE, BE IT RESOLVED, that the NAACP stands against such practices and vigorously seek to prohibit payday and predatory lending. These reforms should address steering borrowers to subprime loans, preventing financing of excessive fees, limiting prepayment penalties, sufficiently addressing mortgage broker abuse and addressing unfair forced arbitration clauses; and

BE IT FINALLY RESOLVED, that the NAACP shall seek the advanced reforms by financial institutions, regulators and policymakers.

IV. EDUCATION

1. Implementation of the “NAACP Call for Action in Education”

WHEREAS, the NAACP endorsed the NAACP Call for Action in Education in 2001; and

WHEREAS, this document has been distributed to NAACP units and to education agencies nationwide; and

WHEREAS, there is a need to ensure that all units are adhering to the mandate.

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THEREFORE, BE IT RESOLVED, that the NAACP proceed with full implementation of the NAACP Call for Action in Education. This document specifically recommends and urgently seeks:

- An outline of the steps that educational agencies will take to bring more equity and equality to education;
- Accountability of resources;
- Certification and incentives to retain experienced teachers;
- Ways to increase day care and preschool programs; and
- Recruitment policies that target racial and ethnic minorities.
- Infusion throughout education curriculum of the full and correct history of African people.

BE IT FINALLY RESOLVED, that all units of the NAACP shall closely monitor the response to the NAACP Call for Action in Education.

V. ENVIRONMENTAL JUSTICE

1. Environmental Injustice

WHEREAS, the NAACP recognizes environmental justice as a civil rights issue; and

WHEREAS, the principles of civil rights law and equal protection guarantee all people the right to live in a safe and healthy environment, the right to equal environmental protection and the right to environmental justice despite recent judicial decisions seeking to limit these civil rights guarantees; and

WHEREAS, environmental injustice originates from historical housing segregation that racially divided America's cities and created a pattern whereby African-American neighborhoods were neglected, blighted and unequally overburdened with adverse environmental conditions; and

WHEREAS, environmental injustice was exacerbated by decades of discriminatory land use, planning, and zoning decisions by local government, that served to perpetuate historical racial segregation by failing to afford protection to African-American neighborhoods equal to the protection afforded to white neighborhoods, and thereby encouraging

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incompatible industrial uses to concentrate in African-American neighborhoods; and

WHEREAS, environmental injustice continues today in discriminatory citing decisions by corporate entities and discriminatory permitting and enforcement decisions by environmental regulatory agencies, that has resulted in the racial disparities in exposure to environmental hazards now prevalent in America.

THEREFORE, BE IT RESOLVED, that the NAACP reaffirms its 1993 Health Policy on Environmental Health; and

BE IT FURTHER RESOLVED, that the NAACP recognizes environmental injustice as the result of discriminatory environmental decision-making, as well as historical racial segregation, discriminatory zoning and land use, and unequal treatment, which together explain why race, rather than income, determines where toxic facilities are sited and whether environmental laws are enforced; and

BE IT FURTHER RESOLVED, that the NAACP declares that the right to live in a safe and healthy environment is a civil right that no person should have to sacrifice for economic security or employment; and

BE IT FURTHER RESOLVED, that the NAACP opposes the recent backlash in the Federal courts that limits a person's right to seek legal redress for civil rights violations based on environmental disparities; and

BE IT FURTHER RESOLVED, that the NAACP, through direct action, litigation, enactment of legislation and coalition building, supports the right to live in a safe and healthy environment as a civil right; and

NOW, THEREFORE, BE IT FINALLY RESOLVED, that the NAACP, through direct action, litigation, enactment of legislation, and coalition building, fights:

- (1) against actions or decisions that unequally distribute environmentally hazardous facilities or risks;
- (2) against actions or decisions that result in racial disparities in environmental protection or exposure;

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- (3) against environmental actions or decisions that perpetuate racial segregation;
- (4) against activities which overburden the environment where they live; and
- (5) for enforceable legal and political remedies for environmental justice.

VI. FOREIGN AFFAIRS

1. Resolution to Support Free and Fair Elections in Kenya

WHEREAS, Kenya has a significant influence in the political and economic affairs of Eastern and Central Africa; and

WHEREAS, in the 1992 and 1997 elections, the Kenyan government used its civil servants to rig the elections, intimidate the voters and stop opposition's party candidates from campaigning freely in the country; and

WHEREAS, the Kenyan government continues to intimidate businesses, especially printers and newspapers who support opposition parties; and

WHEREAS, the intimidation and suppression of its citizens and opposition political candidates will increase as we approach the election season.

THEREFORE, BE IT RESOLVED, that the National Association for the Advancement of Colored People calls upon the Kenyan Government to conduct free and fair elections in 2002.

VII. HEALTH

1. Mercury Dental Fillings

WHEREAS, mercury is highly toxic, more toxic even than lead or arsenic. A human being with mercury toxicity can suffer grave health consequences; and

WHEREAS, mercury is such a toxic element that it is being removed from all uses in or affecting the human body, such as vaccines, disinfectants, and thermometers, with the sole exception to date of mercury-based dental fillings; and

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WHEREAS, the major ingredient of so-called “silver” fillings is mercury (43 to 54%); and

WHEREAS, many health organizations, such as the American Public Health Association, the California Medical Association and Health Care Without Harm, recommend removing mercury from all health products; and

WHEREAS, children under 18, pregnant women and nursing mothers are at particular risk from mercury exposure; and

- (a) according to the Agency for Toxic Substances and Disease Registry of the United States Public Health Service, they are at risk because the mercury goes to the still-developing brain of child, through the placenta of the pregnant women to the fetus and through the breast milk of the nursing woman to the baby;
- (b) several authorities, including manufacturers and the Government of Canada, warn that children and pregnant women are at particularized risk for exposure to mercury amalgam; and
- (c) human teeth, and for children and pregnant women, society should always err in favor of avoiding such a risk.

WHEREAS, alternatives to mercury-based dental fillings exist, such as resin composite and porcelain; and

WHEREAS, Medicaid and many third-party payment health plans do not allow consumers to choose alternatives to mercury amalgam, so most poor children’s only options are mercury fillings or no fillings at all; and

WHEREAS, low-income people are more likely to have larger numbers of mercury dental fillings; and

WHEREAS, the National Black Caucus of State Legislators has passed a resolution calling for:

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- (a) full disclosure of the existence and risk of mercury dental fillings;
- (b) special protections for children and pregnant women, and
- (c) a choice of fillings for low and moderate income Americans.

WHEREAS, a Bill sponsored by Congresswoman Diane Watson (D-Calif.) and Congressman Dan Burton (R. Ind.) would stop mercury dental fillings from being placed in children and pregnant women, provide health warnings for all and phase out mercury in dental fillings within five years.

THEREFORE, BE IT RESOLVED, that the National Association for the Advancement of Colored People call for:

1. disclosure to all dental patients (a) that the main material in so-called silver fillings is mercury (not silver), (b) that mercury is toxic, and (c) that such fillings constitute a hazardous waste when removed.
2. a ban on mercury-containing dental fillings being placed in young children, pregnant women, or nursing mothers.
3. all Americans, including families on Medicaid and/or dental insurance plans be given a choice of dental fillings, including the right to choose alternatives to mercury fillings.
4. The United States Congress give immediate consideration to the Watson-Burton Bill to phase out all mercury in dentistry within five years.
5. State Legislatures to give immediate consideration to legislation comparable to the Watson-Burton Bill.

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2. Equity in Health Care & Safety

WHEREAS, the study made public by the Institute of Medicine on March 21, 2002 is the first comprehensive look at racial disparities in healthcare among people who have insurance; and

WHEREAS, the study found that racial and ethnic minorities receive lower quality healthcare than non-minorities, even when access factors such as patient's insurance status and income are controlled; and

WHEREAS, the study found that the sources of the disparities are rooted in historic and contemporary inequities, and involve many participants at several levels, including health systems, their administrative and bureaucratic processes, utilization managers, healthcare professionals, and patients; and

WHEREAS, the study found that minorities are less likely to be given appropriate medications for heart disease, or to undergo bypass surgery, are less likely to receive kidney dialysis or transplants than whites and are also less likely to receive the most sophisticated treatments for infection with H.I.V., which could delay the onset of AIDS; and

WHEREAS, the study found that in major medical centers in New York State, African-Americans were 37 percent less likely to undergo angioplasty and other heart procedures, including bypass surgery, than whites and in 90 percent of the cases in which patients did not get the surgery, the doctor had not recommended it; and

WHEREAS, minorities are more likely to receive certain less desirable procedures; for example, African-Americans are 3.6 times as likely as whites to have lower limbs amputates as a result of diabetes; and

WHEREAS, in interviews with doctors, researcher found "classic negative racial stereotypes," such as assumptions that African-American patients would be less likely to participate in follow-up care.

THEREFORE, BE IT RESOLVED, that the NAACP reaffirm its 1992 Health Policy on "National Health Care"; and

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BE IT FURTHER RESOLVED, that the NAACP supports the Institute of Medicine's recommendation to improve the quality of care for racial and ethnic minorities by promoting the increase of the proportion of underrepresented U.S. racial and ethnic minorities among health professionals; and

BE IT FURTHER RESOLVED, that the NAACP promotes culturally appropriate education programs to improve minority knowledge of how to access care and improve the ability to participate in clinical-decision making; and

BE IT FURTHER RESOLVED, that the NAACP promotes cross-cultural curricula to be integrated into the training of future healthcare provider and practical, care-based, rigorously evaluated training should persist through practitioner continuing education programs; and

NOW, THEREFORE, BE IT FINALLY RESOLVED, that the NAACP urges health plans, federal and state payors to collect, report and monitor patient care data as a means to assess progress in eliminating disparities, to evaluate intervention efforts, and to assess potential civil rights violations.

2(a). Reaffirming 1992 Policy on National Health Care

WHEREAS, about 35-40 million Americans have no health insurance and many millions more have only minimal coverage that mandating long-term, intensive medical attention; and

WHEREAS, African-Americans have twice the infant mortality rate of whites and are at a much higher risk of death; and

WHEREAS, African-Americans and other minorities are without health insurance, and a disproportionate number are uninsured; and

WHEREAS, the health care industry employs 98.4 million people and accounts for fourteen (14) percent of the nation's economic activity; and

WHEREAS, African Americans and other minorities are forced to make life shortening decisions of whether to pay for necessities (i.e. rent, mortgage, taxes, food, etc.) or forego much needed, life saving medications due to the prohibitive cost of prescriptions; and

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WHEREAS, health and insurance lobbyists generated \$19 million in 1990 contributions to Congressional candidates as compared with \$14 million from agricultural interests and \$8 million from military contractors; and

WHEREAS, the United States is one major industrialized nation without a national, comprehensive health care program.

THEREFORE, BE IT RESOLVED, that the NAACP strongly urges the President and the Congress to enact into law a single-payer, publicly-administered health care program which includes a prescription drug plan for all the Nation's residents; and

BE IT FURTHER RESOLVED, that the NAACP monitors the enactment of said law and diligently strives to ensure that it is implemented in a reasonable and expeditious manner.

BE IT FURTHER RESOLVED, that all the benefits of such a comprehensive program be made available without regard to family or personal income, and that provisions be included to encourage larger numbers of medical trainees from poor or low income families, and

NOW, THEREFORE, BE IT FINALLY RESOLVED, that the same national plan include funding for research to combat dread scourges such as AIDS and current epidemic of a new and more virulent strain of tuberculosis.

3. Infant Safety Seat Initiative

WHEREAS, the leading cause of deaths for African-American children in the United States between the ages of 0 to 14 is the failure to use restraints such as infant car seats, booster seats and seat belts; and

WHEREAS, a study conducted by the Meharry Medical College, has documented findings which demonstrate the importance of safety belts, infant car seats, booster seats and other safety devices as life-saving tools in motor vehicles; and

WHEREAS, the Meharry Medical College study commissioned by General Motors Corporation, the National Highway Traffic and Safety Administration (NHTSA), the Blue Ribbon Panel to promote African-American Safety Belt

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Use appointed by Former U.S. Secretary of Transportation Rodney Slater; and the Black Congress on Health Law and Economics, directed by Attorney Derrick A. Humphries, Honorary Chairwoman, Dr. Dorothy I. Height, Honorary Member, Congressman John Conyers; and others have called for immediate strategies, programs, educational tools and model projects to increase the use of infant car seats, booster seats and safety belts among African-Americans to save lives; and

WHEREAS, units of the NAACP were authorized to conduct a model program to distribute infant car seats in conjunction with General Motors Corporation and Safekids, Inc., in a highly successful endeavor; and

WHEREAS, there is an urgent need to replicate the NAACP infant car seat distribution nationwide among targeted NAACP Branches and units in order to reduce the 1,400 deaths of children and infants which have been attributed to failure to utilize restraints.

THEREFORE, BE IT RESOLVED, that the NAACP National Convention support the recognition of *Increased Use of Automobile Vehicle Safety Devices as a Health and Safety Issue*; and

BE IT FINALLY RESOLVED, that the NAACP facilitate the development of program models and resources to promote the implementation of infant car seat distributions and safety belt education nationwide to prevent needless deaths and injuries, by affirming a credible approach with proven successful methodologies that prioritizes the increased use of safety belts, infant car seats and booster seats among African-Americans as a health and safety issue.

VIII. IMMIGRATIONS

1. Justice for Detained Haitian Asylum Seekers

WHEREAS, since 1972, Haitians have been dying on the high seas; and

WHEREAS, there are more than 270 detained Haitians in Miami alone; and

WHEREAS, 185 immigrants sailed approximately 650 miles in a 31-foot sailboat and were brought to the US by the Coast Guard on December 3, 2001; and

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WHEREAS, 167 Haitians were permitted to apply for asylum and convinced Asylum Officers that they have substantial likelihood of proving their eligibility for asylum in the US; and

WHEREAS, prior to December 2001, Haitians who passed their interviews were quickly released; and

WHEREAS, Haitians seeking asylums legal representation report a lack of adequate space to conduct interviews and wait long hours to visit their clients; and

WHEREAS, Haitians that are not being released are held in overcrowded detention facilities in Miami, FL; and

WHEREAS, Congressman John Conyers cited “serious deficiencies” at Krome Service Processing Center, Turner Gulford Knight Correctional Center and the special INS facility for children without guardians; and

WHEREAS, women with children are taken to local hotels which have no access to education or recreational activities.

THEREFORE, BE IT RESOLVED, that the National Association for the Advancement of Colored People (NAACP) urges an end to the unjust US immigration policies concerning Haitian asylum seekers in the US; and

BE IT FURTHER RESOLVED, that the NAACP request that Haitian children being detained have adequate access to continuing educational and recreational activities; and

BE IT FURTHER RESOLVED, that the NAACP urges that the standards of facilities holding detainees be improved to require adequate, standardized housing facilities; and

NOW, THEREFORE, BE IT FINALLY RESOLVED, that the NAACP requests that all Haitians who have successfully passed their interviews be immediately released and given work permits to become productive members of society.

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IX. INTERNAL AFFAIRS

1. Remove Article V, Section 4(i) (Veterans), Constitution for Youth Councils of the NAACP

THEREFORE, BE IT RESOLVED that Article V, Section 4(i) shall be removed from the Constitution for Youth Councils of the NAACP.

2. Change Article IV, Section (4i) (Veteran Affairs), Constitution for College Chapters of the NAACP

THEREFORE, BE IT RESOLVED, to change Article IV, Section 4(i) in the Constitution for College Chapters of the NAACP to read as follows:

(i) ARMED SERVICES. The committee on armed services shall:

1. Study conditions pertaining to students of color serving in the branches of armed services on both the campus and in the community.
2. Receive and act on all these students' complaints relative to discrimination on account of race, color or creed, or denials of benefits in local areas because of discrimination.

3. Change Article V, Section 4(e) (Labor and Industry), Constitution for Youth Councils of the NAACP

THEREFORE, BE IT RESOLVED, to change Article V, Section 4(e) (Labor and Industry) in the Constitution for Youth Councils of the NAACP to read:

"Youth Employment and Economic Empowerment. The committee shall seek ways to empower youth economically by:

1. encouraging the development of job readiness training and placement programs for youth and young adults.
2. studying levels of unemployment and underemployment of working age youth and the causes of each.

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3. working for improved opportunities in vocation and apprenticeship training.
4. working to eliminate discriminatory employment practices.
5. studying levels of youth and young adult credit debt and creating programs to decrease debt.
6. creating training programs in entrepreneurship, savings, investment, and home ownership.

**4. Change Article IV, Section 4(g) (Labor and Industry),
Constitution for College Chapters of the NAACP**

THEREFORE, BE IT RESOLVED, to change Article V, Section 4(g) (Labor and Industry) be changes in the Constitution for College Chapters of the NAACP to read:

“Employment and Economic Empowerment. The committee shall seek ways to empower youth economically by:

1. encouraging the development of job readiness training and placement programs for youth and young adults.
2. studying levels of unemployment and underemployment of working age youth and the causes of each.
3. working for improved opportunities in vocation and apprenticeship training.
4. working to eliminate discriminatory employment practices.
5. studying levels of youth and young adult credit debt and creating programs to decrease debt.
6. creating training programs in entrepreneurship, savings, investment, and home ownership.

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5. Adding Article V, Section 4(j), (Juvenile Justice), Constitution for Youth Councils of the NAACP

THEREFORE, BE IT RESOLVED, to add Article V, Section 4(j) (Juvenile Justice) (new section) to the Constitution for Youth Councils of the NAACP to read as follows:

- (j): JUVENILE JUSTICE. The committee shall: (1) seek to eliminate discriminatory practices in the Juvenile and Adult Justice systems; (2) investigate living conditions and treatment within youth detention centers; (3) mobilize units to correct abuses where found.

6. Adding Article IV, Section 4(j), (Juvenile Justice), Constitution for College Chapters of the NAACP

THEREFORE, BE IT RESOLVED, to add Article V, Section 4(j) (Juvenile Justice) (new section) to the Constitution for College Chapters of the NAACP to read as follows:

- (j): JUVENILE JUSTICE. The committee shall: (1) seek to eliminate discriminatory practices in the Juvenile and Adult Justice systems; (2) research and monitor local and state incarceration, sentencing, arrest, probation rates of African-American and other youth of color (3) investigate disproportionate incarceration and sentencing of African-Americans and other youth of color (4) investigate living conditions and treatment within youth detention centers; (5) mobilize units to correct abuses where found.

7. Changing Article V, (Faculty Advisor) Constitution for College Chapters of the NAACP

THEREFORE, BE IT RESOLVED, that Article V, (Faculty Advisor) be changed in the Constitution for College Chapters of the NAACP to read as follows:

Section 1 Advisor: There shall be an Advisor for a Chapter or an Advisory Committee (not to exceed three (3) members), in

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accordance with the rules of the college and/or student government regulations relating thereto.

Section 2 Advisor Qualifications: The advisor to the College Chapter must be an employee or currently registered graduate student of the College and meet the requirements as set forth by the College and or Student Government regulations relating to serving as a an advisor to a bona fide College or group. In addition the Advisor must be a member of the NAACP.

8. Change Article IV, (Advisor) Constitution for Youth Councils of the NAACP

THEREFORE, BE IT RESOLVED, that Article IV, (Advisor) be changed in the Constitution for Youth Councils of the NAACP to read as follows:

Section 1 Youth Council Advisor: There shall be an Advisor for Youth Councils in conformity with the rules of the Association. The Advisor must be a member in good standing of the Association, be at least twenty-five (25) years of age; reside or work within the **jurisdiction** in which the Youth Council operates and shall be in accord with the aims and objectives of the Association.”

Section 2 Selection of Advisor: In **jurisdictions** where there is a Branch and a Youth Council, the Youth Council shall submit to the Branch Executive Committee at least one (1) name, but not more than three (3) name(s) of an adult members in good standing who has been selected as the Advisor. **In the event the Branch Executive Committee does not accept the submitted names for advisors, the Branch has thirty days to prepare and forward justification for denial consistent to Article XII, Section 2 of the Constitution for Youth Councils to the Youth Council Executive Committee. Upon receiving a denial, The Youth Council has the option to submit another name(s) or to file a formal complaint with the Internal Affairs Committee.** Should the Branch Executive Committee fail to act on the submitted name within thirty (30) days after the submission, the submitted name adult shall become the advisor. The Branch Executive Committee shall appoint the Youth Advisor for Junior Youth Councils.

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9. Change Article XIX, Sections 1 & 2 (Branches), Constitution for Youth Councils of the NAACP

THEREFORE, BE IT RESOLVED, that Article XIX, Sections 1 & 2 (Branches) be changed in the Constitution for Youth Councils of the NAACP to read as follows:

Section 1 Youth Council Advisor: There shall be an Advisor for Youth Councils in conformity with the rules of the Association. The Advisor must be a member in good standing of the Association, be at least twenty-five (25) years of age; reside or work within the **jurisdiction** in which the Youth Council operates and shall be in accord with the aims and objectives of the Association.”

Section 2 Selection of Advisor: In **jurisdiction** where there is a Branch and a Youth Council, the Youth Council shall submit to the Branch Executive Committee at least one (1) name, but not more than three (3) name(s) of an adult members in good standing who has been selected as the Advisor. **In the event the Branch Executive Committee does not accept the submitted names for advisors, the Branch has thirty days to prepare and forward justification for denial consistent to Article XII, section 2 of the Youth Council Constitution to the Youth Council Executive Committee. Upon receiving a denial, The Youth Council has the option to submit another name(s) or to file a formal complaint with the Internal Affairs Committee.** Should the Branch Executive Committee fail to act on the submitted name within thirty (30) days after the submission, the submitted name adult shall become the advisor. The Branch Executive Committee shall appoint the Youth Advisor for Junior Youth Councils.

10. Change Article XV, Sections 1 & 2 (Youth Councils & Jr. Youth Councils) Constitution and Bylaws for Branches

THEREFORE, BE IT RESOLVED, that Article XV, Sections 1 & 2 (Youth Councils & Junior. Youth Councils) be changed in the Constitution and Bylaws for Branches to read as follows:

Section 1 Youth Council Advisor: There shall be an Advisor for Youth Councils in conformity with the rules of the Association. The

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Advisor must be a member in good standing of the Association, be at least twenty-five (25) years of age; reside or work within the **jurisdiction** in which the Youth Council operates and shall be in accord with the aims and objectives of the Association.

Section 2 Selection of Advisor: In **jurisdictions** where there is a Branch and a Youth Council, the Youth Council shall submit to the Branch Executive Committee at least one (1) name, but not more than three (3) name(s) of an adult members in good standing who has been selected as the Advisor. **In the event the Branch Executive Committee does not accept the submitted names for advisors, the Branch has thirty days to prepare and forward justification for denial consistent to Article XII, section 2 of the Youth Council Constitution to the Youth Council Executive Committee. Upon receiving a denial, The Youth Council has the option to submit another name(s) or to file a formal complaint with the Internal Affairs Committee.** Should the Branch Executive Committee fail to act on the submitted name within thirty (30) days after the submission, the submitted name adult shall become the advisor. The Branch Executive Committee shall appoint the Youth Advisor for Junior Youth Councils.

11. Adding New Section 5(t)(Young Adult) to Article, IV, Constitution and By-laws for Branches

THEREFORE, BE IT RESOLVED, that all language be transferred from 5s to 5t (a new section) and replacing the former language from 5s with the language below to Article IV, section 5s (Young Adult) Constitution and By-Laws for Branches to read as follows:

- (t) YOUNG ADULT COMMITTEE. The committee shall consist of the Youth Unit(s) Presidents and at least five (5) other members appointed by the Branch President. It shall be the function of the Young Adult Committee to:
 - (1) support all Branch activities;
 - (2) stimulate interest through advocacy training and solicit memberships of 25-35 year olds;

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- (3) create a multi-directional mentorship program (Branch to Young Adults and Young Adults to Youth Units) to serve as a support bridge from Youth and College to Branch participation;
- (4) provide networking and social opportunities for young adults in the local community; and
- (5) encourage the participation of young adults in all activities and leadership within the Branch.

X. LEGISLATIVE

1. Formal Opposition to All Anti-Affirmative Action Initiative

WHEREAS, California has set the tone for the rest of the nation with ballot initiatives; and

WHEREAS, Ward Connelly's "Racial Privacy Initiative" (RPI) bans the state from classifying people according to race, ethnicity, color or national origin; and

WHEREAS, Ward Connelly's proposed RPI would prevent most state-funded and all government agencies from collecting race-related data;

WHEREAS, the lack of collection of this data would not allow many agencies and the general population to understand the positive or negative impacts of their policies or programs on ethnic communities including in the area of education, delivery of public services and public assistance; and

WHEREAS, the lack of data will not allow for the understanding of disparities or successes related to service delivery; and

WHEREAS, the proposed RPI constitutes bad public policy for California and a bad precedent for the Nation; and

THEREFORE, BE IT RESOLVED, that the NAACP officially opposes the RPI and all similar initiatives and acts:

1. Television to include but not limited to press conferences, public service announcements, and television advertisements.

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2. Text-based press to include, but not limited to newspapers, journals, magazines, newsletters, and various forms of electronic media, such as Internet websites and e-mails.

BE IT FINALLY RESOLVED, that the NAACP encourages its units to rally to defeat all Racial Privacy Initiatives in any form.

2. Prohibiting Eviction of Law-Abiding Citizens of Public Housing

WHEREAS, Federally funded public housing programs for the poor prohibit residents, and those living with them or visiting them, from engaging in illegal drug dealing and/or drug using conduct; and

WHEREAS, some of these public housing residents are unaware of the illegal drug dealing and/or drug using conduct of those living or visiting them; and

WHEREAS, the United States Supreme Court, on March 26, 2002 in Department of Housing and Urban Development v. Pearlie Rucker, 122 S. Ct. 1230, held that public housing authorities have the right to evict public housing residents who are unaware of the illegal drug dealing and/or drug using conduct of those living with or visiting them; and

WHEREAS, the eviction policy results in law-abiding citizens being evicted, and in many cases becoming homeless, and otherwise creates an undue hardship on law-abiding citizens.

THEREFORE, BE IT RESOLVED, that the National NAACP shall immediately call upon the United States Congress to enact legislation prohibiting the eviction of law-abiding public housing residents who are unaware of and uninvolved in illegal activities around them.

3. Resolution in Support of Norton Resolution Urging City Governments and State Legislatures to Support Full Voting Rights for the District of Columbia

WHEREAS, the residents of the District of Columbia, the Nation's Capital, are denied congressional voting representation, and

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WHEREAS, this country is founded on the principles of democracy and voting representation, and residents of the District of Columbia have honorably fulfilled the requirements of citizenship, pay taxes and fought and died in every American war, and

WHEREAS, Congresswoman Eleanor Holmes Norton has drafted a resolution, "Resolution in Support of Full Voting Rights for the District of Columbia" for adoption by city governments, state legislatures and other legislative bodies supporting the passage of the "No Taxation Without Representation Act".

THEREFORE, BE IT RESOLVED, that the NAACP reaffirms its support of full voting representation for the District of Columbia, and

BE IT FINALLY RESOLVED, that the NAACP endorses the Norton "Resolution and other initiatives in Support of Full Voting Rights for the District of Columbia".

3(a). Reaffirming 1997 Policy on D.C. Home Rule

WHEREAS, the struggle for home rule in Washington, DC has been long fought and hard fought; and

WHEREAS, the NAACP has stood with the citizens of Washington, DC for decades in this struggle; and

WHEREAS, despite this long-standing solidarity from the NAACP, the citizens of Washington, DC are still the only citizens of a national capital in the world to have no representation whatsoever in their national legislature; and

WHEREAS, the annual cost to the citizens of Washington, DC for the federal presence and the cost of services rendered by Washington, DC is \$3 billion annually; and

WHEREAS, the citizens continue to pay more per capita in federal income tax than 49 states, and pay for more than eighty (80) percent of the local budget with an annual federal payment from Congress that is only 1/6 of the \$3 billion cost of the federal presence and services rendered to the federal government by Washington, DC.

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THEREFORE, BE IT RESOLVED, that the NAACP reaffirms its support for home rule and full self-determination for the citizens of Washington, DC; and

BE IT FURTHER RESOLVED, that the NAACP shall encourage its local branches to educate their members and the community at large on issues concerning Washington, DC; and

NOW, BE IT FINALLY RESOLVED, that the NAACP branches shall solicit support from their respective members of Congress for maintaining home rule and realizing full self-determination for the citizens of Washington, DC and shall hold their respective members of Congress accountable in this regard

4. **Resolution to Support HR 2833: The Vietnam Human Rights Act**

WHEREAS, the NAACP supports the United Nations Universal Declaration of Human Rights; and

WHEREAS, the NAACP knows and understands “harassment, discrimination and intimidation, and sometimes of imprisonment and other forms of detention, against those who peacefully express dissent from government...policy;” and

WHEREAS, the “Unified Buddhist Church of Vietnam, the largest religious denomination in Vietnam, has been declared illegal by the Government, and over the last twenty-five years its clergy have often been imprisoned and subjected to other forms of persecution;” and

WHEREAS, “Independent Protestants, most of whom are members of ethnic minority groups, are subjected to particularly harsh treatment by the government of Vietnam. According to the United States Commission on International Religious Freedom, such treatment includes ‘police raids on homes and house churches, detention, imprisonment, confiscation of religious and personal property, physical and psychological abuse, and fines for engagement in unapproved religious activities (such as collective worship, public religious expression and distribution of religious literature, and performing baptisms, marriages, or funeral services);” and

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WHEREAS, the NAACP affirms the rights of freedom of speech, press, religion, peaceable assembly and the rule of law; and

WHEREAS, the NAACP supports a democratic society without discrimination because of race, gender or religion where the voice of its citizens are heard and their voices counted; and

WHEREAS, HR 2833 – the Vietnam Human Rights Act passed the U.S. House of Representatives with a resounding vote of 410-1 in September 2001.

THEREFORE, BE IT RESOLVED, that the NAACP supports HR 2833 – the Vietnam Human Rights Act and will lobby the U.S. Senate and the President of the United States to pass and sign HR 2833.

5. Higher Education Act (HEA) Drug Provisions

WHEREAS, the Higher Education Act was created to establish federal financial aid programs such as Perkins Loans, Pell Grants, Supplemental Educational Opportunity Grants, PLUS Loans and Work-Study Programs; and

WHEREAS, the 1998 reauthorization of the Higher Education Act included a new provisions that closes college opportunities to students revealing drug convictions on their application forms; and

WHEREAS, the Department of Education estimates that 40,000 to 60,000 students, will be formally denied financial aid during the 2001-2002 academic year; and

WHEREAS, this provision will disproportionately and primarily impact persons of lower socio-economic status and students of color by denying access to higher education funding; and

WHEREAS, this provision violates the premises of the 14th amendment of the United States Constitution by allowing students in higher economic brackets to be exempt from this form of punishment.

THEREFORE, BE IT RESOLVED, that the NAACP call for the immediate repeal of the Drug Provisions Section of the Higher Education Act.

VIII. VOTING RIGHTS

1. Same Day Voter Registration Resolution

WHEREAS, voter participation and self-governance are encouraged and protected by allowing eligible voters to register to vote at polling places in the precinct where they reside on any election day and to vote on the same day that they register (“same-day registration”); and

WHEREAS, sufficient safeguards can be enacted to adequately protect against election fraud while still permitting same-day registration.

THEREFORE, BE IT RESOLVED, that the NAACP supports efforts to institute same-day voter registration for all elections at the federal, state and local level.