

## **Democratic Party of Texas Criminal Justice Reform Resolutions**

[Resolution relating to cell phone data privacy](#)

[Resolution relating to abolishing Texas' Driver Responsibility Program](#)

[Resolution relating to militarization of police](#)

[Resolution relating to Civil Penalty for Marijuana Offense](#)

[Resolution relating to Medical Marijuana](#)

[Resolution relating to Civil Asset Forfeiture](#)

[Resolution relating to arrest and jail for non-jailable minor offenses like traffic tickets](#)

[Resolution relating to Pretrial Release](#)

[Resolution relating to raising the age of criminal responsibility from 17 to 18 years](#)

[Resolution relating to "consent" searches at traffic stops](#)

[Resolution relating to use of force](#)

[Resolution related to our bloated prison system](#)

[Resolution to close unsafe juvenile prisons](#)

[Resolution to treat drug addiction and reduce crime](#)

[Resolution to defend the rights of citizens accused](#)

[Resolution to end debtor's prison in Texas](#)

**Resolution form for submission to Texas Democratic Party**

**A Resolution  in support of  in opposition to cell phone data privacy**

WHEREAS, the 4<sup>th</sup> Amendment of the Constitution protects "the right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures...and no Warrants shall issue, but upon probable cause"; and

WHEREAS, government agencies now use a range of technologies - from license plate readers to war-zone surveillance tools like "stingrays" to a citizen's own cell phone -- to track individuals who are not suspects in a crime;

WHEREAS, the location data available to government provides a highly intimate picture of our lives - what church we attend, what medical doctor we visit, where we shop and much more; and

WHEREAS, federal, state and local government collects a large volume of highly accurate location data through tens of thousands of <sup>1</sup>requests each year to phone companies, all without a warrant based on probable cause; and

WHEREAS, federal, state and local government can retain this detailed information about our daily lives indefinitely without any requirement that a case be filed or that tracking be disclosed;

THEREFORE, BE IT RESOLVED THAT the Democratic Party of Texas calls upon the Texas Legislature to require a warrant based on probable cause for government to access the current or historic location data technologically available about citizens except in the case of an immediate, life threatening situation; and

AND BE IT FURTHER RESOLVED THAT the Democratic party of Texas calls upon the Texas Legislature to require appropriate policies regarding government disclosure of data collection when no criminal case is filed, along with rules for retention, security and sale of location data.

Submitted by \_\_\_\_\_  Approved by \_\_\_\_\_ County Convention

OR  Approved by \_\_\_\_\_ Senate District Convention

Name \_\_\_\_\_ Email \_\_\_\_\_

Phone \_\_\_\_\_ Convention Secretary \_\_\_\_\_

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<sup>1</sup><https://www.marketwatch.com/story/supreme-court-to-weigh-warrantless-cellphone-and-internet-data-searches-2017-11-29>

*Resolution form for submission to Texas Democratic Party*

**A Resolution  in support of  in opposition to abolishing Texas' Driver Responsibility Program**

WHEREAS, Texas believes in holding individuals personally accountable for their actions in a fair and just manner; and

WHEREAS, under current law, the Driver Responsibility Program requires Texans with certain driving-related violations to pay a double penalty of surcharges in addition to existing fines, fees, and court costs or risk automatic suspension of their drivers' licenses; and

WHEREAS, unable to pay the surcharges, the Driver Responsibility Program has resulted in more than 1.2 million Texans having their licenses suspended; and

WHEREAS, Texans must be properly licensed and insured to keep Texas roads safe and ensure that Texas workers reach the jobs that drive the Texas economy; and

WHEREAS, the Driver Responsibility Program has created a permanent underclass by posing a severe economic hardship; and

WHEREAS, these fees are used to support trauma centers around the state, but because so many people cannot afford to pay, the income is unstable and declining; and

WHEREAS, trauma care is important to all Texans and should be treated like a primary government health service, paid for from the state's tax revenue through the budget process;

THEREFORE, BE IT RESOLVED THAT the Democratic Party of Texas calls upon the Texas Legislature to abolish the failed Driver's Responsibility Program and appropriately fund Texas' system of trauma centers through the budget process.

Submitted by \_\_\_\_\_  Approved by \_\_\_\_\_ County Convention

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**Resolution form for submission to Texas Democratic Party**

**A Resolution  in support of  in opposition to the militarization of police**

WHEREAS, law enforcement is a wholly civilian institution tasked with ensuring domestic order and public safety; and

WHEREAS, providing police departments with military-grade weaponry while requiring no additional training creates a dangerous environment for both law enforcement officers and the public; and

WHEREAS, military vehicles and weapons designed for war, where the goal is to maximize harm to enemy combatants, are inappropriate for domestic policing where officers must instead protect the community and respect constitutionally guaranteed individual rights; and

WHEREAS, the appearance of police as a military force in a community depersonalizes officers and diminishes trust; and

WHEREAS, under the Department of Defense's 1033 program, hundreds of millions of dollars' worth of military weaponry, vehicles, and support equipment has been handed down to local police departments, sheriff's offices, and school districts;

THEREFORE, BE IT RESOLVED THAT the Democratic Party of Texas calls upon the Texas Legislature to implement reporting and training standards to illustrate how much military-grade material is sent to local law enforcement entities under the DoD's 1033 program and ensure that it is being used appropriately; and

AND BE IT FURTHER RESOLVED THAT the Democratic Party of Texas calls upon the Legislature to require a local governing authority over a police force to approve, by public vote, an application or grant request for military equipment prior to the request being made to a federal agency.

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**Resolution form for submission to Texas Democratic Party**

**A Resolution  in support of  in opposition to a Civil Penalty for Marijuana Offense**

WHEREAS, enforcement of marijuana prohibition takes law enforcement resources away from more urgent public safety priorities and yet fails to achieve success in reducing marijuana use and availability.

WHEREAS in 2016, police logged more than 66,000 arrests for simple possession of marijuana, an arrest every 8 minutes<sup>2</sup>; and

WHEREAS taxpayers pay hundreds of millions each year to arrest, book, magistrate, incarcerate, release and supervise people for simple marijuana possession;<sup>3</sup> and

WHEREAS youth are disproportionately arrested for simple possession of marijuana,<sup>4</sup> and the criminal charge can limit that young person's access to jobs, educational loans and much more; and

WHEREAS states that have created legal and regulated markets for marijuana have seen use among young people decline as a result<sup>5</sup>; and

WHEREAS Austin and Houston have launched local initiatives to redirect people picked up by police for possession of a small amount of marijuana to a "pre-booking" system that authorizes alternative punishment, with no criminal charge when the requirements are completed; and

WHEREAS whether or not a Texan faces a criminal penalty for an act should not depend on which county he or she happened to be in at the time;

THEREFORE, BE IT RESOLVED THAT the Democratic Party of Texas supports a change in the law to make it a civil, not criminal, offense to possess an ounce or less of marijuana for personal use, punishable by a fine of up to \$250, but without jail time or the creation of a permanent criminal record.

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<sup>2</sup> <http://www.dps.texas.gov/crimereports/16/citCh9.pdf>

<sup>3</sup> American Civil Liberties Union. The War on Marijuana in Black and White. p 178. June 2013. <https://www.aclu.org/files/assets/1114413-mj-report-rfs-re11.pdf>

<sup>4</sup> <http://www.dps.texas.gov/crimereports/16/citCh9.pdf>, p. 75

<sup>5</sup>

<https://www.vox.com/policy-and-politics/2018/1/4/16849866/marijuana-legalization-trump-sessions-cole-memo>

***Resolution form for submission to Texas Democratic Party***

**A Resolution  in support of  in opposition to Medical Marijuana**

WHEREAS, physicians, in conjunction with their patients, should be allowed to make medical decisions and explore all potential treatment options including medical cannabis/marijuana;

WHEREAS, 29 states have passed medical marijuana freedom laws with several more likely to do so by the end of 2018;<sup>[2]</sup>

WHEREAS, the Texas Legislature passed the Texas Compassionate Use Program during the 2015 legislative session providing access to low-THC cannabis oil for patients with intractable epilepsy; and

WHEREAS the Department of Public Safety set license fees at \$488,000 per company and issued only three licenses, all in central Texas, after 43 companies across the state applied; and

WHEREAS these actions have limited access to the Compassionate use program, causing Texas parents to take their children to other states to obtain marijuana to effectively treat epilepsy; and

WHEREAS, one recent study reported survey data from patrons of Michigan medical marijuana dispensary suggesting that medical cannabis use in pain patients was associated with a sixty-four percent reduction in opioid use;<sup>[6]</sup>

WHEREAS, the US is facing an unprecedented opiate epidemic. Studies have shown significantly fewer (25%) opioid related deaths in states that allow medical marijuana;<sup>[7]</sup>

WHEREAS, The National Academies of Science, Engineering, and Medicine (NASEM) have found that marijuana has been shown to help cancer patients with chemotherapy induced vomiting and nausea,<sup>[13]</sup> while other studies show it can help with chronic pain in adults<sup>[13]</sup> and reduce prescription medication use;<sup>[11]</sup>

WHEREAS, polling has shown large majority support for medical marijuana including up to 93% support in a recent Quinnipiac poll;<sup>[9]</sup>

WHEREAS, The New England Journal of Medicine found 76% of doctors support medical marijuana;<sup>[10]</sup>

WHEREAS, according to the United States Sentencing Commission and the FBI, ninety-nine out of every one-hundred cannabis arrests in the United States are made under state law, rather than under federal law. Consequently,

changing Texas law will have the practical effect of protecting from arrest the vast majority of seriously ill Texans who have a medical need to use cannabis also those who produce or are a caregiver supplier of cannabis;<sup>[12]</sup>

THEREFORE, BE IT RESOLVED THAT the Texas Legislature should improve the Compassionate Use Program to allow doctors to determine the appropriate use of cannabis for their patients.

AND BE IT FURTHER RESOLVED THAT the Department of Public Safety should reduce excessive licensure fees and authorize more companies to enter the market so that medical dispensaries can open and ensure reasonable access for patients all across the state.

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Footnotes:

1. Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Hawaii, Illinois, Maine, Maryland, Massachusetts, Michigan Minnesota, Montana, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, Vermont, Washington, West Virginia. Also, Washington, D.C., Puerto Rico, and Guam.
2. <https://www.nap.edu/catalog/24625/the-health-effects-of-cannabis-and-cannabinoids-the-current-state>
3. <https://archive.legion.org/bitstream/handle/123456789/6918/2017N028.pdf?sequence=1&isAllowed=y>
4. <http://ns.umich.edu/new/releases/23622-medical-marijuana-reduces-use-of-opioid-pain-meds-decreases-risk-for-some-with-chronic-pain>
5. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4392651/>
6. <https://www.cbsnews.com/pictures/free-pot-federal-program-ships-marijuana-to-four/>
7. <https://poll.gu.edu/national/release-detail?ReleaseID=2432>
8. <https://www.cbsnews.com/news/survey-76-percent-of-doctors-approve-of-medical-marijuana-use/>
9. <http://content.healthaffairs.org/content/35/7/1230>
10. <http://webserver.rilin.state.ri.us/Statutes/TITLE21/21-28.6/21-28.6-2.HTM>
11. <http://www8.nationalacademies.org/onpinews/newsitem.aspx?RecordID=24625>
12. [http://www.ncsl.org/documents/standcomm/sccomfc/2016\\_CFI\\_Policies.pdf](http://www.ncsl.org/documents/standcomm/sccomfc/2016_CFI_Policies.pdf)

**Resolution form for submission to Texas Democratic Party**

**A Resolution  in support of  in opposition to Civil Asset Forfeiture**

WHEREAS, the United States is unique in the world both in terms of adherence to the rule of law and due process; and

WHEREAS, the people of Texas celebrate a rich history of transparency and government accountability; and

WHEREAS, under current law the state can permanently take a person's property without so much as an allegation of criminal conduct, this practice is known as civil asset forfeiture; and

WHEREAS, when the government takes property, a person has to go to civil court to get it back; and

WHEREAS, most people cannot afford to fight the government in civil court and end up forfeiting their cars, cash or other property in what is called a "default judgement" against them; and

WHEREAS, the total value of assets forfeited directly to government agencies through federal, state and local civil asset forfeiture is now greater than the value of property stolen in burglaries nationwide; and

WHEREAS, civil asset forfeiture is counter to the most fundamental traditions of our criminal justice system and individual liberties;

THEREFORE, BE IT RESOLVED THAT the Democratic Party of Texas calls upon the Texas Legislature to abolish civil asset forfeiture and to ensure private property only be forfeited upon a criminal conviction.

Submitted by \_\_\_\_\_  Approved by \_\_\_\_\_ County Convention

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**Resolution form for submission to Texas Democratic Party**

**A Resolution  in support of  in opposition to arrest and jail for non-jailable minor offenses like traffic tickets**

WHEREAS the Democratic Party of Texas is committed to freedom and the equitable application of laws; and

WHEREAS, people who violate traffic laws and certain other minor misdemeanor offenses are not usually jailed as a punishment because the law says the punishment for these violations is a fine; and

WHEREAS, police officers who pull someone over for such violations have been allowed to arrest and book them nonetheless - leading to jail time for non-jailable offenses; and

WHEREAS, officers have used that discretion disproportionately when stopping people of color, according to studies of arrests in Harris and Travis Counties; and

WHEREAS, officers have been caught on video threatening drivers who don't believe they can be arrested for a non-jailable traffic ticket and don't get out of the car fast enough; and

WHEREAS, Sandra Bland was guilty of only failure to signal a lane change when she was forced out of the car, brutally arrested, and dumped in a Waller County jail where she died; and

WHEREAS Texans jailed for infractions that do not have jail as an allowable consequence spend hours and sometimes days in jail, with incalculable consequences to themselves and their families; and

WHEREAS a study of arrests in Harris Co. found that 11% of all arrests were for Class C misdemeanors punishable by fine only, mostly traffic violations, and disproportionately Black drivers; and

WHEREAS an unnecessary arrest for something as minor as a traffic infraction takes officers off the road for hours, prevents them from investigating more serious crimes, costs county taxpayers a steep price in booking and magistration, and makes traffic stops less safe for both officers and drivers;

THEREFORE, BE IT RESOLVED THAT the Democratic Party of Texas calls upon the Texas Legislature to authorize the arrest and jailing of individuals only for offenses for which jail is a punishment or to prevent family violence.

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**Resolution form for submission to Texas Democratic Party**

**A Resolution  in support of  in opposition to Pretrial Release**

WHEREAS Historically, Texas counties use money bail to determine who stays in jail and who is released while a criminal case is pending; and

WHEREAS money bail allows dangerous people with resources, like Robert Durst, to be released and flee to commit more crimes; and

WHEREAS money bail also keeps tens of thousands of Texans who are not a public safety threat jailed for months or even years just because their families don't have money; and

WHEREAS keeping people who don't need to be jailed in jail costs Texas millions of dollars in police time, jail expenses, lost productivity and tax revenue; and

WHEREAS states like New Jersey provide judges with information about the risk of flight or likelihood a defendant will commit a crime to help make release decisions, improving public safety and saving taxpayers money;

WHEREAS a recent Texas A&M study of two urban Texas counties found that the county using a risk assessment tool to help judges decide who to release had fewer defendants who committed violent crimes while on pretrial release, and none who committed homicide in the 3.5 years studied; and

WHEREAS in the same study, defendants released simply because they could afford to pay bail committed 53% more violent felonies while out on bail, including 18 homicides in the 3.5 years studied; and

WHEREAS states with risk-based systems, like Kentucky, maintain a very high rate of court appearances and low rates of re-arrest before trial;

THEREFORE, BE IT RESOLVED THAT the Democratic Party of Texas calls upon the Texas Legislature to ensure jurisdictions rely on data about risk in making release decisions and set the least restrictive release conditions on each defendant eligible for pretrial release.

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**Resolution form for submission to Texas Democratic Party**

**A Resolution  in support of  in opposition to raising the age of criminal responsibility from 17 to 18 years**

WHEREAS the Democratic Party of Texas is committed to public safety and the welfare of children; and

WHEREAS under Texas law, all 17 year olds are prosecuted as adults when they break the law, regardless of the violation or any extenuating circumstances; and

WHEREAS in all but four other states, teens are prosecuted as adults starting at age 18, or even 19; and

WHEREAS if Texas law doesn't change, taxpayers must pay for significant renovation of county jails to accommodate 17-year old prisoners under the federal Prison Rape Elimination Act; and

WHEREAS every parent knows that a junior in high school is not an adult; and

WHEREAS when a 17 year old is arrested, officers are not required to notify his or her parents, because the teen is treated as an adult even if still living at home and attending high school; and

WHEREAS we now know that the human brain continues to develop into a person's twenties, particularly the portions of the brain associated with risk assessment and cognitive reasoning; and

WHEREAS, teens prosecuted in the adult system are at high risk of suicide; and

WHEREAS research shows teenagers who commit crimes are far more likely to rehabilitate and age out of crime than older people, but those incarcerated in inappropriate adult facilities can instead become more dangerous by the time of their release; therefore

THEREFORE, BE IT RESOLVED THAT the Democratic Party of Texas calls upon the Texas Legislature to raise the age of criminal responsibility from 17 to 18 years.

Submitted by \_\_\_\_\_  Approved by \_\_\_\_\_ County Convention

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*Resolution form for submission to Texas Democratic Party*

**A Resolution  in support of  in opposition to "consent" searches at traffic stops**

WHEREAS, the 4<sup>th</sup> Amendment of the Constitution protects "the right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures...and no Warrants shall issue, but upon probable cause"; and

WHEREAS, police conduct thousands of "consent" searches of motorists and their cars each year; and

WHEREAS, most people don't understand their rights or don't feel like they can reasonably say "no" when asked for consent to search by an officer at a roadside stop; and

WHEREAS, consent searches are disproportionately requested of Black and Brown drivers in many jurisdictions;

THEREFORE, BE IT RESOLVED THAT the Democratic Party of Texas calls upon the Texas Legislature to require officers to get written or recorded consent to conduct a search and inform people that they have a right to decline to give such consent.

Submitted by \_\_\_\_\_  Approved by \_\_\_\_\_ County Convention

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*Resolution form for submission to Texas Democratic Party*

**A Resolution  in support of  in opposition to laws expanding reporting of use of force incidents**

WHEREAS, law enforcement is rightly trusted with the ability to legally use force; and

WHEREAS, there have been many recent examples of force being used inappropriately, leading to the escalation of a situation and the loss of life; and

WHEREAS, many of these situations could have been avoided if best practices were in place through both training and policy; and

WHEREAS, officers are legally allowed to use deadly force in a wide range of circumstances that may violate emerging community standards and expectations; and

WHEREAS officers are almost always "no-billed" by grand juries because of the breadth of their legal discretion, creating anger and mistrust in the communities they serve; and

WHEREAS Texas law authorizes deadly force even against unarmed and compliant individuals if they are suspected of a violent offense; and

WHEREAS, it is critical to identify departments that are using use-of-force best practices for praise, and those that are not for additional training;

THEREFORE, BE IT RESOLVED THAT the Democratic Party of Texas calls upon the Texas Legislature to expand current statewide use of force reporting to include all incidents resulting in injury to either a civilian or an officer, require de-escalation as a matter of policy as well as training, and review state use of force statutes to ensure that lethal force cannot be abused.

Submitted by \_\_\_\_\_  Approved by \_\_\_\_\_ County Convention

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*Resolution form for submission to Texas Democratic Party*

**A Resolution  in support of  in opposition to consolidating and closing prisons**

WHEREAS crime rates have dropped precipitously in the past 20 years, but the prison system remains at nearly its peak size; and

WHEREAS there are thousands of empty beds in the prison system's 109 facilities, which could be consolidated; and

WHEREAS many facilities are severely short staffed and the state cannot find people willing to go to these locations for these jobs; and

WHEREAS understaffed facilities are less safe for both those who work in them and the surrounding communities; and

WHEREAS some facilities now require significant repair and TDCJ asked for \$55.6 million for repairs in the last legislative session; and

WHEREAS the inmate population is aging and inmate health care now costs about \$250 million per biennium; now therefore

THEREFORE, BE IT RESOLVED THAT lawmakers should direct the Parole Board to parole old, infirm inmates to nursing homes and direct TDCJ to consolidate inmate populations and close TDCJ and private prisons;

AND BE IT FURTHER RESOLVED THAT Texas should shift money saved by facility closure to other public safety priorities that can better address root causes of public safety problems.

Submitted by \_\_\_\_\_  Approved by \_\_\_\_\_ County Convention

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**Resolution form for submission to Texas Democratic Party**

**A Resolution  in support of  in opposition to closing unsafe juvenile prisons**

WHEREAS the Democratic Party of Texas is committed to public safety and support for families; and

WHEREAS Texas' juvenile prisons, located mostly in distant rural areas, are seriously understaffed and suffer from a staff turnover rate of 40% per year; and

WHEREAS disastrous conditions in understaffed state juvenile prisons lead to the recent scandals in which eight guards allegedly sexually assaulted juveniles under their control; and

WHEREAS Texas county facilities are currently being upgraded to meet new federal rape-elimination standards, better protecting youth; and

WHEREAS a majority of youth imprisoned in violent and dangerous state juvenile facilities will eventually be released back into their communities; and

WHEREAS juveniles incarcerated in violent and dangerous state facilities can become more dangerous by the time of their release;

THEREFORE, BE IT RESOLVED THAT we urge the Texas Legislature to close Texas' five remaining youth prisons, shifting youth to smaller facilities closer to family and focused on rehabilitation.

Submitted by \_\_\_\_\_  Approved by \_\_\_\_\_ County Convention

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*Resolution form for submission to Texas Democratic Party*

**A Resolution  in support of  in opposition to treatment for drug addiction, and crime reduction**

WHEREAS Texas currently addresses all forms of drug addiction primarily through punishment by felony sentencing and incarceration; and

WHEREAS Democratic states like California, Massachusetts, and Vermont and swing states like Pennsylvania and Colorado have passed legislation to reduce simple possession of a small quantity of addictive drugs to a misdemeanor; and

WHEREAS Texas taxpayers spend more than \$70 million each biennium to incarcerate addicts over and over and the system provides little or no treatment to most inmates; and

WHEREAS everyone incarcerated for a drug possession offense will be released back into the community and almost two thirds will be re-arrested and cycle back through the system; and

WHEREAS a felony drug possession charge permanently limits people's job prospects, access to education, and much more, making it harder to recover from addiction; and

WHEREAS addicts are less likely to relapse if they get treatment locally, close to family, church, and the people who care most for them; and

WHEREAS reduced relapse rates combined with increased job opportunities for people addressing their addiction will significantly reduce the need for prison beds;

THEREFORE, BE IT RESOLVED THAT we call upon the Texas Legislature to reclassify possession of very small quantities of addictive drugs from a felony to Class A misdemeanor and use some of the savings to support increased access to drug treatment.

Submitted by \_\_\_\_\_  Approved by \_\_\_\_\_ County Convention

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**Resolution form for submission to Texas Democratic Party**

**A Resolution  in support of  in opposition defending the rights of citizens accused**

WHEREAS under the United States Constitution, the rights of the individual are protected from government intrusion by the right to a defense attorney; and

WHEREAS even the most respected law enforcement agencies from the FBI on down have engaged in examples of overreach, violating people's constitutional rights and sometimes resulting in the conviction of innocent people; and

WHEREAS Texas courts have falsely convicted hundreds of Texans, some who served more than 20 years before being exonerated, and Texas has most likely executed innocent people as well; and

WHEREAS prosecutors, protected by absolute immunity, have hidden exculpatory evidence and cut deals with shady informants leading to the conviction of innocent people; and

WHEREAS the US Supreme Court has repeatedly overturned death-penalty sentences because the convicted person was poor and did not get reasonable representation by a lawyer at trial; and

WHEREAS the Office of Capitol and Forensic Writs has helped identify people who might be innocent due to now-invalidate "junk science" and provides critical support for indigent people who can't afford a lawyer; and

WHEREAS every Texan has a right to an attorney in a criminal case, even if he or she can't pay for one, under the Sixth Amendment to the U.S. Constitution; and

WHEREAS the due process requirements for capital cases have nearly bankrupted some Texas counties and a public defender system for such cases would reduce the cost to local property tax payers; and

WHEREAS the Texas Association of Counties cites indigent defense costs as one of the biggest unfunded mandates driving up local property taxes; therefore

THEREFORE, BE IT RESOLVED THAT the Texas Legislature should increase state funding for indigent defense to match county expenditures; create a public defender office for death-penalty appeals; and fully fund the Office of Capital and Forensic Writs.

Submitted by \_\_\_\_\_  Approved by \_\_\_\_\_ County Convention

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**Resolution form for submission to Texas Democratic Party**

**A Resolution  in support of  in opposition to ending debtor's prison in Texas**

WHEREAS there are millions of arrest warrants issued annually in Texas for tickets, fines and fees; and

WHEREAS arresting, booking, and jailing people who could not afford to pay a traffic fine takes police officers away from duties related to more serious crime; and

WHEREAS 95 percent of all arrest warrants are for Class C misdemeanors, the lowest level criminal charge for which the maximum punishment is a \$500 fine;<sup>6</sup> and

WHEREAS the United States abolished imprisonment for unpaid tickets, fines and fees in 1833 and the Supreme Court declared 100 years later that imprisoning people for being poor was unconstitutional under the Fourteenth Amendment; and

WHEREAS hundreds of thousands of Texans can't renew expired licenses until their fines and fees are paid off; and

WHEREAS many Texans have no choice but to pay fine-only misdemeanor cases in whole or in part with "jail credit," which involves sitting in jail to pay off your tickets, fines and fees; and

WHEREAS the cost of housing an individual in county jail is an average of \$59/day and the cost of the "pay or stay" practice is an unnecessary waste of taxpayers' money; and

WHEREAS the money and time spent issuing and magistrating these warrants for low-level misdemeanors is also a needless consumption of taxpayers' money; therefore

THEREFORE, BE IT RESOLVED THAT we urge the Texas Legislature to enact laws that end the unconstitutional incarceration of individuals because they can't pay tickets, fines and fees for minor infractions including traffic violations.

Submitted by \_\_\_\_\_  Approved by \_\_\_\_\_ County Convention

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<sup>6</sup>