

## Adopted Resolutions from May 2015 Democrats Abroad Global Meeting

### Resolution for Justice in Law Enforcement

*Authored by Pat Klipp (DA-Germany, Frankfurt Chapter). Proposed by Quaide Williams (DA-Germany), and Will Bakker (DA-Luxembourg).*

WHEREAS legitimate and just policing requires a foundation of trust and shared community among those sworn to protect and those policed;

WHEREAS the vast majority of law enforcement officers serve their communities with integrity every day;

WHEREAS it is ultimately the responsibility of every American to secure justice for our fellow citizens, no matter where in the world we live;

WHEREAS, for many nations, the United States of America is a model of a non-militarized republic governed by the rule of law and human rights, and members of Democrats Abroad are first-hand witnesses to the harm done to the reputation and international standing of the United States when law enforcement agencies fail to meet these expectations;

WHEREAS power without accountability leads to an overly aggressive policing culture that values the appearance of safety and security over the rights and well-being of vulnerable citizens;

WHEREAS policies such as the 1033 Program created by the National Defense Authorization Act of 1997 make military tools available for policing fellow citizens, thereby encouraging aggressive approaches to law enforcement;

WHEREAS divisive policies like racial profiling and stop-and-frisk contribute to the problem, notably increasing the likelihood of minority groups to suffer abuse;

WHEREAS the perception of law enforcement agents' and officers' de-facto immunity from legal consequences of unlawful and violent misconduct creates an atmosphere of distrust and a hesitance to call upon police for help or protection;

WHEREAS anything less than vigorous criminal prosecution of police brutality amounts to tacit acceptance of the culture that produced it;

BE IT RESOLVED that the Democratic Party Committee Abroad fully endorses the 2014 Democratic National Committee *Resolution Promoting Community Policing and Justice for All*.

BE IT FURTHER RESOLVED that the Democratic Party Committee Abroad calls on Federal, State and local government immediately to address the urgent need to re-establish trust in law enforcement, by undertaking the following:

1. US Congress should expand the requirements of the Death in Custody Reporting Act of 2013, which establishes a national database of American deaths in police custody, by making that database public (subject to appropriate privacy protections) and enforcing the reporting requirements; and establish a wider

- national database of police shootings, accusations of excessive force, and misconduct complaints, with aggregate data publicly available;
2. US Department of Justice should update and strengthen national guidelines and uniform standards for the use of force by law enforcement agents;
  3. US Congress should increase funding for the Department of Justice's Office for Civil Rights;
  4. US Congress should create and fund programs that encourage community-controlled and community-based policing practices;
  5. US Congress should pass the End Racial Profiling Act, which would build on the progress made when the US Attorney General issued the 2014 update to the 2003 US Department of Justice guidance regarding the use of race by Federal law enforcement agencies;
  6. US Congress and the US Department of Defense should set strict limits on the transfer of any military equipment to local law enforcement under the 1033 program, including eliminating the requirement that military weaponry be used within a year;
  7. All state Governors should immediately issue executive orders requiring the appointment of independent prosecutors for all cases involving unarmed civilians killed by police;
  8. All State legislatures should pass laws requiring the appointment of independent prosecutors for all cases involving unarmed civilians killed by police;
  9. All local police forces should be regulated by strong, independent, well-funded civilian police accountability review boards;
  10. All local police forces should consider equipping all law enforcement agents with complete video surveillance equipment and rules making agents accountable for their full-time use.

### **Resolution on a Right-to-Vote Amendment to the U.S. Constitution**

*Proposed by Katie Solon (International Chair); Ken Sherman (International Vice Chair); Will Bakker (International Secretary); Orlando Vidal (International Counsel); Arthur Schankler (International Counsel); Adrienne Jones (Americas Regional Vice Chair); Alex Montgomery (Asia-Pacific Regional Vice Chair); Merrill Oates (EMEA Regional Vice Chair); Bob Bragar (DNC Member); John Eastwood (DNC Member); Gary Suwannarat (DNC Member); Caitlin Kraft Buchman (DNC Member); Stanley Grossman (DNC Member); and Sandra Loridans (DNC Member).*

WHEREAS, in a democracy, the right to vote is a moral imperative, the most fundamental legal right and is protective of all other rights; and

WHEREAS, when President Lyndon B. Johnson signed the 1965 Voting Rights Act he said, "The right to vote is the basic right, without which all others are meaningless"; and

WHEREAS, each state, except for the State of Arizona, has explicitly enshrined the right to vote with at least some level of protection in its state constitution; and

WHEREAS, nowhere in the United States Constitution is there an explicit declaration of the right to vote, which weakens protection in federal courts and undercuts state voting rights protections due to state courts often “lock stepping” rights to the level of support provided federally; and

WHEREAS, the United State Supreme Court has called the right to vote a fundamental right, this fundamental right should be explicitly guaranteed to all Americans in the U.S. Constitution; and

WHEREAS, as President Barack Obama, as a professor of constitutional law at the University of Chicago, began each of his constitutional law classes sharing with his students the surprising fact that an explicit “federal individual right to vote” is not in the U.S. Constitution; and

WHEREAS, the only reference to an individual right to vote in the original U.S. Constitution and Bill of Rights is the requirement that any citizen qualified to vote for a member of a state’s most “numerous house of the state legislature” is eligible to vote for Members of the House of Representatives; and

WHEREAS, the Constitution has been amended 17 times since the passage of the Bill of Rights and 7 of those amendments pertain to voting – 14th, 15th, 17th, 19th, 23rd, 24th and 26th – but none of them add the explicit, fundamental, affirmative, individual, citizenship or federal right to vote to the Constitution; and

WHEREAS, three amendments outlaw discrimination in voting, whether on the basis of race (15th) with the 1965 Voting Rights Act serving as the implementing legislation for this amendment 95 years later, sex (19th), or age (26th); and

WHEREAS, a right to vote constitutional amendment would fulfill the promise of the 15th, 19th and 26th Amendments; and

WHEREAS, of the 119 nations that elect their public officials using some form of democratic elections, 108 have the right to vote in their constitution, but the United States is one of the 11 nations - including Australia, the Bahamas, Bangladesh, Barbados, Belize, India, Indonesia, Nauru, Samoa, and the United Kingdom - that does not explicitly contain a citizen's right to vote in its constitution; and

WHEREAS, with the exception of certain federal laws such as the National Voter Registration Act of 1993, the Help America Vote Act of 2002 and the Military and Overseas Voter Empowerment Act of 2009, the U.S. has virtually no national uniform standards for voting systems controlled by the states; and

WHEREAS, despite the protections of the Military and Overseas Voter Empowerment Act of 2009, military and overseas voters still grapple with varied state and local practices and regulations that often discourage their civic participation; and

WHEREAS, since voting is a state right, with virtually no national uniform standards, we have ended up with multiple and varied election systems in the 50 states (plus the District of Columbia), 3,143 counties (or county equivalents), and about 13,000 local voting jurisdictions that administer about 186,000 precincts, all organized and controlled and managed by local election officials with 86% of Section 5 of the Voting Rights Act Preclearance objections involving local, not national or state, voting issues; and

WHEREAS, the United States Supreme Court has unfortunately undermined the right to vote in recent years, notably in its 2013 decision of *Shelby County v. Holder* which made the preclearance requirement ineffective and, as Freedom Rider, Selma marcher and US Congressman John Lewis so aptly stated, "struck a dagger in the heart of the Voting Rights Act"; and

WHEREAS, since 2014 at least 83 restrictive voting rights bills were introduced in 29 states, and the Brennan Center reports that 21 states have enacted restrictive voting laws since 2011, including North Carolina, Ohio, Texas, and Wisconsin, and that in Texas alone this will affect more than 600,000 adult-age citizens who do not have state-issued photo identification; and

WHEREAS, voter turnout in November 2014 represented a smaller percentage of eligible voters than in a congressional election since 1942, voter turnout in many primary elections in 2014 was at an all-time low in more than half of states holding primaries, and voter turnout in some major cities is now in single digits; and

WHEREAS, a "right to vote" constitutional amendment applies to and should be supported by all Americans because it is (a) nonpartisan – not Democratic, Republican or independent; (b) non-ideological – not liberal or conservative; (c) non-programmatic – it does not require you to support or oppose any particular legislative program(s); and (d) non-special interest – it's application is not limited to minorities, women, labor, business, seniors, lesbians and gays or any other special interest groups;

THEREFORE BE IT RESOLVED, that the Democrats Abroad supports amending the United States Constitution to explicitly guarantee an individual's right to vote; and

BE IT FURTHER RESOLVED, that Democrats Abroad specifically supports House and Senate Joint Resolutions which would amend the United States Constitution to explicitly guarantee an individual's right to vote – e.g., such as resolution H.J. Res. 25 introduced into the 114th Congress by Congressman Mark Pocan of Wisconsin and Congressman Keith Ellison of Minnesota; and

BE IT FURTHER RESOLVED, that Democrats Abroad supports H.R. 885 to amend the Voting Rights Act of 1965 to revise the criteria for determining which States and political subdivisions are subject to section 4 of the Act, as introduced in the 114th Congress by Congressman James F. Sensenbrenner of Wisconsin along with 30 cosponsors, including several members of the Congressional Black Caucus; and

BE IT FURTHER RESOLVED, that Democrats Abroad will educate the general public on this issue by drafting and distributing this resolution in support of amending the United States Constitution to explicitly guarantee an individual's right to vote and sharing the resolution with all appropriate governmental officials; and

BE IT FURTHER RESOLVED, that Democrats Abroad encourages other organizations and individuals – e.g., political organizations and leaders, religious organizations and leaders, civil rights organizations and leaders, other civic organizations and leaders, business organizations and leaders, voting rights organizations and leaders, labor organizations and leaders, women's organizations and leaders, youth organizations and leaders, gay and lesbian organizations and leaders, environmental organizations and leaders – to pass organization resolutions to endorse amending the United States Constitution to explicitly guarantee an individual's right to vote; and

BE IT FURTHER RESOLVED that Democrats Abroad will continue to work with various Secretaries of State and other election administrators to ensure all eligible U.S. citizens have access to the ballot box across the country and around the world.

### **Resolution in support of cost-free identification for Federal election voters**

*Proposed by John Boyd (DA-Philippines) and Carmelan Polce (DA Lion City).*

WHEREAS the right to vote is a cornerstone of the democratic process;

WHEREAS many voters must overcome significant financial and time costs to obtain voter identification documents;

BE IT RESOLVED that Democrats Abroad recommends that Congress enact legislation to provide voters with cost-free identification documents for federal elections.

### **Resolution in support of Legislation to Amend a Federal Requirement that US Citizens Living Abroad Register in Each Election Cycle**

*Proposed by John Boyd (DA-Philippines) and Carmelan Polce (DA Lion City).*

WHEREAS many US citizens residing abroad find it cumbersome to re-register each election cycle;

WHEREAS a great many US citizens residing abroad lack computer skills or computer access to register to vote via the internet;

WHEREAS the task of helping those who have no skills or access to a computer to register for each two-year federal election cycle is logistically complicated to achieve;

WHEREAS too many US citizens fail to vote because of this requirement to register for each two-year election cycle;

BE IT RESOLVED that Democrats Abroad recommends that Congress amend existing federal election legislation (Military and Overseas Voter Empowerment MOVE Act of 2009) to require election officials to mail at the beginning of each election cycle documents to citizens without computer access to enable them to re-register by mail for succeeding federal elections and to vote by mail in primary and general federal elections.

### **Resolution in support of the establishment of a Democrats Abroad Medicare Portability Task Force**

*Proposed by John Boyd (DA-Philippines) and Carmelan Polce (DA Lion City). Added as co-sponsors at the meeting itself: Sandra Loridans, John Chudy, Stanley Grossman, DA-Mexico, DA-Canada, and DA-Thailand.*

WHEREAS potentially hundreds of thousands of American citizens living outside of the USA annually pay for Medicare benefits that are available primarily for health care costs incurred in the USA;

WHEREAS potentially hundreds of thousands of US citizens residing outside of America would prefer to seek long term, low-cost health care outside of the USA if Medicare benefits were available to pay for such health care costs;

WHEREAS residents of Guam are currently permitted to use Medicare benefits to pay for health care costs incurred in the Philippines because the cost of such health care is lower than the cost of seeking care in the USA after taking into consideration the costs of flying to the USA;

WHEREAS the US federal government is seeking to reduce significantly the costs of Medicare;

WHEREAS a reduction of potentially many billions of dollars annually in federal government payments supporting Medicare could be achieved by permitting American citizens to enjoy long term health care outside of the USA by using Medicare benefits to pay for such care;

WHEREAS Democrats Abroad has demonstrated its support for Medicare Portability by passing a resolution in support of a Medicare Demonstration project trialling the use of Medicare benefits for retirees receiving care in Mexico;

WHEREAS investigations by Medicare policy analysts suggest there are many serious political concerns to navigate in advocating for Medicare Portability, not the least including the pressure to “voucherize” Medicare benefits for care outside the US, which could then put all of Medicare provision at risk of being “voucherized”;

WHEREAS Democrats Abroad seeks to address the unique concerns of Americans abroad and understands there to be considerable numbers of retired Americans living in The Philippines, Mexico, Panama, Guatemala, Belize and Costa Rica, to name a few, who would benefit from Medicare Portability;

BE IT RESOLVED that Democrats Abroad establishes a Democrats Abroad Medicare Portability Task Force to advocate for an amendment to the Medicare law permitting American citizens residing outside of the USA to use Medicare benefits to pay for health care costs incurred in selected hospitals outside of the USA.