

NAACP
California Hawaii
STATE CONFERENCE

RESOLUTIONS

(State)

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2021 BRANCHES RESOLUTIONS – STATE CONVENTION PART II
December 4, 2021

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Resolution #1

SEXUAL ABUSE BY COACHES AGAINST WOMEN AND CHILD ATHLETES

Submitted By: W.I.N. Committee

Date Adopted: 12/04/2021

WHEREAS, in concert with the NAACP Bylaws, the national goal of Women in NAACP (W.I.N.) is to “advocate for the emotional, mental, physical and spiritual development of children;” and

WHEREAS, sexual abuse, in part, is defined as an unwanted sexual activity by perpetrators using force, making threats or taking advantage of victims not able to give consent; and

WHEREAS, traditionally, girl athletes place their trust in their coaches, taking their advice and following their instructions due to the relationship between the coach and child-athlete. Coaches often come into close contact with girls as young as 11 years of age locker rooms, overnight trips and traveling tournaments where parents or other adults may not be present to supervise or observe the interaction between coaches and the child-athlete; and

WHEREAS, many girls remain silent and do not speak out about abusive coaches because of their fear and or desire to remain in competition for local and state championship awards or are merely unaware of what is inappropriate behavior; and

WHEREAS, teachers, school employees, educators, and childcare custodians are all mandated reporters and have a duty to report known or suspected abuse relating to children but they often turn away and do not report the abuse leaving young girls in the hands of their and often times abusive coaches; and

WHEREAS, California Penal Code 801.1, allows for prosecution of sexual abuse if the assault was committed against a minor under age of 18 to be commenced at any time prior to the victims 40th birthday; and

THEREFORE BE IT RESOLVED, that the California State Conference branches provide education to our children as to what is inappropriate behavior by coaches, to investigate and report allegations of sexual abuse of young girl-athletes by their coaches; and

THEREFORE BE IT RESOLVED, that CA/HI NAACP will address the standard of fans, volunteers, police, campus safety, and supporters that attend games that support social emotional well-being; and

THEREFORE BE IT FINALLY RESOLVED, that the California State Conference branches follow up on court cases and all matters of sexual abuse allegations of minors involving their coaches, thusly, ensuring that justice will be served throughout the State of California.

Resolution #2

DR. CHARLES JAMES OGLETREE, JR., COURTHOUSE NAMING

Submitted By : Merced County Branch

Date Adopted: 12/04/21

WHEREAS, Dr. Charles James Ogletree Jr., is a beloved native son of the City of Merced and the State of California, whose pioneering contributions in the areas of law, civil rights, and education have earned him the respect and admiration of his family, friends, and colleagues and the countless individuals whose lives he touched; and

WHEREAS, Born on December 31, 1952, in Merced to Willie Mae Ogletree and Charles Ogletree Sr., Or. Ogletree grew up in a migrant worker community and began working in the fields at a young age, and while he excelled in high school, he also witnessed firsthand the challenges of African Americans facing prejudice and injustice; and

WHEREAS, Following his graduation in 1970, Dr. Ogletree enrolled at Stanford University, where he earned Bachelor's and Master's degrees in Political Science, became active in the burgeoning civil rights movement, and met Pamela Barnes, whom he married in 1975, and when he was accepted into Harvard Law School that same year, the newlyweds moved to Massachusetts; and

WHEREAS, After earning his Juris Doctor in 1978, Dr. Ogletree joined the Public Defender Service for the District of Columbia and moved to Washington. O.C., with Pamela and their son, Charles Ogletree III, and the young family was soon blessed with the birth of their daughter, Rashida, in 1979; and

WHEREAS, Known for his cool, collected demeanor and formidable courtroom presence, Dr. Ogletree excelled as a public defender and was named director of staff training in 1982 until 1985, when he became a partner in the Washington law firm of Jessamy, Fort, & Ogletree while concurrently serving as a visiting professor at Harvard Law School; and

WHEREAS, In 1986, Dr. Ogletree became founding director of Harvard's Introduction to Trial Advocacy workshops, a program he created to inject a more clinical, hands-on approach into the curriculum, and in 1990 he founded the school's Criminal Justice Institute, a program that engaged low-income communities in Boston and included a

Saturday school so African-American students could learn from seasoned professionals; and

WHEREAS, Routinely taking on controversial cases which risked his job and career including representing Anita Hill during Clarence Thomas' confirmation hearings to the U.S. Supreme Court and seeking reparations for the survivors of the 1921 Tulsa race riots, Dr. Ogletree demonstrated through both his words and his actions his commitment to Civil Rights,



social justice, and equality for all; and

WHEREAS, Named Harvard's Jesse Ctimenko Professor of Law in 1998 and Vice Dean for Clinical Programs in 2003, and as founding Director of the Charles Hamilton Houston Institute for Race and Justice in 2004, Dr. Ogletree inspired generations of students throughout his teaching career, including former President and First Lady Barack and Michelle Obama; and

WHEREAS, Well known as a frequently published legal scholar and strong advocate for racial justice, Dr. Ogletree became a sought-after expert and commentator on national television news programs, and in 2002, his stellar work was recognized by The National Law Journal, which named him one of the 100 Most Influential Lawyers in America: and

WHEREAS, Determined to improve the educational opportunities for underserved and underrepresented students, Dr. Ogletree established a college scholarship fund for students in his hometown of Merced, California, and served as a founding member of the Benjamin Banneker Charter School for children in Cambridge, Massachusetts; and

WHEREAS, A close friend of the late South African President Nelson Mandela, Dr. Ogletree was honored to receive the Nelson Mandela Service Award from the National Black Law Students Association in 1991, one of the many accolades he was presented with over the course of his career: and

WHEREAS, Limitless in his vision and capacity to excel, Dr. Ogletree's life and career demonstrate how his humble beginnings informed the passions and principles of a man who proved to be on the right side of history even as it was being created around him; and

WHEREAS, Assemblymember Adam C. Gray, supports the renaming of the Merced County Courthouse to the Dr. Charles James Ogletree Jr Courthouse, and by this resolution seeks like-minded individuals, organizations, and public entities to commemorate the illustrious record of personal, professional, and civic achievements of one of the City of Merced's most prominent native sons.

THEREFORE, BE IT RESOLVED, that the CA/HI State Conference of the NAACP, calls upon the California legislature to support legislation introduced by Assemblymember Adam C. Gray, naming the Merced County Courthouse to the Dr. Charles James Ogletree, Jr., Courthouse.

Resolution # 3

IGNORANCE IS NO EXCUSE

Submitted By: Criminal Justice Committee

Date Adopted: 12/04/2021

WHEREAS, for those of us who supported the need for law enforcement officers to use body cameras during their daily interaction with the public had hoped that it would deter law enforcement officers from violating the constitutional rights of its citizens given that they were being filmed, but we were wrong; and

WHEREAS, thousands of hours of videos are uploaded to the internet, by First Amendment auditors, news media, victims, and witnesses of law enforcement overreach; of confident law enforcement officers warning citizens that “this entire interaction is being recorded” who then proceed to violate their constitutional rights, federal laws, state laws, and their own documented police procedures only to find out later that they were wrong; and

WHEREAS, millions of dollars are spent paying the victims of police overreach by cities and counties because law enforcement officers are confident in their ignorance of some basic police procedures; probable cause, reasonable suspicion, the first amendment, the fourth amendment, terry stops, local stop and identify statutes and others; and

WHEREAS, absent these critical core components of policing, law enforcement officers are placed on the same level as the citizens they are hired to protect and no longer subject to the special protection allowed such as Qualified Immunity but should be deemed a danger to society because they have the discretion to use deadly force; and

WHEREAS, given that African Americans are stopped disproportionately more than other races while walking or driving we do not hold the privilege of ignorance and Qualified Immunity as protection for our mistakes we must know the law and operate therein; and

THEREFORE, BE IT RESOLVED that the CA/HI State Conference of the NAACP stands opposed to the violation of constitutional rights by members of law enforcement, that has been systemic practice in the United States of America and will work with the local, state, and federal law enforcement agencies to bring clarity and unbiased professionalism to community interaction; and

THEREFORE, BE IT FINALLY RESOLVED that the CA/HI State Conference of the NAACP would urge all of our Units to work with their local law enforcement agencies to share basic components of policing highlighting policies specific to their agency and geographical area by way of social media, town halls and community meetings ensuring that both the public and the police have engagements based on understanding, knowledge, and respect.

Resolution # 4

TO INCREASE POSITIVE LAW ENFORCEMENT INTERACTIONS REQUIRES A CHANGE IN THE CULTURE: WE ARE WHAT WE NEED

Submitted By: Criminal Justice Committee

Date Adopted: 12/04/21

WHEREAS, to see the type of positive change in the way law enforcement interacts with the community requires a change in legislation and a change in law enforcement culture; and

WHEREAS, given the substantial progress made legislatively in making law enforcement officers more accountable covering use of force, certification, qualification, and release of records we need only enhance the culture of law enforcement agencies by increasing the percentage of African American law enforcement officers; and

WHEREAS, In 2016, black officers made up about 11.4 percent of the full-time ranks in local police departments while during the same year African Americans were only 12.6 percent of the population; and

WHEREAS, it can be reasoned that tens of thousands of African American men and women miss out on this high paying career, often requiring little more than a high school diploma, Not due to the fear of the spontaneous violence that maybe required, Not due to the lack of desire to serve their community but more likely due to the stigma attached to joining an organization that has systemically targeted generations of African American people for abuse, discrimination and racist hatred; and

WHEREAS, it is no surprise that black officers are not the primary focus law enforcement excessive force claims, white officers dispatched to Black neighborhoods fired their guns five times as often as Black officers dispatched for similar calls to the same neighborhoods; and

WHEREAS, civil rights organizations, news media, social media influencers and advocates have made great strides flushing out and making accountable white law enforcement officers but what is not discussed is the positive contributions and sacrifices black law enforcements have made in a systemically discriminatory occupation; and

THEREFORE, BE IT RESOLVED, that the CA/HI State Conference of the NAACP stands in support of increasing the number of African American law enforcement officers in the United States of America and will work through the local, state, and federal legislative process to make sure that they receive these opportunities without prejudice; and

THEREFORE, BE IT FINALLY RESOLVED that the CA/HI State Conference of the NAACP urges all of our Units to work with federal, state, county and city law enforcement agencies in helping to inspire African American youth and adults in the service of their community by becoming law enforcement officers.



Resolution #5

BAN POLICE ENFORCEMENT OF LOW-LEVEL TRAFFIC VIOLATIONS (DRIVING EQUALITY)

Submitted by: Ventura County Branch

Date Adopted: 12/04/2021

WHEREAS, The Equal Protection Clause of the Fourteenth Amendment to the U.S. Constitution and article I, section 19. The City of Brotherly Love, Philadelphia, Pennsylvania passed the Driving Equality Bill to prohibit police from stopping vehicles for low-level driving code infractions.

WHEREAS, Racial Disparities in California Law Enforcement Stops by racial differences exist in California, where 40.8% more Blacks/African American are disproportionately stopped by law enforcement. Of the 76% Blacks/African American's 1 out of 5 will be stopped for minor traffic violations. (*Source Ref: Public Policy Institute of California, October 2021*).

WHEREAS, Systematic traffic stop, search, and arrest practices are entry points into the criminal justice system. Impacts of "driving while black," and over policing contributes to public health, mental and safety crises.

WHEREAS, history and the experiences of Blacks/African American's and minorities have shown initial encounters with law enforcement institutes and cultivates discriminatory and racial disparities.

WHEREAS, banned low-level traffic violations reduce community and law enforcement interactions, thus allowing law enforcement as public servants to perform criminal activity duties.

THEREFORE, BE IT RESOLVED, that the CA/HI State Conference of the NAACP encourage and supports Driving Equality Ban on police enforcement of low-level traffic violations

THEREFORE, BE FINALLY RESOLVED, that the CA/HI State Conference of the NAACP calls on the Legislature to create, adopt and mandate a Driving Equality Ban on police enforcement from stopping vehicles for low-level driving code infractions.



Resolution # 6

PUBLIC SAFETY: LAW ENFORCEMENT/CALIFORNIA HIGHWAY PATROL (CHP) EXCESSIVE AUTHORITY

Submitted By: Ventura County Branch

Date Adopted: 12/04/21

WHEREAS, the Tenth Amendment, which states that “[t]he powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people,” and

WHEREAS, you have the constitutional right to remain silent. You have the right not to talk to law enforcement officers (or anyone else), even if you do not feel free to walk away from the officer, you are arrested, or you are in jail. You cannot be punished for refusing to answer a question. The burden of de escalation does not fall on private citizens, it falls on law enforcement, and

WHEREAS, history and the experiences of Blacks/African American’s and minorities have shown initial encounters with law enforcement institutes and cultivates discriminatory, racial disparities and profiling by law enforcement based on probable cause association and what they believe of the initial stop and not by credible evidence of innocence, and

WHEREAS, as excessive questioning and tactics by the abuse of power, behavioral pattern and practices of law enforcement is deeply rooted a discretionary means and subjective practices are a risk of public safety, and

WHEREAS, the CA/HI State Conference of the NAACP believes we the people we all should be equal held accountable for all actions regardless of position, and

THEREFORE, BE IT RESOLVED, that the CA/HI State Conference of the NAACP calls on the local branches to work with their police commissions and local organizations to establish protocols to eliminate excessive questioning and abuse of power.

Resolution # 7

END ACTS OF CRIMINALIZATION

Submitted By: Ventura County Branch

Date Adopted: 12/04/21

WHEREAS, throughout the history of the United States, the acts of racism, discrimination, oppression, and the actions of Criminalization fostered by the depiction and narratives by law enforcement and in the criminal justice systems. Narratives and unjustly flawed depictions can result in arrests, harm, and death of people of color, and

WHEREAS, criminalization is a component of racism. Words, narratives, and descriptions is an internalized or interpersonal form of systemic, institutional, and structural racism. Criminalization creating an unfair disadvantage for Black/African Americans communities in the legal system, and

WHEREAS, these practices are commonly known as “Coptalk” is dangerous by shifting the narratives of a criminal case or a simple traffic stop to criminalize a person. Perceptions and narratives by law enforcement complicated by personal experiences, family and friends, and news from social media and television further depicts acts of criminalization when law enforcement uses it as a device and means for conviction, and

WHEREAS, coptalk through words and the intent are a public health crisis. Criminalization of minorities creates an adverse health outcome through cumulative experience of racism, adding to an atmosphere of lack of trust. These actions of criminalization are further adding to the generational trauma, of chronic mental and health conditions through manifestation these practices, and

THEREFORE, BE IT RESOLVED, that the CA/HI State Conference of the NAACP calls for the accountability of any law enforcement representative who in admission by verbal accounts or written report be held accountable for the acts of criminalization through descriptions and in the Courts.

THEREFORE, BE IT FINALLY RESOLVED, that the CA/HI State Conference of the NAACP, calls for mandates, prerequisites and initial standard training to be included in officers academic and on hands training (POST).



Resolution # 8

BLACK/AFRICAN AMERICANS STUDENTS UNIVERSITIES DESIGNATED GRANT FUNDING

Submitted By: Ventura County Branch
Date Adopted: 12/04/21

WHEREAS, Blacks/African Americans are essential critical of the infrastructure of America. Institutional and structural racism in education, criminal justice, housing, employment, health care, and access to opportunities are denied, and

WHEREAS, of the total 280 accredited, degree-granting, public or private nonprofit colleges/universities in California, 16.65% are Black/African Americans. Private nonprofit institution of higher education with 25% or more total undergraduate (FTE) student enrollment, and

WHEREAS, the College and University's institutional structural hindrances on the development of Black/African American students and a positive learning environment and fostering a sense of belonging to achieve academic excellence declines and the American dream dwells. Institutional racism practices and racial biases that plaque the campus, and

WHEREAS, Blacks/African American students do not feel inclusive in the University system. Colleges/universities by the disproportionate allowance of state and federal funding and grants in higher education institutions, and

WHEREAS, it has been proven that Black/African American and minorities academic growth and success rate increases when they thrive in a diverse and nurturing environment. The incorporation of a Black Student Development Department at California Community Colleges (CCC) /University College (UC) /College State University (CSU) campus is vital to enhancing a diverse, inclusive, and holistic campus and an equal educational opportunity. Cultural and Racial Diversity, and

WHEREAS, a supportive educational setting and strong commitment by CCC, UC and CSU administration and faculties to serve all students results in high rates of Black/African American student's retention and graduation, and

WHEREAS, the key success of Black/African American students depends on the investments and by distinct yearly funding allocated, managed by an inclusive Black Student Development Department. Designation of funding for Black Student Development department allotment should be representative of the campus student's population of Blacks/African Americans.

THEREFORE, BE IT RESOLVED, the CA/HI State Conference of the NAACP encourage branches and units to work to establish specific leadership roles and positions within all institutions of higher learning, including: 1) Director of Black Student Development's to enhanced African American Recruitment Strategies; 2) Recruitment and Retention Specialist to increase the Black student population, and to ensure Black students recruit and retention; 3) Academic Support Counselors to assist Black students to achieve their academic, career, and personal goals and



assess the Black campus community, and 4) Black Student Life Coordinator to address the extracurricular needs for Black students and ensure that holistic and social needs of Black students are met.



Resolution #9

PROTECTION OF CHILDREN AND COMMUNITIES OF COLOR FROM LOCAL TOBACCO CONTROL

Submitted By: Berkeley Branch

Date Adopted: 12/04/21

California/Hawaii NAACP State Conference endorses the protection of children and communities of color from Big Tobacco's predatory marketing of candy and menthol flavored nicotine-containing products by upholding CA Senate Bill 793 and enacting local tobacco control ordinances in municipal jurisdictions throughout the State of California

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

WHEREAS, the California/Hawaii NAACP State Conference continues to recognize that good health is a foundational right and is committed to the communal health and well-being of African **Americans** and is particularly concerned about preventing the use of tobacco products among youth; and

WHEREAS, tobacco-induced deaths continue to be the number one preventable cause of death, claiming 45,000 African American lives a year, more lives than violence, AIDS, car accidents, and non-tobacco-related cancers COMBINED; and

WHEREAS, the smoking of menthol cigarettes is responsible for 1.5 million new African American smokers, the premature deaths of 157,000 African Americans, and the loss of 1.5 million life-years among African Americans over 1980 - 2018; and while African Americans constitute only 12% of the total US population, these alarming amounts represent, respectively, 15%, 41%, and 50% of the total menthol-related harm;iii and

WHEREAS, nicotine and tobacco-specific carcinogens accumulate in tissues containing melanin, iv and it has been shown that melanin concentration is positively related to the number of cigarettes smoked daily, levels of nicotine dependence, and nicotine exposure; and

WHEREAS, California Governor Gavin Newsom signed Senate Bill 793 (SB 793) into law on August 28, 2020, which was immediately placed on hold by a referendum filed by the tobacco industry, now requiring Californian voters to decide the fate of SB 793 in the November 8, 2022 state election and causing a delay in the enactment of the law, during which time Big Tobacco



will generate another \$1.2 Billion in profits from the sale of menthol cigarettes alone and acquire an additional 37,000 high school students who will start smoking;vi, vil and

WHEREAS, the National Association for the Advancement of Colored People adopted on July 19, 2016 at its national convention in Cincinnati, Ohio a resolution to "Support State and Local Restrictions on the Sale of Flavored Tobacco Products," which was initially submitted by the California/Hawaii State Conference and ratified by the NAACP Board of Directors on October 15, 2016; and

WHEREAS, NAACP President Derrick Johnson has participated in webinars and interviews calling for mentholated tobacco products to be taken out of the marketplace; and

WHEREAS, the NAACP New York State Conference is actively supporting city and state ordinances that will ban the sale of menthol cigarettes and other tobacco products in New York State; and

WHEREAS, Delta Sigma Theta Sorority, Inc. and the National Medical Association have adopted national resolutions supporting state and local efforts to ban the sale of menthol cigarettes and other flavored tobacco products; and

WHEREAS, federal courts have upheld the authority of state and local governments to prohibit the sale of flavored tobacco products, including menthol;xiii and

WHEREAS, at least 135 U.S. local cities and counties have enacted public policies to end the sale of menthol and flavored tobacco products;xiv and

WHEREAS, Big Tobacco annually spends millions of dollars on lobbying and marketing to keep candy-flavored products on the market, leading to the use of e-cigarettes by 3.6 million high school and middle school students, XV with 70% of them saying it is because these products come in fruity, candy, and mentholated flavors that they like; and

WHEREAS, many tobacco products besides cigarettes, including cigars, cigarillos, and electronic cigarettes, are sold in menthol flavors that appeal to youth and may serve as a gateway to smoking; and

WHEREAS, African American elders are the anchors of our community, and the loss of our elders from preventable tobacco-induced cancers and other tobacco-induced deaths destabilizes our families and communities and causes irreparable intergenerational trauma.

THEREFORE BE IT RESOLVED, that the California/Hawaii State Conference of



the NAACP, recognizes that Big Tobacco uses candy-flavored and minty-menthol flavored tobacco products to make big profits by exploiting a nearly 400-year history of systemic racism that continues to destroy the lives and health of Black people; and

THEREFORE, BE IT RESOLVED, that the California/Hawaii State Conference of the NAACP, supports efforts by state and local governments in California to restrict the sale of menthol cigarettes and all other flavored tobacco products; and

THEREFORE, BE IT FINALLY RESOLVED, that the California/Hawaii State Conference of the NAACP supports the campaign and efforts to uphold CA Senate Bill 793 to end the sale of menthol cigarettes and all other flavored tobacco products.

Resolution # 10

NAACP DECLARES RACISM A PUBLIC HEALTH CRISIS

Submitted By: Santa Maria Lompoc Branch

Date Adopted: 12/04/21

WHEREAS, throughout the history of the United States, racism has manifested itself as discrimination and oppression directed toward Black, Indigenous, Latinx, and Asian American and Pacific Islanders, resulting in premature death and disability, health disparities, and racial and social inequities; and,

WHEREAS, the killing of Blacks, Indigenous, and People of Color (BIPOC) dates back to lynching, the murder of Emmett Till, and continues with modern day murders of George Floyd, Xiaojie Tan et al. {1}, Breonna Taylor, Ahmaud Arbery, Daunte Wright, Stefon Clark, Oscar Grant, Trayvon Martin, Michael Brown, and a spate of other murders and attacks on Black, Indigenous, Latinx, and Asian American and Pacific Islanders have revealed stark structural and systemic racial inequities and their impacts on the health and well-being of individuals and communities; and,

WHEREAS, national, state, and local data collected during the COVID-19 pandemic revealed that Black, Indigenous, Latinx, and Asian American and Pacific Islanders disproportionately bear the burden of disease in morbidity and mortality, and further reflect the stark structural and systemic racial inequities and their impacts on the health and well-being of individuals and communities; and,

WHEREAS, racism is a system of structuring opportunity and assigning value based on the social interpretation of one's appearance, that unfairly disadvantages some individuals and communities, unfairly advantages other individuals and communities, and ultimately stifles the equitable growth of society as a whole; and,

WHEREAS, systemic racism causes persistent racial discrimination in housing, education, employment, transportation, and criminal justice; and an emerging body of research demonstrates that racism is a social determinant of health and a significant barrier to achieving health equity; and,

WHEREAS, racism can manifest in different ways ranging from police brutality, violent attacks, to implicit bias, to differential access to resources and opportunities; and,

WHEREAS, racism operates on systemic, institutional, and interpersonal levels, all of which resonate throughout time and across generations; and,

WHEREAS, racism has resulted in the development of systems and institutions, including those



within government, which perpetuate inequities through policies and practices; and,

WHEREAS, racism is among the root causes of adverse childhood experiences (ACES) and Black, Indigenous, and other communities of color are disproportionately impacted by ACEs due to toxic stress, trauma, and lack of access to support and resources, which has a profound and lasting impact on children, adolescents, and their families; and,

WHEREAS, the disproportionate justice-involvement of people of color in California, especially Black and Latinx individuals, exacerbates barriers to employment, housing, education, and healthcare for communities of color; and,

WHEREAS, 2020 Census data estimates the total population of California as 39,538, 223, Black/African American are 6.7% of the population, those identifying as Black/African American and some other race (two) total 115,522, Hispanic or Latino 11,083, 294, and Asian alone totals 4,906,293{2}; and,

WHEREAS, according to the most recent 2017 California Department of Corrections Offender Data Points, African Americans/Blacks remain overrepresented in CA Prison with 8.5% of the state's male prisoners being African American when the Black/African American male reside are just 5.6% of the population and the imprisonment rate for African American men is 4,236 per 100,000 people, Latino men 1,016 per 100,000 and the African American men rate of imprisonment is ten times the imprisonment rate for white men, which is 422 per 100,000; and,

WHEREAS, Black/African American women are also overrepresented in that of the state's 5,849 female prisoners, 25.9% are Black/African American, while Black/ African American make up 5.7% of the state's adult female residents and Black/African American women are imprisoned at a rate of 171 per 100,000-more than five times the imprisonment rate of white women, which is 30 per 100,000; and,

WHEREAS, California has the largest population of condemned people in the country and there are currently, 697 people are on death row {3} and in 2020, Governor Newsom took the unprecedented step of filing an amicus brief at the California Supreme Court to argue that the death penalty has been applied in an unconstitutional and racially-biased manner, and in 2021, California Attorney General Rob Bonta reiterated his opposition to the death penalty noting that he thinks the death penalty is inhumane, doesn't deter, and studies show "it's long had a disparate impact on defendants of color, especially when the victim is white;" and,

WHEREAS, despite only accounting for 6.5% of California's population, over one third of people on death row in the state are Black, while Latinx people accounted for less than half of homicide arrests in the state between 2010 and 2020, all 8 of the people sentenced to death in the state in 2018 and 2019 were Latinx and in 2020, 3 of the 5 people sentenced to death in California were Latinx; and,



WHEREAS, Blacks, African Americans, Asians, Latinxs, and Native Americans are more likely to have unmet needs compared to other subgroups, with Native Hawaiians, Pacific Islanders, and multiracial groups showing the highest rate of inadequate mental health treatment; and,

WHEREAS, Latinxs and Asians born abroad have the highest rates of unmet mental health needs, and U.S. born Latinxs, and Asians have the highest rates of inadequate treatment; and,

WHEREAS, multiple public health studies spanned across decades have shown Black women are up to four times more likely to die of pregnancy related complications than White women, Black and Indigenous men are more than twice as likely to be killed by police as White men, and life expectancies are 3-4 years shorter for Indigenous and Black Americans than for White Americans; and,

WHEREAS, numerous studies have linked racism to negative health outcomes, including research that the cumulative experience of racism throughout one's lifetime can lead to chronic health conditions and disparities in physical and behavioral health consequences such as depression, anxiety, hypertension, stroke, heart attack, diabetes, maternal death, premature birth, respiratory diseases, and autoimmune diseases; and,

WHEREAS, to date California has had 73,000 {4} people succumb to Covid and of this number Latinx accounted for deaths 32,589 (45.5) while only being 38.9 the population; Asian accounted for 8,149 deaths (11.4) while being 15.4 of the population and Blacks/African American accounted for 4881 deaths (6.8) while being 6.1% of the population; and,

WHEREAS, the COVID-19 pandemic has magnified disparities nationally and the Centers for Disease Control and Prevention (CDC) has stated that long-standing health and social inequities have resulted in increased risk of infection, severe illness, and death from COVID-19 among communities of color; and,

WHEREAS, CDC national statistics show that Black people have a 2.6 times higher percentage of COVID-19 cases, a 4.7 times higher percentage of hospitalization, and a 2.1 times higher death rate compared to White, Non-Hispanic people. These rates are similarly elevated for Latinx and Indigenous people; and,

WHEREAS, the one of the missions of the NAACP is to improve the health of our communities by preventing disease, promoting wellness and health equity, while ensuring access to needed health care, and maintaining a safe and healthy environment; and,

WHEREAS, the NAACP is committed to end racial health disparities by creating an inclusive culture of healthy people and communities; and,

THEREFORE BE IT RESOLVED, that the California Hawaii National Association for the Advancement of Colored People State Conference hereby recognize and declares that racism and



social inequities have created a public health crisis affecting our entire State and we must advocate for and encourage a) more state-wide working group of subject matter experts and community stakeholders to address the prevention of racism b) for relevant policies that will improve health among all Black, Latinx, Indigenous, Asian American Pacific Islanders c) the development of equity, diversity, and inclusion as core components to the delivery of health and human services for underserved populations, including allocation of resources and personnel practices d) incorporation of equity, inclusion, and diversity into organizational practice, educational trainings and activities aimed toward expanding employees' understanding of how racism affects individuals and their health e) other local and state entities to recognize racism as a public health crisis.

THEREFORE BE IT FINALLY RESOLVED, that the CA/HI State Conference of the NAACP, declare racism a public health crisis and provide guidance to all branches on how to properly advocate and effectuate change, and urge the State Public Health Director to prioritize the health issues from which African Americans disproportionately suffer.

FOOTNOTES

- {1} 8 Dead in Atlanta Spa Shooting
- {2} 2020 American Community Survey, U.S. Census
- {3} Committee on the Revision of the Death Penalty
- {4} California Department of Public Health (CDPH)

Resolution # 11

SUPPORTING EQUITABLE ELIGIBILITY FOR VICTIMS COMPENSATION PROGRAMS FOR SURVIVORS OF POLICE VIOLENCE RESULTING IN SERIOUS BODILY INJURY OR DEATH

Submitted by: Greater Sacramento Branch

Date Adopted: 12/04/21

WHEREAS, Victim Compensation programs are an important pathway for survivors to access support, as they can cover specific expenses such as medical bills, funeral and burial expenses, and counseling; and

WHEREAS, Assistance is available only when a survivor has no other avenue for covering these costs (e.g. insurance or Medi-Cal); and

WHEREAS, There are also limits on how much can be paid for each expense, and expenses must result directly from the crime; and

WHEREAS, Current eligibility restrictions, such as requiring a police report documenting the victimization, can lock victims of police violence and their families out of necessary and important assistance; and

WHEREAS, These restrictions are harmful for survivors of police violence and loved ones of those killed by police, as a police report documenting the victimization is often elusive, and officers are rarely charged; and

WHEREAS, Victim Compensations programs typically rely on the opinion of police when assessing a victim's responsibility—so the very people responsible for the injury may be tasked with documenting it and assigning blame; and

WHEREAS, Restrictive policies can also entrench racialized perceptions of survivors as “deserving” or “undeserving”, and compound trauma for victims and loved ones who receive the message that their experience or loss is not worthy of support; and

WHEREAS, Efforts to ensure that more survivors receive the support needed to address their trauma, regardless of who caused that harm, such as Senate Bill 299 (Leyva) introduced in the 2020-2021 California Legislative Session, would improve access to Victim Compensation programs for survivors of police violence; and

THEREFORE BE IT RESOLVED, that the NAACP supports equitable eligibility for Victims Compensation Programs for serious bodily injury or death caused by a law enforcement officer to ensure equal access to support services and resources for survivors of police violence; and



THEREFORE, BE IT FINALLY RESOLVED, that the NAACP will work with social justice partners in seeking equal access to support services and resources for survivors of police violence from Victim Compensation programs.

Resolution # 12

DECLARE MENTAL HEALTH INCARCERATION A PUBLIC HEALTH CRISIS

Submitted By: Greater Sacramento Branch

Date Adopted: 12/04/21

WHEREAS, The Prison Policy Institute reports that, "US prisons and jails incarcerate a disproportionate amount of people who have a current or past mental health problem, and facilities are not meeting the demand for treatment"; and

WHEREAS, Law Enforcement often responds to mental health crises, despite their involvement frequently resulting in violence or incarceration; and

WHEREAS, 27% of law enforcement shootings involve responses to mental health crises; and

WHEREAS, "Nationwide, the jails have become the No. 1 holding stop for the mentally ill," clinical forensic psychologist Edith King, PhD; and

WHEREAS, Carceral facilities are not equipped to properly treat people with mental illness. People are released without an executable rehabilitation plan then held accountable when they are rearrested. According to the Bureau of Justice Statistics, more than half of the people who are incarcerated in federal, state, and local jails and prisons have diagnosable mental health conditions.

The Bureau also reports that 75 percent of mentally ill inmates have been sentenced to time in prison, jail or to probation prior to their current sentences; and

WHEREAS, The Bureau of Justice reports that as many as half of those with diagnosable mental health conditions are currently diagnosed with serious mental health disorders including schizophrenia, psychosis, and trauma; and

WHEREAS, Ella Baker Center on Human Rights reports that 65% of families with an incarcerated loved one suffer negative economic impacts causing reverberating Post Traumatic Stress Disorder throughout the household, including children; and

WHEREAS, Vera Institute of Justice declares incarceration a public health crisis, "Mass incarceration is one of the major public health challenges facing the United States, as the millions of people cycling through the courts, jails, and prisons every year experience far higher rates of chronic health problems, substance use, and mental illness than the general population. Mass incarceration's role as a driver of health disparities extends beyond prison walls as well, affecting the health of entire communities"; and

WHEREAS, The Center for American Progress determines that oppression has systematically disadvantaged people perceived or determined to be mentally ill. That people with mental health disabilities face disproportionately high rates of poverty, housing and employment discrimination.



And the result is disproportionate criminalization; and

WHEREAS, With its many direct and indirect effects on the health of individuals, families, and communities, incarceration is a major social determinant of health; and

WHEREAS, The American Public Health Association has declared structural racism a public health crisis and has multiple released policy statements that enumerate the disproportionate impacts on People of Color at the intersections of mental health and incarceration including health care delivery, behavioral health services, housing and homelessness, and law enforcement; and

WHEREAS, The need for non-carceral treatment facilities, treatment centers, and social supports are woefully under-prioritized by government officials; and

THEREFORE BE IT RESOLVED, that the CA/HI State Conference of the NAACP, recognizes the disproportionate harm caused to People of Color relating to the lack of appropriate response to mental health care prior to, during and post criminalization; and

THEREFORE BE IT FURTHER RESOLVED, that the CA/HI State Conference of the NAACP, supports alternatives to incarceration that addresses root causes of behavioral health needs including health care access and delivery, safe and affordable housing, and mental health treatments; and

THEREFORE BE IT FINALLY RESOLVED, that the CA/HI State Conference of the NAACP, declare a mental health incarceration public health crisis and demand state and local governments to fund non-carceral alternatives to incarceration including mental health treatment programs with special emphasis on community-based programs delivered by Community Based Organizations (CBOs) with culturally competent staff.

Resolution # 13

REQUIRING RECUSAL OF PROSECUTORS TO ELIMINATE CONFLICT OF INTEREST

Submitted by: Greater Sacramento Branch

Date Adopted: 12/04/21

WHEREAS, States vest peace officers with extraordinary authority, including the power to detain, search, arrest, and use force, including deadly force. The public's faith in the legitimacy of law enforcement, and in the justice system more broadly, depends on officers being held accountable when they abuse that authority; and

WHEREAS, Prosecutors play a fundamental role in pursuing accountability for all who have broken the law, including peace officers. In wielding this authority, they exercise broad discretion in deciding whom to prosecute, what to charge, whether to offer a plea bargain, or whether to dismiss a case altogether. The integrity of this decision-making process depends on its independence from financial influence, both real and perceived; and

WHEREAS, Prosecutors and police have a unique relationship. Prosecutors rely on police as their primary witnesses and they work hand-in-hand on a daily basis, often developing close relationships. As a result, there is a widespread perception that prosecutors are subject to undue influence when investigating peace officers accused of crimes alleged to have occurred on duty; and

WHEREAS, When prosecutors accept financial support from associations solely representing peace officers, the public's confidence that they will objectively review allegations of criminal conduct by the officers represented by that association is further undermined; and

WHEREAS, When prosecutors accept financial support from associations solely representing peace officers, the public's confidence that they will objectively review allegations of criminal conduct by the officers represented by that association is further undermined; and

WHEREAS, law enforcement associations regularly provide representation to their members during the course of criminal investigations by the district attorney, when peace officers are alleged to have committed criminal conduct while on duty; and

WHEREAS, receiving monetary benefits, including campaign contributions, from entities that finance opposing counsel may be in direct contradiction to applicable Rules of Professional Conduct, which applies to situations in which a lawyer represents a client and the lawyer has "a legal, business, financial, professional, or personal relationship with or responsibility to a party or witness in the same matter," as well as Standard 3-1.7 of the American Bar Association Criminal Justice Standards for the Prosecution Function, which establishes that "a prosecutor who has a significant personal, political, financial, professional, business, property, or other relationship with another lawyer should not participate in the prosecution of a person who is represented by the other lawyer," except as specified; and



WHEREAS, procedures exist to ensure that a prosecutor will be disqualified if there is a conflict of interest that would deny the defendant a right to a fair trial. There are currently no means for addressing actual or perceived conflicts of interests that might prevent a prosecutor from fairly investigating and prosecuting a peace officer who allegedly committed a crime while on duty, thereby denying the public and victims of police violence equal justice; and

WHEREAS, the courts have recognized that attorneys and judges may be subject to laws and ethical rules that limit their speech in order to protect the integrity of the judicial process; and

WHEREAS, the United States Supreme Court has recognized that soliciting campaign contributions to political campaigns presents unique concerns to the fair administration of justice and that the state has an interest in ensuring fair and equal justice by guarding against actual or perceived conflicts of interest in the criminal justice system. (*Williams-Yulee v. Florida Bar* (2015), (2015) 575 U.S. 433, and *Caperton v. A.T. Massey Coal Co., Inc.* (2009), (2009) 556 U.S. 868.); and

THEREFORE BE IT RESOLVED, that the NAACP supports the elimination of the conflict of interest between prosecutors and peace officers, whether real or perceived, to protect the integrity of the prosecutorial function, support the fair administration of justice, ensure equal justice for victims of police crimes, and build public trust in law enforcement; and

THEREFORE, BE IT FINALLY RESOLVED, that the NAACP calls on the Legislature and state governments to require local and state prosecutors to recuse themselves from a decision relating to investigating, charging, or prosecuting a peace officer for alleged criminal conduct while on duty if the local or state prosecutors has a conflict of interest, as specified.

Resolution # 14

FURTHER PROTECTION AGAINST THE USE OF ELECTROCONVULSIVE THERAPY (ECT) AS A MENTAL HEALTH TREATMENT

Submitted by: Inglewood/South Bay Branch

Date Adopted: 12/04/21

WHEREAS, In 2017, at its 108th Annual Convention, the NAACP approved a resolution that vehemently opposed any attempt by the Food and Drug Administration (FDA) to reduce the risk classification of the electroconvulsive therapy (ECT) device, especially given that ECT device manufacturers have never provided clinical trials to support the devices safety and efficacy as a mental health treatment. NAACP supported a ban on the use of ECT on children, minors and young adults; and

WHEREAS, Since then, in December 2018, the FDA ignored thousands of public comments officially submitted to it opposing any reduced risk classification and issued a "Final Rule" that lowered the classification for treatment of certain mental disorders for anyone aged thirteen and above. ECT may send up to 460 volts of electricity indiscriminately through the brain causing grand mal seizures, amongst other damage to the body and brain. The FDA warned that "long-term safety and effectiveness of ECT treatment has not been demonstrated"¹ ; and

WHEREAS, Across the United States, individuals are given electroshock treatment without their consent while involuntarily detained in psychiatric facilities, violating their inherent human rights as protected under the UN Convention on the Rights of Persons with Disabilities (CRPD). In June of 2021, the World Health Organization's guideline on community mental health, cited the CRPD as saying patients must not be put at risk of "torture or cruel, inhuman or degrading treatment or punishment." This includes electroshock given without informed consent. "Coercive practices such as forced admission and treatment," including the administering of ECT without informed consent, should be forbidden; and

WHEREAS, African Americans are disproportionately subjected to coercive and restrictive measures, including 72-hour involuntary commitment, seclusion and restraints.³ Therefore, they are most at risk of being given ECT without their consent; and

WHEREAS, In 2018, UN Human Rights Council (HRC) supported a ban on all forced medical interventions, including the administration of electroshock, psychosurgery, and mind-altering drugs.⁴ This supports a February 16, 2013, report from the UN Special Rapporteur on Torture and Other Cruel Inhuman or Degrading Treatment or Punishment that called for an "absolute ban" on all forced and non-consensual ECT⁵; and

WHEREAS, Any consent obtained with insufficient warnings of risks, including potential brain damage, constitutes coercive ECT. An Australian judge, Justice John Slattery, determined that ECT without a patients' consent, or after obtaining consent by use of fraud and deceit, essentially commits, "a trespass to the person" and is "responsible for an assault on them"⁷; and

WHEREAS, According to the FDA, the risks of ECT include disorientation, confusion, memory problems, skin burns; physical trauma (including fractures, contusions, injury from falls, dental and

oral injury); prolonged or delayed onset seizures; pulmonary complications; cardiovascular complications and death.⁸ ECT device manufacturer, Somatics, also warns of "permanent brain damage" to the list of risks from ECT.⁹

THEREFORE, BE IT RESOLVED, There is a lack of sufficient federal and state protections over the use of ECT or "shock treatment", international conventions and agencies have called upon governments to ban all involuntary, coercive and non- consensual use of ECT and people have been seriously injured or sustained life threatening injuries or death. Therefore, the CA/HI NAACP supports a ban on the use of ECT and all other forms of "shock treatment".

¹ "Neurological Devices; Reclassification of Electroconvulsive Therapy Devices; Effective Date of Requirement for Premarket Approval for Electroconvulsive Therapy Devices for Certain Specified Intended Uses," U.S. Food and Drug Administration, Final Rule, 83 FR 66103, 26 Dec. 2018; § 882.5940, Electroconvulsive therapy device, (ix), (G) and (Response 23)

² Guidance on Community Mental Health Services: Promoting Person-Centered and Rights-Based Approaches," World Health Organization, 10 June 2021, <https://www.who.int/publications/i/item/9789240025707> (to download report)
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https://tbinternet.ohchr.org/Treaties/CERD/Shared%20Documents/USA/INT_CERD_NGO_USA_I7741_E.pdf⁴ "Mental Health and Human Rights," United Nations Human Rights Council, 39th session; 10-28 Sept. 2018, https://www.ohchr.org/Documents/Issues/MentalHealth/A_HRC_39_36_EN.pdf

⁵ A/HRC/22/53, "Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Juan E. Mendez," United Nations, General Assembly, Human Rights Council, Twenty-second Session, Agenda Item 3, 1 Feb. 2013, p. 21, para 85.

⁶ <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=23080&LangID=E>

⁷ The Hon. Mr. Acting Justice, J.P. Slattery, A.O., "Report of the Royal Commission Into Deep Sleep Therapy," NSW Royal Commission, Vol. 6, Dec. 1990, p. 96.

⁸ *Ibid.*, U.S. Food and Drug Administration, Final Rule, 83 FR 66103, 26 Dec. 2018; § 882.5940, Electroconvulsive therapy device, (ix), (H) (3)

⁹ "ECT depression therapy should be suspended, study suggests," BBC News 2 June 2020, <https://www.bbc.com/news/uk-52900074>; "Electroconvulsive Therapy for Depression: A Review of the Quality of ECT versus Sham ECT Trials and Meta-Analyses," *Ethical Human Psychology and Psychiatry*, Vol 21, Issue 2, July 2020, <https://connect.springerpub.com/content/sgrehpp/21/2/64>



Resolution # 15

COMPLAINTS OF PROTECTED CLASSES IN THE EDUCATION SYSTEM

Submitted By: Greater Sacramento Branch

Date Adopted: 12/04/21

WHEREAS, the CA/HI NAACP seeks to remove all barriers of racial discrimination by seeking the enactment and enforcement of federal, state and local laws securing civil rights; and

WHEREAS, students and teachers are subjected to hate crimes on public school campuses and in virtual settings with no accountability measures in place; and

WHEREAS, Article 3 of California Education Code 44930, governs the Resignation, Dismissals, and Leaves of Absence for permanent employee dismissals, but does not prescribe a remedy for failure to address hate violence or hate crimes on school campuses; and

WHEREAS, failure of administrators to act on hate violence directed at African American teachers is gross negligence and puts both teachers and students of color at risk; and

WHEREAS, "hate crime" is defined in Penal Code 422.55 as, "a criminal act committed, in whole or in part, because of one or more of the following actual or perceived characteristics of the victim:

- 1) Disability
- 2) Gender
- 3) Nationality
- 4) Race or ethnicity
- 5) Religion
- 6) Sexual Orientation
- 7) Association with a person or group with one of more of these actual or perceived characteristics.

WHEREAS, there are documented incidents of hate violence and hate crimes against African American students and teachers, but no real disciplinary action by schools or school districts.

WHEREAS, Education Code 44932 prescribes reasons for administrators and teachers to be dismissed: (a) A permanent employee shall not be dismissed except for one or more of the following causes:

- (1) Immoral conduct, including, but not limited to, egregious misconduct. For purposes of this chapter, "egregious misconduct" is defined exclusively as immoral conduct that is the basis for an offense described in Section 44010 or 44011 of this code, or in Sections 11165.2 to 11165.6, inclusive, of the Penal Code.
- (2) Unprofessional conduct.
- (3) Commission, aiding, or advocating the commission of acts of criminal syndicalism, as prohibited by Chapter 188 of the Statutes of 1919, or in any amendment to that chapter.

- (4) Dishonesty
- (5) Unsatisfactory performance.
- (6) Evident unfitness for service.
- (7) Physical or mental condition unfitting him or her to instruct or associate with children.
- (8) Persistent violation of or refusal to obey the school laws of the state or reasonable regulations prescribed for the government of the public schools by the state board or by the governing board of the school district employing him or her. (9) Conviction of a felony or of any crime involving moral turpitude.
- (10) Violation of Section 51530 or conduct specified in Section 1028 of the Government Code, added by Chapter 1418 of the Statutes of 1947.
- (11) Alcoholism or other drug abuse that makes the employee unfit to instruct or associate with children. (b) The governing board of a school district may suspend without pay for a specific period of time on grounds of unprofessional conduct a permanent certificated employee or, in a school district with an average daily attendance of less than 250 pupils, a probationary employee, pursuant to the procedures specified in Sections 44933, 44934, 44934.1, 44935, 44936, 44937, 44943, and 44944. This authorization does not apply to a school district that has adopted a collective bargaining agreement pursuant to subdivision (b) of Section 3543.2 of the Government Code. (Amended by Stats. 2015, Ch. 303, Sec. 86. (AB 731) Effective January 1, 2016; and

THEREFORE BE IT RESOLVED, that the CA/HI State Conference of the NAACP, demands that school administrators ensure the protection and safety of all teachers and students on public school campuses, by removing perpetrators of hate violence/hate crimes; and

THEREFORE BE IT FINALLY RESOLVED, that the CA/HI State Conference of the NAACP, seeks legislation to amend Education Code 44932 to include, *"failure to address complaints of a protected class."*

Resolution # 16

STUDENT & TEACHER SAFETY IN PUBLIC SCHOOLS

Submitted by: Greater Sacramento Branch

Date Adopted: 12/04/21

WHEREAS, the California Hawaii NAACP is committed to serving and representing students in the State of California, and works to ensure all students receive a free and appropriate education (FAPE) in accordance with state and federal law; and

WHEREAS, California Education Code 48900.3, allows suspension or expulsion for “hate violence,” and

WHEREAS, “hate violence” is not defined in the Education Code; and

WHEREAS, “hate crime” is defined in Penal Code 422.55 as, “a criminal act committed, in whole or in part, because of one or more of the following actual or perceived characteristics of the victim:

- 1) Disability
- 2) Gender
- 3) Nationality
- 4) Race or ethnicity
- 5) Religion
- 6) Sexual Orientation
- 7) Association with a person or group with one of more of these actual or perceived characteristics; and

WHEREAS, students and teachers are subjected to hate crimes on public school campuses and in virtual settings with no accountability measures in place; and

WHEREAS, AB 537 (Statute 587, Kuehl, 1999) established the California Student Safety and Violence Prevention Act of 2000, which added sexual orientation as a prohibited basis for discrimination in instructional services and programs to ensure the need for safe, secure and peaceful schools particular for gay and lesbian students; and

WHEREAS, Section 4 of Education Code 233 Hate Violence Prevention Act requires the State Board of Education to *establish guidelines for use in teacher and administrator in-service training programs designed to enable teachers and administrators to prevent and respond to acts of hate violence occurring on their school campuses;* and

WHEREAS, there are documented incidents of hate violence and hate crimes against African American students and teachers, but no real disciplinary action by schools or school districts; and

THEREFORE, BE IT RESOLVED, that the CA/HI State Conference NAACP seeks legislative



modification to require consistent definition of “hate violence” and “hate crime” as referenced in Education Code 48900.3; and

THEREFORE, BE IT RESOLVED, the CA/HI State Conference NAACP demands all incidents of hate violence and hate crimes be turned over to the State Attorney General to ensure proper investigation of said incidents; and

THEREFORE BE IT FURTHER RESOLVED, for the protection of students and staff, the NAACP demands all perpetrators and enablers of hate violence be immediately removed from campuses until an investigation has been completed, clearing them of all incidents; and

THEREFORE BE IT FINALLY RESOLVED, that the NAACP demands the State Board of Education collect aggregated data on the number of hate violence incidents that occur on school campuses to determine or establish if a pattern exists.



Resolution # 17

STANDARDIZED COMPLAINT PROCESS

Submitted by: Legal Redress Committee
Date Adopted: 12/04/21

WHEREAS, the NAACP's complaint process allows people to act and help advocate for change and greater community accountability; and

WHEREAS, when discrimination, civil or human rights file complaints are filed, the NAACP requires a incident form to be completed; and

WHEREAS, the NAACP is not a law firm, does not have a staff of attorneys or give legal advice; and

WHEREAS, the NAACP investigates complaints and determines the proper referral agency and/ or authority to handle complaints; and

WHEREAS, complaints are not taken over the phone or without a completed incident form; and

WHEREAS, the NAACP will only investigate or make referrals for complaints that are for violations within our purview (civil and human rights violations or discriminatory in nature), in keeping with our mission statement: *The NAACP's principal objective is to ensure the political, educational, social and economic equality of minority citizens of the United States and eliminate race prejudice;* and

WHEREAS, NAACP complaint forms are specific to where the complainant lives and/or works; and

WHEREAS, the NAACP has a uniform complaint procedure written in its Constitution; and

WHEREAS, the California Hawaii State Conference of the NAACP currently has no uniform form for a complaint to be filed; and

THEREFORE BE IT RESOLVED, that the California Hawaii State Conference of the NAACP adopts a uniform complaint form - both electronic and hard copy, to ensure consistency and protection for branches to avoid legal action; and

THEREFORE BE IT FINALLY RESOLVED, that the California Hawaii State Conference of the NAACP provide training and enforce the usage of the standardized complaint form.



Resolution #18

ENVIRONMENTAL JUSTICE – AIR MONITORING DEVICES

Submitted By: Stockton Branch

Date Adopted: 11/20/2021

WHEREAS, Environmental Justice (EJ) is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies; and

WHEREAS, Environmental Justice is achieved when everyone is provided the same degree of protection from environmental and health hazards and equal access to the decision-making process to have a healthy environment in which to live, learn and work; and

WHEREAS, The first battles that led to the formation of the Environmental Justice movement also produced the first studies of race and exposure to toxins. While the Environmental Justice movement has been a success on many levels, there is compelling evidence that it has not succeeded in actually improving the environments of African American communities; and

WHEREAS, Air pollution is both an environmental and a social problem- it leads to a multitude of adverse effects on human health, ecosystems and the climate. Air pollution is one of the largest environmental health risks today. Quality of the air in city and urban areas is the most important factor that directly influences the incidence of diseases and decreases the quality of life; and

THEREFORE, BE IT RESOLVED, that the California Hawaii State Conference NAACP take action to recommend enforcement of real time air quality monitoring devices in communities of color, especially those located next to freeways; and

THEREFORE, BE IT FINALLY RESOLVED, that the CA/HI State Conference NAACP, recommend that the State of California and California State Legislature require multi-parameter air quality monitoring systems in communities of color to detail level analysis of major pollutants and their sources, and ensure that the data is made publicly available.

Resolution # 19

AMERICAN HISTORY CURRICULUM IN SCHOOLS

Submitted By: Santa Maria Lompoc Branch

Adopted 12/04/2021

WHEREAS, the California Department of Education is mandated by law and institutional policy to enforce and prevent racism on campuses; and

WHEREAS, the educators bear a great responsibility as educators for shaping society. Educators have the unique privilege of educating our youth as they are forming their values and worldview. Educators have a responsibility to ensure equity and opportunity for all students, while at the same time working to create a better and more just world for our students to inherit; and

WHEREAS, in order to take on the important role of shaping society in an effective way, our citizens will have to understand the depth and insidious nature of racism and how it is reflected in our society. Former basketball great Kareem Abdul Jabbar recently stated, “Racism is like breathing in dust particles in a dark room. Even if you are choking on it, you wouldn’t know what it is until you shed light on it. And, then you will see that it is everywhere”; and

WHEREAS, In order to truly address racism, we must expose it through authentic education about issues and circumstances that have plagued the disenfranchised. The work of educators will require us to delve into the complex history of our nation as never before; and

WHEREAS, students need to be equipped with the ability and the information to understand the United States’ underlying culture of white supremacy and slavery, and its relationship as an institution to the economic, political, and global power the United States has achieved. The current reality of race relations and its implications for the future can only be understood through an honest reckoning with our history; and

WHEREAS, The work will require authentic analysis of the legal, political, and psychological barriers that have plagued African American/Blacks and other marginalized groups then and now and why this relationship is ultimately harmful to all citizens including those who have historically benefited from the system. We understand that while learning discrete academic skills such as literacy, numeracy, and critical thinking, our students can unpack and understand the hidden inequities in our democratic systems such as healthcare, education, economic, legal, and social structures; and

WHEREAS, School districts and school boards throughout the nation are preparing to implement curriculum that will address the points above but are under attack from a new Republican plan to stop the progress by taking over school boards thru intimidation and threat; and



THEREFORE BE IT RESOLVED, the CA/HI State Conference NAACP urges all local school districts to teach authentic history including Ethnic Studies and counternarratives established in Critical Race Theory so all students can appreciate not only the accomplishments of those who have made it in this country, but also the terrible costs that have been extracted from their respective cultures that still impact today; and

THEREFORE, BE IT FURTHER RESOLVED, that branches throughout the states of California and Hawaii work with their respective County Boards of Education, State Boards of Education, local school boards and local education agencies to develop curriculum and to develop curriculum to implement Ethnic Studies in school districts throughout the state; and

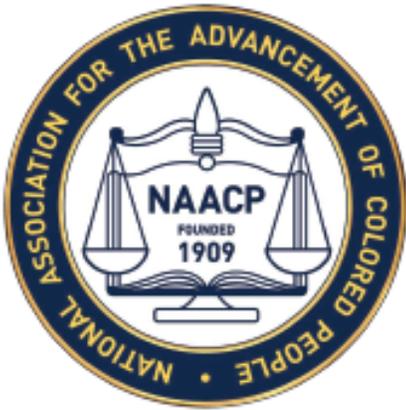
THEREFORE BE, IT FINALLY RESOLVED, that the CA/HI State Conference NAACP empower it's branches and all units requests to support School Districts in their efforts to teach authentic and real American history.

Rick L. Callender

Rick L. Callender, ESQ., President
California/Hawaii NAACP

LaJuana Bivens

LaJuana Bivens, State Secretary
California/Hawaii NAACP



NAACP

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2021 California Hawaii State Conference State Resolutions

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