

# **NAACP<sup>®</sup>**

## **RESOLUTIONS**

**RATIFICATION BY THE NATIONAL BOARD  
OF DIRECTORS AT ITS OCTOBER 2021  
BOARD OF DIRECTORS MEETING**

**2021**

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

## 2021

### 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 June 1st, annually. The Convention shall act on all such proposed program or policy changes during its Legislative Sessions.

# NAACP®

All resolutions contained in this packet was reviewed by the 112<sup>th</sup> Convention of the NAACP, held July 10, 2021 at its Legislative Virtual Meeting. These resolutions were ratified by the National Board of Directors on October 16, 2021 and are now the Official Policy of the National Association for the Advancement of Colored People.

**NAACP**  
**RESOLUTIONS APPROVED BY THE RESOLUTIONS**  
**COMMITTEE**  
**(Pending Ratification by the Board)**  
**2021**

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## CIVIL RIGHTS

### 1. *Excluding Food Trucks From Using Historically Racist Music To Solicit Business*

**WHEREAS**, Mobile food trucks, specifically ice cream trucks, continue to use variations of the 1916 song “Nigga Loves a Watermelon” to solicit business from children which is offensive to the African-American community.

**THEREFORE, BE IT FINALLY RESOLVED**, that the NAACP condemns the use of racist songs for food trucks, ice cream trucks or other vehicles, and will advocate to stop the usage of the songs.

### 2. **Caste Based Discrimination in the United States**

**WHEREAS**, According to the United Nations (UN) “the “Caste” system refers to a strict hierarchical social system often based on notions of purity and contamination. The UN experts’ report describes how people from “lower caste” are often limited to certain occupations which are deemed ‘polluting’ or menial by others, a system inextricably tied to the relegation practices of “class” systems throughout the world and in the United States; and

**WHEREAS**, The problems relating to “Caste” systems are global problems affecting communities in Asia, Africa, the Middle East, the Pacific region as well as in various diaspora communities, including in the United States; and

**WHEREAS**, The UN Special Rapporteur Rita Izsak-Ndiaye reported that “cast-based discrimination and its resulting violence goes against the basic principles of universal human dignity and equality, as it differentiates between ‘inferior’ and ‘superior’ categories of individuals which is unacceptable”; and

**WHEREAS**, The practices of the caste system in the workplace, in hiring, housing, healthcare, business ownership, and other applications is an extension of the practice of discrimination against Africans, South Asians, Middle Easterners, Middle Easterners, women and others both

in their home countries as well as other countries throughout the diaspora including the U.S., in our day-to-day lives.

**THEREFORE, BE IT RESOLVED**, that the NAACP stands opposed to the practices of caste systems in the United States of America.

**BE IT FINALLY RESOLVED**, that the NAACP will educate all of our Members and Units to become even better educated in the practices of the caste system and take necessary actions to expose and end such practices and work to repair the damages already done.

### **3. Prioritizing Racial Equity as a Pillar of the Biden-Harris Administration**

**WHEREAS**, President Biden's Executive Order 13895 of January 20, 2021, seeks to advance racial equity and reaffirming equal opportunity as a bedrock principle; and

**WHEREAS**, The Executive Order establishes the Domestic Policy Council as the coordinating entity responsible for both formulation and implementation of efforts to embed equity principles across the Federal Government; and

**WHEREAS**, The Executive Order directs the OMB Director to complete a six-month study assessing whether barriers to full participation regarding race, ethnicity, religion, income, geography, gender identity, sexual orientation and disability are created or exacerbated by federal actions and report to the President no later than July 20, 2021; and

**WHEREAS**, Each agency head is directed to select programs and policies for review that will inform the equity assessment. Each agency is to complete their review by mid-August 2021 and report on: 1) potential barriers underserved communities and individuals face when enrolling or accessing Federal benefits and services; 2) potential barriers underserved communities and individuals face when seeking procurement and contracting opportunities; 3) the need for new policies to advance equity in agency actions; and 4) the level of institutional resources available to offices mandated to serving disadvantaged communities; and

**WHEREAS**, The OMB Director is to identify opportunities to promote racial equity in the President's Budget and coordinate with all agencies to increase investments in underserved communities and produce a plan addressing any barriers to full and equal participation identified in the equity assessment by January 20, 2022; and

**WHEREAS**, The need for adequate staffing, resources and support are foundational to the long-term success of this renewed push to address systemic racism and improve the health, education, judicial and economic outcomes for Black Americans.



**THEREFORE, BE IT RESOLVED**, that the NAACP urges President Biden to provide an update on the Administration's efforts to complete its racial equity assessment and produce a Fiscal Year 2023 Federal Budget that reflects the utmost importance of achieving racial equity.

## CRIMINAL JUSTICE

### 1. *Improvements to the Uniformed Code of Military Justice to Address Handling of Sexual Assault and Harassment Challenges by Women*

**WHEREAS**, Approximately 210,000 (nearly 10%) women serve on active duty across the Army, Navy, Marine Corps, and Air Force and another 5,955 serve as on active duty in the Coast Guard; and

**WHEREAS**, Women in the military face unique challenges and sexual harassment and gender discrimination in the Armed Forces remain important issues related to the well-being of women in the military given the increase of women serving in the military; and

**WHEREAS**, Issues associated with sexual misconduct adversely impacts retention in the military and investigations are handled by the unit to which the allegation is against and that agency is a party to the complaint, the hearing can be unfair and dishonest; and

**WHEREAS**, The Department of Veterans Affairs report that while in the military, 23% of women reported sexual assault and 55% reported some form of sexual harassment. Women are 20 times more likely than men to be assaulted during their military service and those who experience Military Sexual Assault (MST) are 5 to 8 times more likely to develop post-traumatic stress disorder (PTSD) compared to those with no history of MST; and

**WHEREAS**, The Uniform Code of Military Justice is the federal military law, enacted by Congress for the purpose of promoting justice, assisting in maintaining good order and discipline in the armed forces, promoting efficiency and effectiveness in the military.

**THEREFORE, BE IT RESOLVED**, that the National Association for the Advancement of Colored People calls for the immediate passage of S.1520, the "Military Justice Improvement

and Increasing Prevention Act”, a bi-partisan bill to reform the disposition of charges and convening of courts-martial for certain offenses under the Uniform Code of Military Justice in order to increase the prevention of sexual assaults and other crimes in the military.

**BE IT FINALLY RESOLVED** that the NAACP supports a policy change to have criminal matters on acts of sexual assault and harassment cases transferred to an independent military authority outside of the specific military unit in which the case originated.

## **2. *Economic Equality in Support of the Cannabis Industry***

**WHEREAS**, In 2010, the NAACP passed an emergency resolution called, "NAACP Supports a National Study on the Impact and Consequences of Marijuana Enforcement of African American Communities"; and

**WHEREAS**, At its October 2013 meeting, the NAACP National Board of Directors passed an Action Item entitled "NAACP supports allowing states to decrease penalties for low-level drug possession" which supported a prohibition on the federal enforcement of marijuana laws in states which have lesser penalties; and

**WHEREAS**, In 2016, the NAACP passed a resolution calling for "the uniform decriminalization of cannabis possession under one (1) ounce, as well as the pardon of persons previously convicted of nonviolent cannabis crimes. In 2019, the NAACP passed the "Decriminalization and Regulation of Medical-and Adult-Use of Cannabis; and

**WHEREAS**, African-Americans have disproportionately suffered the brunt of the criminalization of cannabis but are disproportionately not receiving the economic benefits from the legalization.

**THEREFORE, BE IT RESOLVED**, that the NAACP reaffirms its support for the decriminalization of cannabis; reaffirms its support for the pardon of persons previously convicted of non-violent cannabis crimes; and demands greater African American ownership and employment opportunity in the cannabis industry.

**BE IT FINALLY RESOLVED** that the NAACP calls upon state and local governments to assist in promoting and prioritizing economic investment opportunities in the cannabis industry specifically for African-Americans.

## **3. *Policing Reform in the United States***

**THEREFORE, BE IT RESOLVED**, that the NAACP reaffirms its support for adoption of the George Floyd Justice in Policing Act of 2021 and calls for that policing reform to include

elements of the NAACP Collaborative Agreement with the National Organization of Black Law Enforcement Executives and advocate that reform of police agencies include the elements listed below:

**Independence.** The power to conduct hearings, subpoena witnesses and report findings and recommendations to the public; and

**Investigatory Power.** The authority to independently investigate incidents and issue findings on complaints; and

**Mandatory Police Cooperation.** Complete access to police witnesses and documents through legal mandate or subpoena power; and

**Adequate Funding.** Should not be a lower budget priority than police internal affairs systems; and

**Hearings.** Essential for solving credibility questions and enhancing public confidence in process; and

**Reflect Community Diversity.** Board and staff should be broadly representative of the community it serves; and

**Policy Recommendations.** Civilian oversight can spot problem policies and provide a forum for developing reforms; and

**Statistical Analysis.** Public statistical reports can detail trends in allegations, and early warning systems can identify officers who are subjects of unusually numerous complaints; and

**Separate Offices.** Should be housed away from police headquarters to maintain independence and credibility with public; and

**Disciplinary Role.** Board findings should be considered in determining appropriate disciplinary action.

## 2021 RESOLUTIONS

#### **4. *Thorough Reformation of Law Enforcement Officers' Bill of Rights***

**WHEREAS**, From 2013 to 2016, at least 4,024 people were killed by police officers, and only 85 of these cases led to a police officer being charged with a crime; and

**WHEREAS**, Black individuals are three times more likely to be killed by police officers than white individuals, but from 2013-2020 only 1.7% of these uses of lethal force resulted in police officers being charged with a crime; and

**WHEREAS**, The National Association for the Advancement of Colored People (NAACP) seeks to promote and ensure accountability for police misconduct against communities of color; and

**WHEREAS**, Law enforcement officers in 16 states are shielded by statutes called the Law Enforcement Officer Bill of Rights (LEOBOR), which provide law enforcement officers facing investigations and disciplinary action for alleged instances of misconduct with procedural privileges and protections that are not afforded to civilians accused of crimes; and

**WHEREAS**, LEOBORs include a "cool-off" period in which the officer may not be interviewed regarding the alleged instance of misconduct until the officer obtains representation, who then may be present during the interview; and

**WHEREAS**, LEOBORs provide officers, along with their lawyers, prior access to every piece of evidence including witness statements, video and audio recordings and photographs, collected during the investigation before the officer is even interviewed; and

**WHEREAS**, Officers are shielded from interview tactics used on civilians accused of crimes such as lengthy interrogation periods, the use of aggressive or threatening questioning and from the use of promises or rewards to induce cooperation; and

**WHEREAS**, Officers are also given the privilege to a hearing before a punishment or sanction is imposed that is held before a complaint hearing board composed only of fellow officers, including one officer of the same rank as the officer under investigation; and

**WHEREAS**, The LEOBOR laws also allow for the dismissal of complaints if investigations are not completed within a certain statutory time frame; and

**WHEREAS**, LEOBORs also limit the authority of civilian review boards to review determinations regarding complaints filed against police officers by only granting the boards an advisory role without the ability to issue subpoenas or actually impose punitive action; and

**WHEREAS**, Permitting officers to have a "cool-off" period or to have access to all evidence before the start of an interrogation allows officers to "speak to witnesses or victims, visit the crime scene,

or take other actions that could frustrate the investigation," and affords officers the privilege to "collude to create a consistent, exculpatory story;" and

**WHEREAS**, Because of their status as members of the police force, officers are treated differently than civilians accused of crimes, who are not guaranteed the same degree of protection and are routinely subjected to unreasonable and lengthy interrogation periods and the use of aggressive interrogation tactics that include threats of punitive action, abusive language, or inducement through threats or rewards; and

**WHEREAS**, According to Walker, restricting the composition of hearing boards to only include fellow officers allows the "norms of police subculture to shape the standards of discipline," which include police solidarity and a tendency to "cover-up" for another officer's alleged misconduct; and

**WHEREAS**, Law enforcement officers should not be able to escape discipline as a result of statutory time limits placed on the completion of investigations because delays in completing investigations, and resolving complaints is a national problem that results in most complaints not being resolved within one (1) year; and

**WHEREAS**, LEOBORs shields officers from accountability for police misconduct, which is particularly rampant in Black and Latino communities, where there is a frequent use of force and over-policing.

**THEREFORE, BE IT RESOLVED** that the NAACP calls for legislative bodies to eliminate Law Enforcement Officer's Bill Of Rights statutes and any similar laws currently in existence; and

**BE IT FINALLY RESOLVED** that the NAACP also calls for the state legislative bodies to grant the statutory authority to create civilian review boards and that local governing bodies create and empower these boards with subpoena power and authority to investigate complaints, to review patterns and practices of misconduct, to review departmental investigations of officers, to recommend improvements in policies and procedures, and to impose sanctions for misconduct;

**5. *Supporting Elimination of the Use of Criminal Background Checks to Systematically Exclude Individuals with Criminal Records from Employment Opportunities***

**WHEREAS**, The National Association for the Advancement of Colored People (NAACP) reaffirms its support of the elimination of the use of criminal background checks in the employment hiring process at the state and federal level, because criminal background checks are a mechanism to deter Black employment and exclude job applicants with criminal records regardless of their job qualifications; and

## 2021 RESOLUTIONS

**WHEREAS**, The portion of the population with criminal records has increased to over 1 in 3 adults; particularly, 1 in 3 Black men and 1 in 18 Black women are more likely than a White man or woman to be incarcerated at least once in their lifetime and thus, have a criminal record; and

**WHEREAS**, A 2012 study reflected that 87% of U.S. employers conduct at least one form of a criminal background check on prospective job applicants that influences the employer's hiring decisions; and

**WHEREAS**, "The majority of employers indicate that they would "probably" or "definitely" not be willing to hire an applicant with a criminal record," which is demonstrated in that a criminal record reduces the likelihood of a job callback or offer by 50% because employers fear that a criminal record, whether there is a conviction or not, is indicative of future behavior; and

**WHEREAS**, Although employers assert that the use of criminal background checks is to protect the safety of their employees and customers, protect the company's reputation, or to comply with laws or regulations, the exclusion of individuals with criminal records increases recidivism and decreases public safety; and

**WHEREAS**, The widespread use of criminal backgrounds checks that predominantly bars Black individuals from applying for and obtaining a job also negatively affects the economy and costs America between \$78 to \$87 billion each year; and

**WHEREAS**, The generalized use of criminal background checks to exclude individuals with criminal records from even applying to jobs also violates Title VII of the Civil Rights Act of 1964, which prohibits discrimination in employment based on race, gender, religion, sex or national origin; and

**WHEREAS**, The objective of Title VII is to achieve equality of employment opportunities, and it requires the removal of "artificial, arbitrary, and unnecessary barriers to employment when those barriers operate to discriminate on the basis of race or another impermissible classification;" and

**WHEREAS**, Per the Equal Employment Opportunity Commission (EEOC) 2012 Enforcement Guidance, an employer violates Title VII when the employer's neutral policy or practice - such as excluding individuals with criminal records - has the effect of disproportionately screening out a protected group - Black job applicants - and the employer fails to demonstrate that the policy or practice is job-related; and

**WHEREAS**, The EEOC acknowledged that data, which shows that Black men had an imprisonment rate that was 7 times higher than white men, supported a finding that criminal record exclusions have a disparate impact based on race, and that Black individuals are disproportionately negatively impacted by such hiring policies; and

## 2021 RESOLUTIONS

**WHEREAS**, The EEOC also stated that an absolute bar to employment based on an applicant's criminal record is a violation of Title VII; however, an employer is still allowed to consider the applicant's record in making its hiring decision if the employer performs an individualized assessment; and

**WHEREAS**, In spite of the EEOC guidance, employers are reluctant to engage in an individualized assessment of an applicant's history or discuss the criminal record with the applicant and this is particularly harmful to Black job applicants; and

**WHEREAS**, The exclusion of people with criminal records from job opportunities thus severely impacts Black communities; and

**WHEREAS**, To remedy the effect of criminal background checks on Black communities, 36 States and over 150 cities and counties have implemented "Ban the Box" policies that remove conviction and arrest history questions from job applications and delay criminal background checks until later in the hiring process; and

**WHEREAS**, The Ban the Box policy allows individuals to display their qualifications before discussing their criminal history, and a 2018 study found that for individuals with criminal records, Ban the Box policies increase the odds of getting a public sector job by 30% and do not encourage racial stereotyping of young Black men.

**THEREFORE BE IT FINALLY RESOLVED**, that the NAACP reaffirms its existing policy in supporting the adoption and implementation of Ban the Box policies nationwide at the federal, state, city and county level in order to increase job prospects in the public and private sector among Black individuals with criminal records.

## **6. *Police Misconduct as it Relates to False Confessions***

**WHEREAS**, Law enforcement officers in the United States are legally permitted to lie about evidence to criminal suspects that they interrogate in pursuit of a confession; and

**WHEREAS**, Law enforcement officers, upon gaining a confession from a criminal suspect, often close and classify investigations as "solved", disregarding exculpatory evidence-even in cases in which the confession is internally inconsistent, contradicted by external evidence, or the result of coercive interrogation; and

**WHEREAS**, Many of the 367 wrongful 2019 convictions as of November 2019, have been overturned by DNA evidence in the United States involved some form of a false confession; and

**WHEREAS**, Adult and adolescent suspects often lack the capacity to understand the consequences of waiving their rights, and are more likely to waive their rights because of their compromised reasoning ability (the result of exhaustion, stress, hunger, substance use, or mental limitations); and

**WHEREAS**, Innocent men and women have falsely confessed to committing offenses due to fear that failure to confess will result in a harsher punishment; and

**WHEREAS**, Confessions are powerful forms of evidence that jurors and others do not fully discount, even when they are considered coerced confessions; and

**WHEREAS**, Jurors and other triers of fact struggle to distinguish between true and false confessions, in part because these statements, as seen in the confessions of defendants who were ultimately exonerated, typically contain precise and accurate details about the offense and victim that were not provided to the public; and

**WHEREAS**, Interrogations that are videotaped provide an objective and accurate audio-visual record of the interrogation, in addition to improving transparency and creating an indisputable account of what happened during the interrogation; and

**WHEREAS**, In America over half the states and the District of Columbia require recording of certain custodial interrogations provided by statute or court action; and

**WHEREAS**, Federal law enforcement agencies, including the FBI, DEA and ATF, are required to record all custodial interrogations of individuals suspected of any federal crime.

**THEREFORE, BE IT RESOLVED** that the NAACP calls for the states to adopt legislation or court action requiring that custodial interrogations, involving serious and/or felony crimes, be recorded.

**BE IT FURTHER RESOLVED** that the NAACP advocate that disciplinary action be required when it is determined that lying and deception by law enforcement officials has occurred during the interrogation process.

**BE IT FINALLY RESOLVED** that the NAACP will transmit this Resolution to all federal and state legislators.

## **7. *Opposition to Anti-Protesting Laws***

**WHEREAS**, Various states across the country have proposed or passed legislation into law, in response to protests, which demand police accountability and an end to police brutality and



racism, that occurred throughout the United States in response to the brutal killing of George Floyd and other unarmed African Americans by a police officer throughout our Nation; and

**WHEREAS**, Although most of the protests throughout our Country did not involve large-scale clashes between police and protestors or violence of any kind, these proposed and enacted state bills target individuals accused of committing illegal acts during the protests; and

**WHEREAS**, Some of the pieces of state legislation make it a crime or increase the criminal penalty for blocking traffic during a protest; allow drivers who injure or kill protestors to escape civil liability; prohibit the pre-trial release on bail or bond of anyone charged with crimes related to the protests; create monetary penalties for organizations associated with the protests; and create administrative processes that seek to prevent municipalities from reallocating law enforcement budgets; and

**WHEREAS**, The First Amendment guarantees individuals the right to free speech and assembly, and the United States Supreme Court held, over 70 years ago in the *Terminiello v. Chicago* decision, that it is unconstitutional to prohibit speech that "induces a condition of unrest, creates dissatisfaction with conditions as they are, or even stirs people to anger;" and

**WHEREAS**, The language of these state bills are vague and would violate protestors' First Amendment rights by criminalizing a broad range of protected behavior, cause a chilling effect and instill fear into the hearts of Americans who want to exercise their rights, restricting protestors' ability to utilize public streets, that have traditionally been used for the purposes of peaceful assembly, and imposing restrictions on the exercise of free speech merely because some public officials oppose the speakers' views; and

**WHEREAS**, The Fourteenth Amendment to the US Constitution clearly establishes no State shall "deprive any person of life, liberty, or property without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws;" and

**WHEREAS**, These state bills and laws are hostile to American values and Constitutional rights.

**THEREFORE, BE IT RESOLVED** that the NAACP vehemently opposes and demands the repeal of anti-protest legislation which seeks to criminalize free speech currently being considered by any State Legislative body.

**BE IT FINALLY RESOLVED** that the NAACP will work to prevent any such legislation from being enacted and will work to have those that have already have enacted declared unconstitutional.

## 2021 RESOLUTIONS

**8. *Advocacy for Veterans Justice Resources with Cases in Family and Children's Court***

**WHEREAS**, Officers and representatives of the Family and Children's courts are not familiar with circumstances surrounding military personnel and ultimately treat veterans with PTSD or service-connected injuries the same as convicted criminals when there are no criminal charges; and

**WHEREAS**, The Veterans Treatment Court has wrap-around services, a liaison, and case managers for veterans but only assist veterans that have a criminal charge in combination with a substance abuse problem or a mental health challenge; and

**WHEREAS**, Unemployed veterans are required to report their VA Compensation as income thereby becoming ineligible for legal aid and causing veterans to pay attorney fees in Family and Children's Courts plus all other associated court costs which leads to increased financial ruin, homelessness, and family separation; and

**WHEREAS**, The veteran suicide rate is approximately 20-22 cases per day and 11% of all homeless adults in the US are veterans; and

**WHEREAS**, The mission of the Veterans Justice Programs is to identify justice-involved Veterans and contact them through outreach, in order to facilitate access to VA services at the earliest possible point by building and maintaining partnerships between VA and key elements of the criminal justice system; and

**WHEREAS**, Veterans Justice Outreach Specialists at every VA medical center have provided outreach to justice-involved Veterans in various settings, including jails and courts in over 600 Veterans Treatment Courts and other Veteran-focused court programs across the U.S.; and

**THEREFORE, BE IT RESOLVED**, that the NAACP will work with the Department of Veteran's Affairs to expand veteran's justice resources such as the Veterans Treatment Court and Veteran's Justice Outreach.

**BE IT FURTHER RESOLVED**, that the NAACP demands that Veteran's benefits be excluded from the calculations of income for Veterans seeking legal services in instances where they interact with the criminal justice system.

**BE IT FINALLY RESOLVED**, that the NAACP units will work with local veteran's justice programs to promote education and awareness of available resources.

## ECONOMIC DEVELOPMENT

### 1. *Supporting Black Farmers*

**WHEREAS**, In 1920 there were nearly 1 million Black farmers in the United States. Today, according to the USDA due to this history of discrimination, it is estimated that there are less than 45,000 remaining Black farmers; and

**WHEREAS**, Many black farmers across the nation experienced discrimination in their dealings with the U.S. Department of Agriculture (USDA) agencies in their states. Across the nation, it was proven in court and the USDA later agreed, they were denied access to technical assistance, grants, low interest loans and other subsidies provided by the U.S. Government. On a national level, farm subsidies and other forms of assistance that were afforded to white farmers were not afforded to black farmers. Since they were denied government loans, grants, emergency or disaster assistance, and other aid, many black farmers lost their farms and homes; and

**WHEREAS**, Black farmers nationwide joined in the Pigford v. Glickman decision, a class action discrimination law suit against the U S. Department of Agriculture (USDA) filed in federal court in 1997. It was referred to as “the most organized, largest civil rights case in the history of the country.” That year, black farmers from at least five states held protests in front of the USDA headquarters in Washington, DC. Protested in front of the USDA were part of a strategy employed in later years as Black farmers sought to keep national attention focused on their plight. That year representatives of the National Black Farmers Association (NBFA), the Federation of Southern Cooperatives, Independent Black Farmers and other associations representing Black farmers met with then President Bill Clinton and other administration officials at the White House. Some of the Black farm organization presidents also testified before the United States House Committee on Agriculture; and

**WHEREAS**, On December 8, 2010, President Barack Obama signed historic legislation funding settlement resources to discriminated against Black farmers known as "Pigford II", providing further settlement between the US Department of Agriculture and American Black farmers; and

**WHEREAS**, President Biden's massive stimulus relief package could pay billions of dollars to disadvantaged farmers – benefitting Black farmers in a way that some experts say no legislation has since the Civil Rights Act of 1964; and

**WHEREAS**, The \$10.4 billion in the American Rescue Plan that will support agriculture, approximately half would go to farmers discriminated against, according to estimates from the Farm Bureau, an industry organization. About a quarter of disadvantaged farmers are Black. The money would provide debt relief as well as grants, training, education and other forms of assistance aimed at acquiring land; and

**WHEREAS**, The average farm operated by an African American is about 100 acres, compared with the national average of about 440 acres, according to the last farm census. The Center for American Progress found that in 2017, the average full-time White farmer brought in \$17,190 in farm income, while the average full-time Black farmer received income of just \$2,408; and

**WHEREAS**, Georgia Senator Raphael Warnock introduced the Emergency Relief for Farmers of Color Act of 2021, which will provide \$4 billion in direct debt forgiveness for “socially disadvantaged farmers” and another \$1.01 billion will go to increasing support and resources for minority farmers which aims to provide immediate financial relief to Black, indigenous and Hispanic farmers; and

**WHEREAS**, The Justice for Black Farmers Act will:

- End Discrimination within USDA
- Take steps to once and for all end discrimination within USDA.
- Creates an independent civil rights oversight board to conduct reviews of any appeals of civil rights complaints filed against USDA, to investigate reports of discrimination within USDA, and to provide more effective oversight of the Farm Service Agency (FSA) County Committees.
- Creates an Equity Commission whose responsibilities include developing recommendations to reform FSA County Committees; and
- Puts reforms in place within the USDA Office of Civil Rights, including placing a moratorium on foreclosures during the pendency of civil rights complaints.
- Protect Remaining Black Farmers from land loss.
- The Act increases the funding authorization for the USDA relending program created in the 2018 Farm Bill to resolve farmland ownership and succession, or "heirs' property," issues.
- The Act provides funding for pro bono assistance, including legal assistance, succession planning and support for development of farmer cooperatives, to Black farmers.
- The Act will also create and fund a new bank to provide financing and grants to Black farmer and rancher cooperative financial institutions and will forgive USDA debt of Black farmers who filed claims in the Pigford litigation.
- Restore the Land Base Lost by Black Farmers
- Create Farm Conservation Corps
- Empower HBCUs and other Advocates for Black farmers
- Assist All Socially Disadvantaged Farmers and Ranchers
- Enact System Reforms to Help All Farmers and Ranchers

## 2021 RESOLUTIONS

**THEREFORE, BE IT RESOLVED**, that the NAACP urge President Biden and the Department of Agriculture to release all funds allocated in the American Recovery Act for Black farmers be distributed to Black-owned Banks and Credit Unions empowering them to provide the crucial service to Black Farmers and Black communities throughout the United States.

**BE IT FURTHER RESOLVED**, that the NAACP will advocate for the thousands of Black farmers, their families and Black rural business owners not fully compensated by the first 2 Pigford settlements, statutes of limitation be set aside and those Black Farmers be allowed the opportunity for full compensation for damages done, including loss of farm land and other resources.

**BE IT FINALLY RESOLVED**, that the NAACP engage with Black farmer associations including the National Black Farmers Association (NBFA), the Federation of Southern Cooperatives/Land Assistance Fund and other National and Regional Black Farm Associations to help advocate that the Biden Administration (Department of Agriculture) and the US Congress ensure that black farmers receive all restitution provided by the legislation..

## **2. *National Pandemic Black Economic Recovery***

**WHEREAS**, The United States of America is suffering from the Coronavirus Pandemic which has been declared a national disaster; and

**WHEREAS**, The United States Congress passed and the President has signed into law the expanding of funds for the protection of American citizens against COVID 19 and economic protections being put in place to protect the United States Economy in excess of two trillion dollars; and

**WHEREAS**, African Americans and Black businesses have been and are projected to continue to be victims of economic disparity in the United States of America in the Economic Recovery Stimulus packages currently in developed; and

**WHEREAS**, Current legislation does not address the specific impact on US Citizens of African descent who have not recovered from the 2009 recession which caused the housing market disaster that specifically targeted the African American Wealth; and

**WHEREAS**, That the United States of America's government continues to under-value and marginalize the economic contributions of the African American/Black Business Community. Organizations and workers who have provided a stable and rich economy for the United States of America.

**THEREFORE, BE IT RESOLVED**, that NAACP demands that the Administration distribute all funds approved by the Act in an equitable manner to all impacted communities and individuals and that the Congress expand COVID 19 Stimulus Funding to address any racial disparities that negatively impact the economic viability of the African American business community.

**BE IT FINALLY RESOLVED**, that the NAACP will continue to advocate in collaboration with the Congressional Black Caucus, and all partnering organizations for funding in the economic recovery for Black Citizens and businesses.

### **3. *Student Debt Cancellation \$50,000 & Beyond***

**WHEREAS**, The COVID-19 pandemic continues to deepen the student debt crisis, which presently overwhelms 47.9 million borrowers with over \$1.7 trillion in student loan debt; and

**WHEREAS**, The COVID-19 pandemic has further exacerbated the racial and economic inequities that have historically disproportionately impacted Black borrowers; and

**WHEREAS**, Many public service and frontline/essential jobs have been lost due to the COVID-19 pandemic leaving millions of student loan borrowers of color still finding themselves out of work as the economy recovers; and

**WHEREAS**, Under the current Plus Service Loan Forgiveness (PSLF) program, frontline/essential jobs are not specifically classified as public-service jobs, deeming them ineligible for loan forgiveness; and

**WHEREAS**, 13% of Black borrowers are projected to never pay off their loans because the compounding interest outpaces their ability to pay down the principal; and

**WHEREAS**, Black people had to borrow student loans with a weaker economic base, use them to attend underfunded colleges and universities, and struggle to repay them in an underpaying and under-employing labor market; and

**WHEREAS**, Black borrowers both acquire more debt and, due to wage and employment inequities in the labor market, are in more precarious positions when it comes to their ability to repay; and

**WHEREAS**, Black borrowers face higher default rates due to discrimination in the workplace and persistent race and gender wage gaps.

**WHEREAS**, Graduates of Historically Black Colleges and Universities (HBCUs) take on 32% more debt than their peers at other colleges; and

**WHEREAS**, Cancelling \$10,000 would not have the ameliorative racial wealth effects that larger cancellation policies would have; and

**WHEREAS**, Cancelling no less than \$50,000 in federal student-loan debt would reduce the racial-wealth gap for families and;

**WHEREAS**, The National Association for the Advancement of Colored People (NAACP) in 2020 confirmed their support of legislative initiatives for free higher education for all and the cancellation of all student loan debt through the “Ditch the College Debt: Post-Secondary Education and Financial Stability” resolution; and

**WHEREAS**, The reaffirmation of this policy is necessary to address the new challenges that the COVID-19 pandemic has created within the student loan debt crisis.

**THEREFORE BE IT RESOLVED**, that the NAACP stands with Black borrowers across the country in support of a baseline cancellation of no less than \$50,000 in federal student loan debt; and

**BE IT FURTHER RESOLVED**, that the NAACP supports the complete forgiveness of all federal student loans for public service and frontline/essential workers; and

**BE IT FURTHER RESOLVED**, that the NAACP supports the end to all interest on student loan repayments; and

**BE IT FINALLY RESOLVED**, that the members of the NAACP specifically call on the Biden Administration and Congress to immediately take action to ensure that borrowers are provided with student debt relief giving Black borrowers the opportunities to pursue homeownership, develop economy-boosting discretionary income, and equal opportunity towards upward mobility.

#### **4. *Ensuring Oversight and Equitable Distribution of Federal Funds***

**WHEREAS**, Advancing racial equity is a stated priority of the Biden Administration and an essential goal of all Administrative initiatives; and

**WHEREAS**, The 117<sup>th</sup> Congress has allocated trillions of dollars in relief to individuals and states in response to the COVID – 19 Pandemic; and

**WHEREAS**, The \$1.9 trillion American Rescue Plan Act of 2021 (ARP) authorizes billions of dollars to state and local governments to respond to the ongoing public health and economic crisis; and

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**WHEREAS**, The ARP funding includes Economic Impact Payments, Child Tax Credit, the Schools, Small Business funds and State Credit Initiatives, Employee Retention Credit and Paid Leave Programs, expanded Unemployment compensation, support for essential workers, rental and utility assistance and funding for Capital Projects like Broadband Infrastructure; and

**WHEREAS**, The Biden Administration proposed the American Jobs Plan aimed at delivering a \$2.3 trillion Jobs and Infrastructure plan to modernize domestic infrastructure, provide equality for broadband access, and address climate change, among other initiatives; and

**WHEREAS**, The Biden Administration proposed the American Families Plan that would authorize \$1.8 trillion for education, health care, and child care programs for middle and lower-income families, including \$800 Billion in tax cuts and credits; and

**WHEREAS**, The existence of vigorous oversight will ensure that essential funding is distributed equitably to individuals, families, communities, and government programs entitled to assistance; and

**WHEREAS**, President Biden's Executive Order *On Advancing Racial Equity and Support for Underserved Communities Through the Federal Government* mandates to affirmatively advance equity, civil rights, racial justice, and equal opportunity which is the responsibility of the whole of our Government.

**THEREFORE, BE IT RESOLVED**, that the NAACP demands that all federal agencies ensure an equitable distribution of all current and proposed resources, and report the results of this funding to the American people annually.

**BE IT FINALLY RESOLVED**, that the NAACP urges the Administration and the Congress through the appropriate Government Oversight entities to enforce transparency and accountability in disbursement and tracking of federal dollars to ensure equality and racial justice.

## **5. *Protecting Black Communities in a Post-COVID-19 Economy***

**WHEREAS**, the COVID-19 Global Pandemic has challenged institutional norms, created enormous economic hardship, and resulted in the deaths of 580,166 Americans thus far; and

**WHEREAS**, the federal government has spent \$5.3 trillion to mount a response to the pandemic and stabilize the national economy, including the \$1.9 trillion American Rescue Plan (ARP) earlier this year; and

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**WHEREAS**, the ARP funding includes Economic Impact Payments, Child Tax Credits, additional Paycheck Protection Program (PPP) funding assistance to state and local governments, Employee Retention Credits and Paid Leave Programs, expanded Unemployment compensation, support for essential workers, rental and utility assistance; and

**WHEREAS**, the Centers for Disease Control and Prevention (CDC) has halted residential evictions nationwide during the pandemic, in May, a federal court found it to be unconstitutional; and

**WHEREAS**, grace periods for delayed insurance premiums of all types are ending and enhanced unemployment benefits are being refused by governors across the country; and

**WHEREAS**, at least 20 states have announced the premature end of this pandemic relief and the existence of vigorous oversight will ensure that Black communities do not experience a continuation of the disparities we know exist in too many facets of life, including economic outcomes and access to federal safety net programs.

**THEREFORE, BE IT RESOLVED**, that the NAACP calls on all federal agencies and state agencies responsible for the allocation and distribution of the above listed funds and programs ensure that maximum attention and efforts are given to guarantee that Black Americans are not negatively impacted by the changing benefits and support landscape as the country moves beyond the current phase of the COVID-19 Global Pandemic.

## EDUCATION

### 1. *Establishing a Health and Safety Team in Schools*

**WHEREAS**, Students are entitled to a free, high-quality, public education, and children, families and educators deserve to learn and work in a safe, secure, and sanitary environment; and

**WHEREAS**, The community school model was based on the premise that partnerships and collaborations with community-based organizations serve as protective factors and offer easily accessible, real-time support services which can directly impact the overall well-being and health of children, youth, and families; and

**WHEREAS**, Schools across America shut down due to the COVID-19 pandemic, creating a challenge to delivering continued services to subgroups of students, such as those who experience homelessness and students with special needs; and

**WHEREAS**, Children in our communities need access to a nurse on site, as well as a team of healthcare professionals and other school related personnel to support learning and well-being and disrupt the school-to-prison pipeline; and

**WHEREAS**, Racial and ethnic minorities are at greater risk for exposure to and adverse outcomes from COVID-19 due to the social determinants of health, such as living and working conditions. A greater prevalence of underlying health conditions also put racial and ethnic minorities at higher risk for severe illness and death from COVID-19; and

**WHEREAS**, Students and families are experiencing trauma and persistent disparities in access to healthcare, which pose special challenges for racial and ethnic minority populations, and ongoing professional development is needed for the management of depression and anxiety caused by family loss, job loss, repeated closings and personal illness; and

**WHEREAS**, Devices used to learn are known to emit blue light, which has a detrimental effect on vision and is known to cause sleeplessness by interrupting circadian rhythms, resulting in increased attention issues, headaches and mood swings, and learning ability has been negatively impacted by the need for extended remote learning; and

**WHEREAS**, Hearing and vision problems are health problems that negatively impact the ability to learn, and students with health conditions are currently provided a 504 plan under Section 504 of the Rehabilitation Act of 1973, with extended time to complete tasks; and

**WHEREAS**, Prior to the pandemic shutdown students were assessed and monitored by their teachers and school nurse for a variety of health issues, such as traumatic brain injury (TBI), vision or hearing impairment, color blindness, asthma and diabetes, which are classified as 504 health accommodation condition; and

**WHEREAS**, Schools are reopening and students and adults are often asymptomatic but carry the virus in their nasal cavities, and students are just as able as adults to carry and spread the virus; and

**WHEREAS**, The NAACP approved resolutions on Using Vision Therapy to Improve Opportunities for Juvenile Offenders and Adult Inmates in 2009, Vision and Learning in 2010, and Vision Screening for Traumatic Brain Injury in 2018, and students are now required to spend extended time on devices in school and at home.

**THEREFORE, BE IT RESOLVED**, that the NAACP will advocate for schools to address all

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health conditions that affect learning utilizing existing disability laws and that they provide equitable accommodations to ensure quality learning among all students whether learning occurs in school buildings or during distance learning sessions.

**BE IT FURTHER RESOLVED**, that NAACP units will advocate for the formation of Health and Safety teams within schools which plan and provide for the health needs of the entire school community in this new COVID impacted environment, including re-examining safety protocols for sign-in and other procedures and providing air conditioning, filtration and ventilation upgrades to remove virus particulates and environmental triggers from the air.

**BE IT FINALLY RESOLVED**, that the NAACP will advocate for creation and implementation of full developmental, vision and hearing screening programs for all students, to include provision of personal protective equipment, blue blocking glasses and/or other technology to manage vision stress for students, educators, and staff.

## **2. *Preparation for Educators On-going Implicit Bias Training Standards***

**WHEREAS**, The Every Student Succeeds Act (ESSA) recognizes the effect of school environment on student academic performance and supports efforts to improve the climate of all schools; and

**WHEREAS**, There is a need to create culturally-responsive curriculum and framework, address underfunded public schools, correct disparately applied and racially exclusionary student discipline policies and practices, and there is a need for more inclusive leadership skills throughout the district leadership continuum; and

**WHEREAS**, the Racial bias/attitudes/behaviors of educators appear to serve as causal factors for disproportionately higher referrals of Black students for discipline and special education for willful defiance and behavior on national, state and local levels; there is a need to eliminate the racially traumatic school experiences that include school policing and punitive discipline Black students encounter at higher rates than non-Black peers, and research proves that Black students' traumatic encounters in schools can strongly decrease by diversifying the workforce with culturally responsive educators, more specifically, culturally responsive Black teachers, counselors, and school leaders.

**THEREFORE, BE IT RESOLVED** that the NAACP advocate that local, state, and federal authorities require the provision of resources in all curriculum content areas that provide

equitable representation of the diversity represented in all cultures in all hiring and curriculum committees, and that all school districts will hire a chief diversity officer.

**BE IT FINALLY RESOLVED** that the NAACP encourages all higher education institutions, and specifically those that are engaged in teacher education and any alternative teacher certification programs, to increase their commitment to the preparation of candidates for teaching positions to be culturally responsive in order to help avoid the continued institutionalization of implicit bias.

## ENVIRONMENTAL JUSTICE

### 1. *In Opposition to Carbon Markets, Pricing Schemes*

**WHEREAS**, We are reaffirming Environmental and Climate Justice Resolutions 2007, 2015, 2016 and 2018; and

**WHEREAS**, The United States economy was built by the exploitation, domination, and murder of the original inhabitants of the land and people of African American descent brought to the U.S. through enslavement, as well as the indiscriminate extraction and processing of natural resources; and

**WHEREAS**, The NAACP's 'Coal Blooded Report' revealed that pollution fossil fuel production facilities are disproportionately located in low income and/or communities of color, infringing upon fundamental human and civil rights to breathe clean air and drink clean, safe water; and

**WHEREAS**, Carbon pricing and emissions trading schemes (such as cap and trade, carbon taxes, fee and dividend, etc.) are false solutions that fail to tackle the root causes of the climate crisis and further poses to proliferate fossil fuel usage; and

**WHEREAS**, Carbon pricing schemes rely heavily on fossil fuel and government reporting structures and are vague about the points of taxation, while not being designed to produce localized emissions reduction and a tax on the fossil fuel industry will not curtail the pollution

exposures confronting people of African American descent and other frontline communities, as long as fossil fuel subsidies and tax loopholes exist and profits are put before people; and

**WHEREAS**, Within the U.S., there is evidence that carbon pricing and trading can deepen inequalities and are insufficient to meet the scale and speed of needed transition to clean, renewable energy; and

**WHEREAS**, Providing token revenues to people of African American descent and other frontline communities will never compensate for the moral human infractions and destruction resulting from the harmful use of fossil fuel; and

**WHEREAS**, Effective climate policies must be shaped by impacted people of African American descent and other frontline communities that are disproportionately impacted have long fought the extractive and exploitative practices of the fossil fuel industry.

**THEREFORE BE IT RESOLVED**, that NAACP vehemently stands in opposition to the adoption of any and all carbon pricing and taxing schemes and calls upon all levels of government in the United States and the governments of all other National Governments to reject this false solution; and

**BE IT FINALLY RESOLVED**, that the NAACP calls upon the Biden Administration to:

1. Reject policies built around false solutions, including carbon pricing and trading schemes, as well as other fossil fuel and geotechnological loopholes.
2. Set aggressive targets to completely transition the entire economy away from fossil fuels, in alignment with the Intergovernmental Panel on Climate Change's (IPCC) designated pathway to decrease greenhouse gas emissions by 2030, keeping global warming below the preferred limits of the Paris Agreement; and
3. End all new fossil fuel exploration and extraction immediately.

## **2. *Reform in the Policing and Criminalization of Communities Engaged in Addressing Fossil Fuel Energy Critical Infrastructure***

**WHEREAS**, Fossil fuel and publicly traded utility companies including Chevron, Shell, Marathon Petroleum, Exelon, Entergy and Duke Energy are major funders of law enforcement through police foundations in many cities across the nation; and

**WHEREAS**, This funding is a special interest alignment between these police foundations and their corporate sponsors by purposefully providing technology, equipment and training that have

contributed to a militarized law enforcement system that unfairly targets and threatens African-Americans while providing preferential treatment and working under the mandates of unaccountable corporate donors; and

**WHEREAS**, This corporate influence has been instrumental in having bills introduced, and in some cases passed, that make protests and demonstrations near and/or on sites managed, owned or operated by fossil fuel critical infrastructures, a misdemeanor and sometimes felonious crime; and

**WHEREAS**, Black, Indigenous and people of color (BIPOC) who are disproportionately harmed by fossil fuels and have increasingly exercised their constitutional rights to mobilize in peaceful protests across the country, including Standing Rock and the historic Black Community of Union Hill in New Orleans, from a moral perspective to stop fossil fuel production and its adverse impacts such as fracking, natural gas leaks, methane exposure and pollution that have contributed to climate change catastrophes, respiratory illnesses and premature deaths. Their acts of civil disobedience should not be criminalized; and

**WHEREAS**, Ultimately, law enforcement acts as personal security for the fossil fuel industry and other corporate donors to their related law enforcement labor organizations, their associated foundations, local police associations and department budgets use that relationship to intimidate, dissuade and criminalize protesters.

**THEREFORE BE IT RESOLVED**, that the NAACP advocates for public disclosure of all donations to law enforcement labor organizations and their associated foundations, local associations and department budgets in order to provide transparency.

### **3. *Equitable and Just People's Climate Corp Resolution***

**WHEREAS**, A part of President Biden's American Jobs Plan calls for \$10 billion to launch a new large-scale 21st century Civilian Climate Corps ("CCC") to combat the 21st century problem. The CCC, which would employ thousands of young people to address the threat of climate change, strengthen the country's natural defenses and maintain its ailing public lands; and

**WHEREAS**, The Biden Task Force shall facilitate the organization and deployment of a Government-wide approach to combat the climate crisis. This Task Force shall facilitate planning and implementation of key Federal actions to reduce climate pollution; increase resilience to the impacts of climate change; protect public health; conserve our lands, waters, oceans, and biodiversity; deliver environmental justice; and spur well-paying union jobs and economic growth. As necessary and appropriate, members of the Task Force will engage on

these matters with State, local, Tribal, and territorial governments; workers and communities; and leaders across the various sectors of our economy; and

**WHEREAS**, U.S. Bureau of Labor Statistics total unemployment rate is at 6.1 percent as of April 2021, or the number of unemployed persons, at 9.8 million according to the Household Survey Data. Among the major worker groups, the unemployment rates for adult men (6.1 percent), adult women (5.6 percent), teenagers (12.3 percent), Whites (5.3 percent), Blacks (9.7 percent), Asians (5.7 percent), and Hispanics (7.9 percent); and

**WHEREAS**, The Institute of Policy Studies report “Dreams Deferred Racial Wealth Divide”, systemic racism has contributed to the persistence of race-based gaps that manifest in many different economic indicators. The starkest divides are in measures of household wealth, reflecting centuries of white privilege that have made it particularly difficult for people of color to achieve economic security; and

**WHEREAS**, The, the median Black family has \$24,100 in wealth. This is just 12.7 percent of the \$189,100 in wealth owned by the typical White family. The median Latino family, with \$36,050, owns just 19.1 percent of the wealth of the median White family; and

**WHEREAS**, The Solar Foundation reports long-term growth: between 2013 and 2018, solar employment grew 11 percent annually—six times faster than overall U.S. employment. American Wind Energy Association specifies that wind jobs, like solar jobs, consist of construction, manufacturing and professional and are spread across all 50 states, which means there are factory and manufacturing jobs even in states that do not have wind farms. The industry is growing, especially for turbine service technicians, which was the second-fastest growing occupation across the entire economy in 2018. And according to a Clean Energy Jobs 2021 Report there are 3,011,567 clean energy jobs, which consist of renewable energy, grid and storage, energy efficiency and clean vehicles; and

**WHEREAS**, Despite the overall decline due to the pandemic, clean energy remains the biggest job creator across America’s energy sector, employing nearly three times as many workers as work in fossil fuel extraction and generation. More Americans still work in clean energy than work as middle and elementary school teachers, bankers, farmers or real estate agents. Median hourly wages for clean energy jobs also are about 25 percent higher than the national median wage, and also pay better than most fossil fuel extraction jobs

**THEREFORE, BE IT RESOLVED**, that the NAACP reaffirms its support creation of the Civilian Climate Corps and we demand that the Congress support and fully fund the program.

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**BE IT FURTHER RESOLVED**, the NAACP will remain involved in the crafting and finalization of the policy language for the Civilian Climate Corps to ensure that it centers equity throughout all aspects of the policy and the program.

**BE IT FINALLY RESOLVED**, that upon creation and implementation of the program the NAACP will monitor the progress of the Civilian Climate Corps in order to hold the program accountable and to ensure that equity is centered in its implementation and that full measures are in place to guarantee that employment opportunities created by this legislation reach Black communities.

## HEALTH

### 1. *Closing Health Equity Gap of Breast Cancer Incidence & Mortality*

**WHEREAS**, The NAACP recognizes that cancer is the second leading cause of death in communities of color; and

**WHEREAS**, In the United States, African American communities bear a disproportionate share of the cancer burden, having the highest death rate and the lowest survival rate of any racial or ethnic group for most cancers; and

**WHEREAS**, The 5-year survival rate is lower in African American communities than in whites for every stage of diagnosis for most cancer sites, though the lifetime probability of developing cancer among African American women is 34%, compared with 39% among white women; and (staff check statistics – stat is correct); and

**WHEREAS**, A recent study by the American Cancer Society and other researchers found that differences in access to care and tumor characteristics were the most important factors contributing to the higher risk of death among younger black patients; and

**WHEREAS**, The underrepresentation of black skin clinical trials does exacerbate survival disparities by limiting knowledge about the efficacy of therapeutic agents in diverse populations. In 2012, only 17% of industry-funded clinical trial patients were from a racial/ethnic minority group, despite representing one-third of the US population.



**THEREFORE, BE IT RESOLVED**, that the NAACP advocate for continued progress toward equitable cancer outcomes by requiring expanding access to high-quality cancer prevention, early detection, and treatment for African Americans.

**BE IT FINALLY RESOLVED**, that the NAACP renews it's collaboration with the American Cancer Society, and other appropriate groups, to advance health equity for blacks in order to address disparities related to breast cancer in women.

## **2. NAACP Advocates for and Supports End of Life Planning**

**WHEREAS**, The NAACP recognizes that African American disparities extend to the end-of life process and planning; and

**WHEREAS**, A Duke Divinity School survey found that only 50% of African Americans have talked with family members about their end-of-life care and 20% have never discussed end-of-life wishes with anyone; and

**WHEREAS**, It is imperative to empower our community with information to better make informed decisions when planning for the end of life and have candid conversations with friends, family, faith leaders and medical providers about end-of-life care before a time of crisis; and

**WHEREAS**, Just 13% of African Americans have a living will in place compared with 32% of White Americans and a will is a written document - signed and witnessed - that indicates how your belongings and assets will be distributed at the time of your death, while a trust is a fiduciary arrangement that allows a third party, or trustee, to hold assets on behalf of a beneficiary or beneficiaries; and

**WHEREAS**, We must all research, plan and understand financial planning, as African Americans are less likely to purchase long-term care insurance, term life insurance, whole-life insurance, disability insurance and homeowners insurance, or to complete estate planning to distribute assets how we want and to avoid probate court, or invest in retirement security to live comfortably; and

**WHEREAS**, Being equipped with treatment-option information and illness-specific questions for medical professionals during appointments can empower our community to advocate for ourselves; and

**WHEREAS**, In 2011 the National Center for Health Statistics reported that only 35% of African Americans have completed advance directives and identified a power of attorney compared with 70% of their White peers; and

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**WHEREAS**, Advance healthcare directives are state-specific free legal documents to choose medical treatment options in case one is unable to make decisions because of illness or infirmity and to appoint a healthcare proxy to speak on one's behalf; and

**WHEREAS**, Palliative care is a compassionate interdisciplinary approach (doctors, nurses, faith leaders, other medical professionals) which provides specialized medical and nursing care for people with chronic and terminal illnesses. The ultimate goal is improving the quality of life for the patient and their support network by focusing on providing pain relief, and physical and mental stress support at all stages of illness; and

**WHEREAS**, According to the National Hospice and Palliative Care Association, only 8% of hospice users are African American, and hospice care is a health service that provides comfort care to patients, in-home or at a facility, in their final phase of illness or within six months of death. There is an emphasis on patient support and the entire spectrum of improved quality of life; and

**WHEREAS**, The Journal of the American Geriatrics Society found that there are end--of-life options that are also underutilized by African American patients, including palliative sedation, pursuing life-sustaining treatment, refusing/discontinuing life-sustaining treatment, medical aid in dying, voluntary stopping of eating and drinking (VSED) and life-extending options; and

**WHEREAS**, Having an understanding of the entire spectrum of care options as well as after-life directives such as will and trusts is critical in order to make informed healthcare decisions, from the refusal of treatment to aggressive treatment options; and

**WHEREAS**, In 2013, the NAACP passed a resolution recognizing the importance of planning and putting into writing one's intentions regarding one's property and encouraging all individuals to develop estate planning including wills or trusts that protect the integrity of their property; and

**WHEREAS**, African Americans are less likely to pre-plan for the eventual costs and details about services and according to the Federal Trade Commission the costs associated with end of life services, such as funeral, memorial, burial, and cremation, are high and ever rising; and

**WHEREAS**, In order to address final costs concerns, it is imperative for African Americans to research and obtain: life insurance, payable-on-death account, veterans benefits, burial insurance, and funeral trust plans; and

**WHEREAS**, In 2016 the NAACP passed a resolution on the importance of being an organ donor and acknowledges National Organ Donation Day.

**THEREFORE, BE IT RESOLVED**, that the NAACP advocates that families educate themselves on all aspects of end-of-life planning including advance healthcare directives,

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healthcare proxies, organ donation, wills, trusts, powers of attorney and end-of-life options such as hospice, palliative care and achieving a physician-assisted peaceful transition.

**BE IT FURTHER RESOLVED**, that the NAACP reaffirms both the 2016 organ donation and 2013 estate planning resolutions, encourages financial planning to ensure comfort during final days, supports completing advanced directives, recognizes the value of hospice and palliative care.

**BE IT FURTHER RESOLVED**, that the NAACP shall provide education, guidance, and be proactive in advocating for the education, consideration, and availability of all options when planning for the end of life, in order to facilitate an empowering and purposeful transition.

**BE IT FINALLY RESOLVED** that all Americans should chart their own end of life journey consistent with their own wishes and values and that they be specific in how they want their property distributed when they pass.

### **3. *Improving Equitable Birth & Maternal Health Outcomes for Black Families***

**WHEREAS**, The determinants of health are 1) behavior ~ 40% (mostly driven by education), 2) environment ~ 35% (driven by wealth, employment, income and housing, etc.), 3) medical care ~15% and 4) heredity ~ 10%; and

**WHEREAS**, According to the Centers for Disease Control and Prevention (CDC), Black women are two to three times more likely to die from pregnancy-related complications compared to white women, yet most racial and ethnic disparities in maternal and infant mortality are preventable; and

**WHEREAS**, The Maternal Care Access and Reducing Emergencies Act (the Maternal CARE Act) was passed in 2019 to address disparities in maternal and infant mortality; and

**WHEREAS**, Risk for negative maternal and child health disparities are increased by preventable chronic diseases, such as cardiovascular disease, lung disease, diabetes, obesity, and more; and

**WHEREAS**, A recent study in Scientific American concluded white female patients have the same or better health outcomes when treated by a Black physician, but Black female patients' health outcomes are remarkably worse when treated by white providers; and

**WHEREAS**, Barriers to health care, including lack of health insurance, limited access to providers, and culturally inappropriate care, especially in rural areas, are major contributors to disparities in maternal and infant health outcomes; and

**WHEREAS**, The Black Maternal Health Momnibus Act of 2021 is seeking congressional support to build on existing legislation to address all aspects of the maternal health crisis in America comprehensively, including but not limited to the social and environmental drivers of poor maternal health outcomes; culturally sensitive care for all mothers; key health risks impacting pregnant and postpartum veterans; maternal mental health care and substance abuse treatment; and more robust data analysis and quality improvement measures; and

**WHEREAS**, The use of trained pregnancy companions, who may not be health care professionals but support individuals through childbirth or other significant health-related experiences, is associated with decreased birth complications for both mother and child.

**THEREFORE, BE IT RESOLVED**, that the NAACP advocates for the adoption of the MOMNIBUS Act of 2021 and full funding to improve equitable birth and maternal health outcomes for Black mothers and families.

**BE IT FURTHER RESOLVED**, that the NAACP urge all its units to work with health care providers to educate them on the effects of bias in health outcomes.

**BE IT FURTHER RESOLVED**, that the NAACP will support efforts to study whether more African American trained pregnancy companions will have a significant impact on reducing Black maternal and infant mortality.

**BE IT FURTHER RESOLVED**, that the NAACP will monitor and support federal and state efforts to adopt legislation that provide Medicaid coverage for care provided by trained pregnancy companions.

**BE IT FINALLY RESOLVED**, that the NAACP reaffirms our resolutions demanding affordable and equitable health care for all Americans, including the “Regarding Health Care for All (Universal Health Care)” resolution of 2006, the “NAACP Calls for Full Implementation of the Patient Protection & Affordable Care Act” resolution of 2013, the “Prescription Drugs – Eliminating Pharmacy Benefits Manager (PMB) Gag Clauses” resolution of 2018, and the “NAACP Supports Affordable, Quality Health Care Now” resolution of 2020.

#### **4. Improving Access and Use of Green Space in Neighborhoods of Color for Health**

**WHEREAS**, A 2020 article entitled *Public Space, Park Space, and Racialized Space*, suggest green space and public parks are an important community resource to promote physical activity, mental health, and a sense of community, with access to such spaces emerging as a critical component of emotional and physical wellbeing; and

**WHEREAS**, A 2020 study from the Centers for Disease control (CDC), *Recommendation for Keeping Parks and Greens Space Accessible for Mental and Physical Health during COVID-19*,

## 2021 RESOLUTIONS

asserts that access and use of such spaces has positive physical and mental health benefits. In addition, during COVID-19 and other pandemics, such spaces allow for safe physical distancing; and

**WHEREAS**, A 2014 published National Institutes of Health (NIH) study, entitled *Proximity to Urban Parks and Mental Health*, documents individuals who have better access to such places are more likely to be physically active, less stressed, and less likely to be overweight; and

**WHEREAS**, NIH data also suggest increased outdoor activities to maximize the associated benefits of green space and public parks is dependent on having easy access and proximity to such space; and

**WHEREAS**, Centers for Disease Control and Prevention (CDC) research of 2014 and 2020 demonstrates the correlation between less access to open and green space to being less likely to meet CDC physical activity recommendations; and

**WHEREAS**, A 2020 report, led by the Hispanic Access Foundation and the Center for American Progress, found that black and brown communities are nearly three times more likely to have less access to open green spaces compared to white communities; and

**WHEREAS**, 2020 research by Trust for Public Land highlights parks and green spaces in communities of brown and black people are half the size and five times as crowded than space in white communities, and parks serving majority low-income households are on average four times smaller and four times more crowded than parks that serve higher income households; and

**WHEREAS**, A 2020 article titled *Millions of Americans Lack Access to Quality Parks* reveals, as a result of years of low investment in public parks and green spaces in communities with low-income and people of color, 100 million Americans, including 27 million children, have been left without access to decent nearby green spaces; and

**THEREFORE, BE IT RESOLVED**, that the National Association for the Advancement of Colored People advocate that federal, state, and local governments fund acquisition, a provision more open and green spaces, including tree canopy and appropriate amenities in communities where black and brown people live.

## **5. Regulation of the Marketing of Skin-Whitening Products**

**WHEREAS**, Congress established the Food and Drug Administration ("FDA") to promote public health by promptly and efficiently reviewing clinical research and taking appropriate action on the marketing of regulated products in a timely manner; and

**WHEREAS**, The FDA and the Federal Trade Commission ("FTC") search and review internet marketing sites for false, misleading, or unapproved cosmetic claims; and

**WHEREAS**, The FTC enforces the requirement for advertisers to substantiate objective claims in an ad before the advertiser runs the ad; and

**WHEREAS**, The FTC may act against advisements that cause substantial consumer harm that are not outweighed by a consumer or competitive benefit or where a consumer could not reasonably avoid the harm; and

**WHEREAS**, The Federal Food, Drug, and Cosmetic Act ("FDCA") prohibits "the introduction or delivery for introduction into interstate commerce of any food, drug, device, or cosmetic that is adulterated or misbranded," and

**WHEREAS**, Many skin-whitening products contain hydroquinone, which works to lighten skin by reducing the amount of melanocytes in the skin over time;" and

**WHEREAS**, The active ingredient in a popular skin-whitening product in the Asian-American community, *Fair and Lovely*, is niacinamide; which is effective in lightening skin because it inhibits melanin production; and

**WHEREAS**, Cosmetic companies use the words clear and bright to describe "happy" skin and similarly use the word "bright" in the name of hydroquinone containing skin lightening products; and

**WHEREAS**, Advertisements for skin-lightening products either directly or implicitly assert that whiter skin results in success and prosperity; and

**WHEREAS**, Cosmetic companies, in recognition of the fact that marketing of skin-whitening products perpetuates colorism, have announced plans to stop selling certain lines of skin whitening products or have announced plans to remove words such as, "white," "fairness," and "light" from its products; and

**WHEREAS**, The American Medical Association ("AMA") recognizes racism as a public health threat and includes cultural racism in its policies; and

**WHEREAS**, The AMA defines cultural racism as negative and harmful racial stereotypes portrayed in culturally shared media and experiences; and

**WHEREAS**, Advertisements for skin-whitening products do not target the general population of the United States, but rather racial and ethnic communities; and

## 2021 RESOLUTIONS

**WHEREAS**, Studies have shown that long term discrimination on the basis of skin color has led to several mental disturbances and disorders, including disorders such as body dysmorphic disorder, anxiety, low self-esteem, and depression; and

**WHEREAS**, The pressure to have lighter skin that is perpetuated by marketing in the cosmetic industry is detrimental to the extent that it causes minority women to seek physically dangerous, and even illegal methods of skin lightening; and

**WHEREAS**, Already banned skin lightening products that contain mercury are placed in minority communities, and are readily available, demonstrating that the marketing strategies of any skin lightening product, regardless of whether they are physically safe, could have detrimental psychological effects.

**THEREFORE, BE IT RESOLVED** that the NAACP demands that the FTC take action against cosmetic manufacturers that falsely advertise that utilization of their product will help the consumer obtain success, prosperity, or happiness.

**BE IT FINALLY RESOLVED** that the NAACP demands that the FDA propose a rule to eliminate advertisements in the cosmetic industry that falsely correlate whiter/lighter skin with success, prosperity and happiness.

**BE IT FINALLY RESOLVED** that the NAACP demands that the FDA require a warning label on skin-lightening products to prevent health hazards associated with colorism, a form of racism.

## **6. *Expanding Telehealth to Reduce Health Disparities in the African American Community***

**WHEREAS**, The recent pandemic of the novel coronavirus has reaffirmed the need to expand access to affordable, quality healthcare including medical, behavioral and dental care in the African American community; and

**WHEREAS**, Many African American communities are underserved for primary care by the traditional medical, behavioral and dental health care delivery systems and, as a result, are often designated by the federal government as Medically Underserved Areas; and

**WHEREAS**, Technologies have proven to be highly effective in reaching African Americans and other persons of color throughout the pandemic when in-person visits have been limited; and

**WHEREAS**, Telehealth has the unique ability to quickly expand access to quality, affordable care to African Americans who have historically suffered from the lack of access to and excessive cost of healthcare; and

## 2021 RESOLUTIONS

**WHEREAS**, The NAACP is concerned about the lack of progress In addressing African American healthcare disparities by federal, state and local governments and traditional medical, behavioral and dental health care delivery systems.

**THEREFORE, BE IT RESOLVED**, that the NAACP calls upon Congress and state legislatures to support and pass legislation that expands access to telehealth and teledentistry so that more African Americans and other communities of color will have access to healthcare through technology and that no additional barriers to telemedicine be enacted via statute or regulation.

**BE IT FINALLY RESOLVED**, that the NAACP will advocate for national policies that maximize the use and benefit of telemedicine, including services to address medical, behavioral and dental issues within African American populations.

## HOUSING

### 1. *Abolishing “Crime-Free Housing” Policies, Contracts, Ordinances and Programs*

**WHEREAS**, There is a growing trend of housing discrimination against African Americans who live in rental housing in predominantly African-American communities or communities where there is a growing African-American presence by the passage, enforcement, and maintenance of “Crime-Free Housing” ordinances and programs at the local level; and

**WHEREAS**, “Crime-Free Housing” ordinances and programs prohibit potential tenants from obtaining rental housing if the prospective tenant has been convicted of a crime regardless of the nature of, circumstances surrounding, or amount of time that has passed since, the offense; and

**WHEREAS**, There is no evidence “Crime-Free Housing” ordinances and programs reduce crimes in locales that have such ordinances and programs, but there is evidence that these ordinances disproportionately negatively affect people of color, and promote racial segregation in rental housing; and



**WHEREAS**, “Crime-Free Housing” ordinances and programs allow and encourage the eviction of tenants from their homes without the requirement of any criminal conviction, but instead, based upon mere allegations of criminal activity attributed to tenants, persons living with the tenants, or guests of such tenants and regardless of whether the alleged criminal activity took place on the leased premises, thus effectively allowing the police to determine where renters may live; and

**THEREFORE, BE IT RESOLVED**, that the NAACP demands the repeal by all governmental bodies and housing providers of all existing discriminatory “Crime-Free Housing” polices, contracts, and ordinances and opposes the creation of any new ordinances.

## **2. *Cares Act Post Forbearance Options Acts and Home Loan Modification Options***

**WHEREAS**, According to the 2021 State of Housing in Black America (SHIBA) report Black Americans have lost half of their wealth since the beginning of the 2007 recession through falling homeownership rates and loss of jobs; and

**WHEREAS**, In January 2021, more than 2.7 million households were in mortgage forbearance plans. A forbearance is when the mortgage servicer or lender allows you to pause or reduce your mortgage payments for a limited time while you build back your finances. Oftentimes, blacks do not receive the same assistance as other ethnicities and are hit the worst of a crisis after the crisis supposedly over; and

**WHEREAS**, In 2020, the Coronavirus Aid, Relief, and Economic Security (CARES) Act stated that any eligible borrower qualified for Forbearance or deferment is not subject to adverse credit reporting; and

**WHEREAS**, If you were in good standing with your home mortgage loan prior to when forbearance or deferment was awarded, the borrower would stay in good standing for its duration, however, black homeowners were not afforded the same opportunities by financial institutions; and

**WHEREAS**, Under the CARES Act a loan in forbearance must be reported as current on credit reports. It also made it possible for credit reporting agencies to put in place tools to enable lenders to report consumers' accounts in forbearance or deferment using a special disaster code that indicates the account has been affected by a declared disaster. This means that no new negative information will be reported, and the status will remain until the lender requires payments to resume. Some institutions did not utilize this tool for assistance to Black homeowners; and

## 2021 RESOLUTIONS

**WHEREAS**, Borrowers with longer forbearance periods may find it difficult or impossible to reinstate the loan when the forbearance ends causing additional economic wealth loss in the black community; and

**WHEREAS**, HUD Housing Counseling Agencies provide education to assist black homeowners with navigating post homeownership challenges a loan modification is an option to retain homeownership. It allows the borrower to modify the terms of the mortgage loan to reach an affordable payment solution for the borrower; and

**WHEREAS**, If the loan is modified the long-term credit impact is typically negative for black homeowners versus positive for white homeowners, depending on how the lender reports it to the credit bureaus. If it shows up as not fulfilling the original terms of the loan, this will have a negative effect on a borrowers' credit.

**THEREFORE, BE IT RESOLVED**, NAACP urges the Federal Housing Finance Agency (FHFA), the U.S. Department of Housing and Urban Development (HUD), and Congress to initiate policies and legislation to mandate that lenders report loan modifications to credit reporting agencies indicating that those accounts are current.

**BE IT FINALLY RESOLVED**, that the NAACP and all of its units advocate for homeownership counseling via HUD-approved counseling agencies, as well as advocate for legislative policies which prevent additional economic disaster and loss of black wealth.

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## INTERNAL AFFAIRS

### 1. *Unit Responsibility to File Annual Year-End Financial Report Clarified*

**WHEREAS**, It is in the interest of the NAACP for all Units to follow NAACP policies and procedures; and

**WHEREAS**, Section III of the Bylaws are ambiguous as it relates to the filing of Federal and State tax information, and other information required for units to operate within the 50 states and territories in the United States; and

**WHEREAS**, Units which attempt to incorporate themselves, file state or federal tax information, create inherent issues and risk for the NAACP.

**THEREFORE, BE IT FINALLY RESOLVED**, that Article III, Section 1 of the Bylaws for Units shall be amended to read as follows:

1. *(Unit Status)*
  - a. All Units shall be 501(c)(4) entities. No Units shall be authorized to create or form any 501(c)(3) entity unless expressly approved in writing by the Board of Directors.
  - b. No Unit shall be authorized to incorporate itself or to organize itself in the form of a corporation, or a separate business entity under state law unless expressly approved to do so, in writing, by the President and CEO and General Counsel upon a showing of legal or business necessity. Failure to obtain approval prior to filing will result in the immediate suspension of the Unit Officers and its Executive Committee.
  - c. All units are required to file their annual financial reports by the annual deadline established by the Board of Directors in order to timely ensure that the National Office can file consolidated group information with the Federal Government and State Governments. Failure to file an annual end of year financial report will result in the immediate suspension of the Unit Officers and its Executive Committee.

- d. All Unit Officers and its Executive Committee shall complete ethics training to be conducted by the National Office within six months after the completion of each Unit election.

## LABOR

### 1. *Trade and Labor*

**WHEREAS**, The NAACP should be strategically aligned to optimize President Biden's proposed incentives to address the unemployment crisis in the US with an emphasis on infrastructure funding, and,

**WHEREAS**, All Project Labor Agreements "PLA's" that are being proposed should have explicit Black representation and inclusion as it relates to jobs, hiring and interviewing, and,

**WHEREAS**, This includes employment opportunities for Black people on prevailing rate projects including Black contractors, and,

**WHEREAS**, A PLA is a living document and in all carve outs should include goals for Blacks and other racial and ethnic minorities reflective of the local population at a minimum for all State and federal projects, and,

**WHEREAS**, The Building trades should include blacks and other racial and ethnic minorities as a part of their executive committees and leaderships at every level, and,

**THEREFORE, BE IT RESOLVED**, that the National Association for the Advancement of Colored People establish a formal national partnership with the Building Trades Unions of the AFL-CIO to ensure that Black workers and other racial and ethnic minorities are receiving the appropriate training for entering the trades and given equitable opportunities for employment and union leadership measured and tracked by data and analytics, and,

**BE IT FURTHER RESOLVED**, that the partnership between the Building Trades Unions of the AFL-CIO and the NAACP works to establish a fund for Black workers and other racial and ethnic minorities to support special programs and initiatives to help them navigate the labor movement, and,

**BE IT FURTHER RESOLVED**, that the NAACP and the Building Trades Unions of the AFL-CIO work through their partnership to offer training and orientation programs for the Building Trades, PLAs, and other specifics governing how the Building trades work at the National, State and local level to achieve racial inclusion and equity, and,

**BE IT FINALLY RESOLVED**, that the National Association for the Advancement of Colored People National office invest and encourage Units to work to engage with and hold accountable their respective Building Trades Unions in order to resolve any exclusion of Black workers and other racial and ethnic minorities from entering the trades, successfully completing apprenticeship programs and joining the various leadership ranks of the individual unions.

## LEGISLATIVE AND POLITICAL ACTION

### 1. *Establishment of a National Park/Monument Unit to Recognize the History and Contributions of the Black Panther Party*

**WHEREAS**, Originally called the Black Panther Party for Self Defense, the party was founded in 1966 by Huey P. Newton and Bobby Seale in response to the wide-spread poverty, lack of economic and educational opportunities, and police oppression experienced by the African American community in Oakland, California; and

**WHEREAS**, Numerous dedicated and courageous young people of African ancestry enlisted in the ranks of the Black Panther Party to monitor and deter police violence, and to staff community service programs called “survival programs” aimed at providing food, health care, legal assistance, transportation and other services to Black and other poor people living in poverty; and

**WHEREAS**, Promoting the idea of “All Power to the People”, the Panthers took action themselves to force change and bring about liberation from all forms of human exploitation and oppression; and

**WHEREAS**, The Panther influence grew nationwide, J. Edgar Hoover, then Director of the FBI, proclaimed that the Black Panther Party was “the greatest threat to the internal security’ of the United States in 1968; and

**WHEREAS**, The FBI commenced and illegal campaign of terror against the Black Panther Party that came to be known as “COINTELPRO’ (Counterintelligence Program) to monitor, obstruct, undermine and neutralize the Party and its members; and

**WHEREAS**, Despite this opposition by the authorities, throughout the 1960’s and 1970’s the Panthers became a national force for social change, empowering a new generation of African Americans to seize political power, partnering with other disenfranchised communities around the country, and demonstrating that the legacy of slavery and racial oppression still prevented so many from experiencing the promise of prosperity and equality that is the foundation of the American dream; and

**WHEREAS**, The United State of America has yet to provide national recognition or a publicly accessible space for citizens and visitors to gain educational awareness about the history of the Panthers, one of the most influential groups of freedom fighters in recent history; and

**WHEREAS**, National recognition would also acknowledge the thousands of people who laid their lives on the line to feed families in their communities, education their children, provide free medical services, train a generation of organizers, academics and politicians, and fight for a freer world; and

**WHEREAS**, The public has demonstrated an interest in unbiased information and interpretation of the history of the Panthers which was illustrated by the overwhelming success of the “All Power to the People: Black Panthers at 50” exhibit at the Oakland Museum of California in 2016/2017; and

**WHEREAS**, The Party was founded in Oakland, California and had a significant presence with offices, activities and important sites throughout the San Francisco Bay area; and

**THEREFORE, BE IT RESOLVED**, that the National Association for the Advancement of Colored People calls upon the President, the Congress and National Park Service to initiate a Reconnaissance Survey to analyze the appropriateness of the establishment, funding and implementation of a National Park and National Monument in Oakland, CA and throughout the Bay Area.

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**BE IT FURTHER RESOLVED**, that the NAACP urged President Joseph R. Biden to utilize the results of the Reconnaissance Survey to establish a Black Panther Party National Monument and Park through the Antiquities Act (16. U.S.C. 431-433) in the appropriate locations in the San Francisco Bay Area and beyond.

## **2. *Historical Landmark Japanese American Statue at San Jose State University***

**WHEREAS**, There is a long history of anti-Asian discrimination in the USA, which continues to this very day; and

**WHEREAS**, One of the worst anti-Asian events in America happened in San Jose Executive Order 9066, February 19, 1942, and

**WHEREAS**, President Roosevelt's Executive Order 9066 forced all Japanese to pack their bags and relocate to internment camps far from the Pacific Coast; and

**WHEREAS**, On May 24<sup>th</sup> and 25<sup>th</sup>, 1942, the San Jose State building now known as Yoshihiro Uchida Hall served as a registration center for 2,487 people of Japanese descent before they were forcibly removed to 11 camps across the nation –a cross-section of the 120,000 that were incarcerated for periods of up to four years; and

**WHEREAS**, The United States government ordered more than 110,000 men, women, and children to leave their homes and detained them in remote, military-style camps; and

**WHEREAS**, The Manzanar National Historic Site, which preserves and interprets the legacy of Japanese American incarceration in the United States, was identified by the United States National Park Service as the best-preserved of the ten former camp sites.

**THEREFORE, BE IT RESOLVED**, that NAACP supports the Japanese American Citizen's League's petition of the United States National Park Service to create a reflection space at San Jose State University in San Jose, California memorializing the Japanese Internment.

## **3. *Facial Recognition***

**WHEREAS**, Facial recognition is defined as computer programs that analyze images of human faces for the purpose of identifying them there have been efforts in Congress to regulate and restrict facial recognition and biometric technology and facial recognition data is often collected

without the informed consent of the individual, creating opportunities for the unauthorized surveillance and monitoring; and

**WHEREAS**, The use of facial recognition technology has expanded without sufficient oversight standards being put in place, especially for law enforcement; and

**WHEREAS**, The mechanisms for facial recognition software are rarely revealed because of proprietary status and intellectual property law; and

**WHEREAS**, Current studies on facial recognition software show extreme gender and racial bias, a shocking prevalence of racist misidentification of “Black and Brown people”, and the use of prejudicial algorithms and harmful stereotypes that can lead to consequences for those misidentified; and

**WHEREAS**, Three tech companies have pulled facial recognition product from the market, and

**WHEREAS**, Current federal law would not prevent data from being shared with third parties, thus opening it up to mining, monetization, and malicious misuse; and

**WHEREAS**, The implementation of facial recognition software also impairs the privacy of working through compelled consent to the submission and use of their biometric data.

**THEREFORE, BE IT RESOLVED**, that the NAACP reaffirms and supports the call for a ban on the use of facial recognition technologies for criminal investigation.

**BE IT FINALLY RESOLVED**, the NAACP seek a ban on biometric surveillance, including facial recognition in schools.

#### **4. *Racially Motivated 911 Calls: The Caution Against Racially Exploitative Non-Emergency (CAREN”) Act***

**WHEREAS**, Instances of White people calling the police on private Black citizens for simply existing and participating in very ordinary activities – such as barbecuing in a park, eating out at a restaurant, golfing, or selling bottled water – has become widely known through the “hashtag” #LivingWhileBlack and through catchy labels of the caller such as “Barbecue Becky”, “Permit Patty”, or “ID Adam”; and



**WHEREAS**, Black Americans are more frequently, and disproportionately the suspect in a 911 emergency call; and

**WHEREAS**, A study in Kirkland, Washington found that 15 percent of emergency calls over an 11- month period reporting someone as an "unwanted subject" in a public place, involved Black people; and

**WHEREAS**, In Kirkland, Washington, only 1.2 percent of the population is comprised of Black people; and

**WHEREAS**, Any call to the police on a Black person in America, even if suspicions are warranted, can have deadly consequences; and

**WHEREAS**, Black Americans are 2.5 times more likely to be killed by police than White Americans; and

**WHEREAS**, Because of the history of racism in the United States. Black Americans are less likely to feel safe during police interactions than the general population, and generally have less trust in the law enforcement system; and

**WHEREAS**, Although state legislatures have made it unlawful to generally misuse the 911 emergency service line, there is no clear standard for punishment, and enforcement is minimal; and

**THEREFORE, BE IT RESOLVED** that the NAACP calls upon all state legislatures to enact legislation similar to California's Caution Against Racially Exploitative Non-Emergencies "CAREN" Act that provide victims of racially motivated 911 calls, standing to file suit in court of law.

## **5. *To Urge and End to the Filibuster and "Blue Slip" Practice***

**WHEREAS**, The filibuster is a practice with a 100-year history of being used by racists, including having been used repeatedly to thwart federal anti-lynching legislation when 99% of all perpetrators of lynching escaped punishment by state or local officials, and to block bills to protect the civil rights of Black Americans, including proposed legislation to eliminate poll taxes, and was used by racists such as Senator Strom Thurmond, who spoke nearly uninterrupted for more than 24 hours in an attempt to prevent passage of the 1957 Civil Rights Act and by opponents of the 1964 Civil Rights Act who filibustered for 60 working days, the longest combined filibuster in history; and

**WHEREAS**, The filibuster remains a threat to all new civil rights legislation, including but not limited to, any new Voting Rights Act proposed to combat attempts by individual states to

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suppress the votes of, and disenfranchise, Black and brown voters by reducing or eliminating ballot drop boxes, curtailing voting by mail, reducing the amount of early voting hours and locations, hindering voter-registration drives, and putting in place greater obstacles related to voter identification; and

**WHEREAS**, The filibuster has no roots in the U.S. Constitution and serves to cause partisan gridlock and subvert the majority rule principal exposing all proposed legislation to the possibility of being held hostage thus perverting the entire process for debate and passage of legislation; and

**WHEREAS**, The “Blue Slip” practice, which was devised by segregationist senators in the 1950s as a tool of massive resistance to the Supreme Court’s decision in *Brown v. Board of Education*, is still followed by the U.S. Senate Judiciary Committee with respect to some nominations, and grants home-state senators extraordinary veto power over the selection of federal district court judges and U.S. Attorneys in their states; and

**WHEREAS**, In recent years, U.S. Senators have repeatedly withheld the “Blue Slip” on nominations, which signals their lack of consent on a nomination from their state and thus prevents the Senate Judiciary Committee from moving that nomination forward in the confirmation process, in order to block the nominations of Black judges by President Clinton and President Obama to circuit and district courts, thereby depriving the nation of desperately needed diversity on the federal bench; and

**WHEREAS**, Donald Trump appointed 234 judges to the federal bench, including three Supreme Court justices, 54 appellate judges and 174 district court judges, resulting in the most ideological and least diverse group of judicial appointees in the modern era and causing a devastating retreat in judicial diversity and a federal judiciary which now includes judges with long records of hostility to civil rights; and

**WHEREAS**, During the Trump administration, Senate Judiciary Committee Chairs Chuck Grassley and Lindsey Graham eliminated use of “Blue Slips” with respect to circuit court nominations, and current Senate Judiciary Committee Chairman Richard Durbin has similarly abandoned that practice for circuit court nominations but has retained the “Blue Slip” practice for district court nominations, which will mean that Senators in most Southern states can still block nominations to the district court; and

**WHEREAS**, The “Blue Slip” practice has been utilized for nominations for U.S. Attorneys, who by the discretion afforded them have the power to reform our criminal justice system or conversely to use the system as a weapon to target people of color and add to the over-incarceration of Black and Brown Americans.

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**THEREFORE, BE IT RESOLVED**, that the NAACP urges the U.S. Senate to amend the cloture rule (the Filibuster) which requires a supermajority of 60 votes to end debate on bills and advance legislation and decrease such number to a simple majority.

**BE IT FINALLY RESOLVED**, that the NAACP urges the Senate Judiciary Committee to eliminate the “Blue Slip” practice altogether, and eliminate the veto power of home-state Senators over Federal District Court or U.S. Attorney nominees.

## VOTING RIGHTS

### 1. *Voting Rights*

**WHEREAS**, Black Americans voted in record numbers in 2020, casting the deciding votes in elections up and down the ballot and ushering in an era of change. Black communities across the nation suffered loss of health, jobs, and lives in the wake of the global pandemic; faced violence and brutality at the hands of the police; and endured myriad efforts to keep Black people from voting. And yet, Black voters turned out in droves because, as many in the Black community said, “Our lives depended on it.”

**WHEREAS**, With attacks on our right to vote, our right to protest and our ability to simply live, the work is not over for the Biden Administration or for Congress. Even as Black people across America endure the collective trauma of Black deaths on a loop and mourn the 335 lives lost to police violence since the beginning of 2021, Republicans are working overtime to criminalize our right to protest, block measures to reshape policing, and enact modern-day poll taxes that threaten our vote and our jobs.

**WHEREAS**, Election officials across this country — including Republican election officials — have attested that this past election was one of the most secure elections in our nation’s history. Security isn’t the issue. The issue is the aggressive, blatant, and racist campaign to restrict access to the ballot and marginalize the voices of Black voters.

**WHEREAS**, Our robust democracy must meet this challenge through adopting a set of reforms designed to promote safe and accessible elections including the following:

- Congress must restore the Voting Rights Act by passing the John Lewis Voting Rights Act – H.R.4 to help protect voters from racial discrimination and voter suppression.
- The Biden Administration and Congress must continue to improve on the minimum standards that passed in several states due to the COVID-19 pandemic in several key areas of election administration to ensure full and safe voter participation. This means offering a variety of measures to make voting accessible during this public health crisis, including automatic and same day registration and the use of paper ballots instead of touchscreen machines, in order to reduce the spread of #COVID-19.
- No-fault absentee voting (Mail-In Voting and ballot drop offs) should be available in every state. Most states already allow some form of voting by mail, but the rules vary widely and not everyone knows about the opportunity and how it works. To counter historic problems around absentee balloting, we must take great care to ensure that votes are freely and fairly cast and that ballots will be securely returned, tracked through the USPS, processed, and counted in a fair and accurate manner. These provisions must also eliminate barriers to requesting and returning ballots including but not limited to eliminating requirements for notarization, copying and scanning of identification, and postage charges.
- Election Day voting must be safely administered and fully available with sufficient precincts, machines and poll workers to match the number of eligible voters. Having enough sites must be ensured so that all voters have a choice and easy access to vote in person. African Americans are least likely to vote by mail. Our community fought hard to secure the right to vote, and even today, most Black voters choose to cast their ballot in person. Given the history and significance of in-person voting to our community, it is essential that in-person voting options be retained and expanded to ensure voter safety throughout this crisis.
- Early voting should be championed and supported across all states with a minimum of two weeks guaranteed including weekends. This should also include expanded voting hours and curbside voting.
- Guaranteed safety of our poll workers, who are the backbone of our local democracy through ensuring CDC compliant Covid-19 protective gear, hazard pay and access to free emergency medical coverage if needed due to possible exposure while working the polls.

**THEREFORE, BE IT RESOLVED**, that the NAACP advocates for the US Congress to pass the John Lewis Voting Rights Advancement Act H.R.4 that will provide adequate funding and resources to state and local jurisdictions to improve and provide safe, secure and effective voting systems and that no excuse mail-in voting be secured in every state and territory.

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**BE IT FINALLY RESOLVED**, that the NAACP strongly urge elected officials of all political parties at the national, state and local levels to work together to enact policy, appoint federal, state and local election officials and judges who will protect the health of every voter and ensure the opportunity to cast a free and unfettered ballot and have their vote counted.

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