

**2013 IAOHRA CONFERENCE
AUGUST 26, 2013
DENVER, CO**

**RESOLUTION # 1
Recommended for Adoption**

TITLE: **Criminalization of Homelessness**

PURPOSE: **To discourage measures criminalizing homelessness and to promote the civil and human rights of homeless persons, including through homeless bills of rights**

WHEREAS, the International Association of Official Human Rights Agencies (IAOHRA) is a professional association of over 140 state, county, and city governmental human rights commissions in the United States of America and several statutory human rights agencies in Canada; and,

WHEREAS, IA OHRA's goals are "to foster human and intergroup relations, to enhance human rights practices under law, and to promote civil and human rights around the world;" and,

WHEREAS, homelessness continues to be a growing crisis in communities across the United States, with family homelessness having risen 16% in 2011, and more than 3.5 million people experiencing homelessness in the United States annually; and,

WHEREAS, some communities have responded by creating more shelters and affordable housing, yet others have turned to criminalizing behavior associated with homelessness as a means to push homeless individuals out of public view; and,

WHEREAS, criminalization measures penalize necessary, life-sustaining activities including sitting or sleeping in public, loitering, begging, camping, storing belongings, or urinating or defecating in public, when individuals have no choice but to engage in such behaviors due to their homelessness; and,

WHEREAS, communities also criminalize homelessness through disparate targeting and enforcement of other laws, such as jaywalking or littering, against homeless persons; and,

WHEREAS, homelessness in many communities has a disproportionate effect on people of color, in particular African Americans, as well as on disabled persons, and on the lesbian, gay, transgender and queer (LGBT) community, especially LGBT youth, and, in turn, these criminalizing effects are disproportionately borne by these communities; and,

WHEREAS, criminalization misdirects government resources away from effective measures like permanent supportive housing, which are more likely to represent an exit from homelessness and reduce the number of people living on the streets; and,

WHEREAS, numerous studies have documented cost savings to communities that implement permanent supportive housing programs instead of incurring costs to the criminal justice and health care systems by criminalizing homelessness; and,

WHEREAS, criminalization of homelessness in the U.S. has been condemned as discriminatory and cruel, inhuman and degrading treatment by the U.N. Special Rapporteurs on the right to adequate housing, on the right to water and sanitation, on racism, and on extreme poverty and human rights; and,

WHEREAS, the U.S. Interagency Council on Homelessness and Department of Justice 2012 report, *Searching Out Solutions*, recognizes that criminalization of homelessness is poor public policy and may “violate international human rights law, specifically the Convention Against Torture and the International Covenant on Civil and Political Rights;” and,

WHEREAS, the U.S. Conference of Mayors endorsed this report in a 2012 resolution and urged their members “to review and adopt the recommendations in the report [to] meet the needs of the larger community as a whole while also enhancing progress on efforts to end homelessness;” and,

WHEREAS, recent polling indicates the vast majority of the U.S. population believe that human rights include equal opportunities regardless of gender and race, being treated fairly in the criminal justice system, freedom from discrimination, freedom from torture or abuse by law enforcement, equal access to quality public education, access to health care, living in a clean environment, fair pay for workers to meet the basic needs for food and housing; and keeping personal behavior and choices private; and,

WHEREAS, Rhode Island, Connecticut, and Illinois, have demonstrated leadership in protecting the civil and human rights of individuals experiencing homelessness from discrimination in housing, employment, and government services by enacting homeless bills of rights at the state level, and numerous other states have introduced or are considering introducing such bills; and,

WHEREAS, as has been demonstrated in Washington, D.C., cities can protect the civil and human rights of individuals experiencing homelessness by including housing status as a protected class in their human rights ordinances;

THEREFORE, BE IT RESOLVED, IAOHRA believes that criminally punishing individuals experiencing homelessness for conducting basic life-sustaining activities in public, when they have no alternative, is in many cases discriminatory and cruel, inhuman and degrading treatment, in violation of our constitutional and international human rights obligations; now,

BE IT FURTHER RESOLVED, IAOHRA opposes efforts to criminalize homelessness and supports efforts at the federal, state, and local levels to affirm the human rights of homeless individuals through homeless bills of rights, promoting the human right to adequate housing, and other constructive solutions to homelessness; and,

BE IT FINALLY RESOLVED, IAOHRA encourages its members to directly transmit this resolution to elected officials in their respective states or municipalities and take other steps to publicly oppose criminalization measures and support constructive alternatives.

Jean Kelleher, President

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**RESOLUTION # 2
Recommended for Adoption**

TITLE: International Human Rights

PURPOSE: To promote and encourage broader understanding of international human rights

WHEREAS, the International Association of Official Human Rights Agencies (IAOHRA) is a professional association of over 140 state, county, and city governmental human rights commissions in the United States of America and several statutory human rights agencies in Canada; and,

WHEREAS, IAOHRA's goals are "to foster human and intergroup relations, to enhance human rights practices under law, and to promote civil and human rights around the world;" and,

WHEREAS, international human rights are articulated in the Universal Declaration of Human Rights and a broad range of laws, norms and values - that recognize and promote the fundamental humanity and dignity of every person, as well as the necessity of fairness and opportunity for all people, and that enable people to meet their basic needs and to enjoy basic civil, political, social, economic and cultural rights; and,

WHEREAS, there is an international human rights system, of which the U.S. is a part, which includes a framework of charters, treaties, court cases and laws, international courts and monitoring bodies, and international programs and reports, all of which are recognized and accepted by the vast majority of the global community of nations and individuals, and,

WHEREAS, a vast majority of people in the U.S. believe that human rights include equal opportunities regardless of gender and race, being treated fairly in the criminal justice system, freedom from discrimination, freedom from torture or abuse by law enforcement, equal access to quality public education, access to health care, living in a clean environment; fair pay for workers to meet the basic needs for food and housing; and keeping personal behavior and choices private; and,

WHEREAS, a basic tenet of the human rights framework is that human rights must start at home, and must involve and reflect the needs and expertise of local communities, and that governments have an affirmative obligation to respect, protect and fulfill these rights; and,

WHEREAS, as has been demonstrated in Washington, Illinois, Oregon and California, international human rights can provide a powerful framework for, and play an instrumental role in, state and local human rights commissions and other states and local agencies as they work to ensure opportunity and equality for their communities; and,

WHEREAS, the Human Rights Institute of Columbia Law School (HRI), with input from IAOHRA members, has produced a document called *Implementing Recommendations from the Universal Periodic Review: A Toolkit for State and Local Human Rights and Human Relations Commissions*; and,

WHEREAS, the U.S. federal government's recent report on U.S. compliance with the International Covenant on Civil and Political Rights highlights that State and local agencies and programs "play a critical role in implementing human rights";

WHEREAS HRI and IAOHRA are jointly submitting a report to the United Nations Committee that highlights the ways that IAOHRA members bolster compliance with U.S. human rights obligations and calls for federal funding, resources and support for these efforts,

THEREFORE, BE IT RESOLVED, that the membership of IAOHRA hereby affirms the importance of integrating international human rights into the work of its member agencies, and commits to take at least one action to incorporate human rights treaty treaties and/or United Nations recommendations locally, and to work in collaboration with other state and local government actors in this effort; now

THEREFORE, BE IT FURTHER RESOLVED, that IAOHRA shall make one of its top priorities to advocate for the Human Rights at Home (HuRAH) Campaign agenda that includes proposals that will provide for the utilization of and adequate resources for state and local human rights agencies in any and all federal efforts to advance towards the full realization of civil and human rights in our communities.

Jean Kelleher, President

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**RESOLUTION # 3
Recommended for Adoption**

TITLE: Governing for Racial Equity (GRE) Network

PURPOSE: To encourage members to participate in the 2014 Governing for Racial Equity Network conference in Portland, Oregon.

WHEREAS, the International Association of Official Human Rights Agencies (IAOHRA) is a professional association of over 140 state, county, and city governmental human rights commissions in the United States of America and several statutory human rights agencies in Canada; and,

WHEREAS, IA OHRA's goals are "to foster human and intergroup relations, to enhance human rights practices under law, and to promote civil and human rights around the world;" and,

WHEREAS, the purpose of the Governing for Racial Equity Network is to convene government across the Western region to strengthen alliances, increase capacity, and improve public policy thereby increasing our ability to eliminate racial inequity throughout the region, and,

WHEREAS, the Governing for Racial Equity Network has defined institutional racism as policies, practices and procedures that work to the benefit of white people and to the detriment of people of color, often unintentionally or inadvertently, and

WHEREAS, the Governing for Racial Equity Network has defined structural racism as a history and current reality of institutional racism across all institutions, combining to create a system that results in racial inequity, and

WHEREAS, the Governing for Racial Equity Network recognizes that government has a responsibility to take a proactive role in leading the effort to eliminate the root causes of racial inequities, and to institutionalize structures and practices that lead to racial justice;

THEREFORE, BE IT RESOLVED, that the membership of IA OHRA hereby supports the convening of the Governing for Racial Equity Network in 2014 and encourages membership participation in this convening.

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RESOLUTION # 4
Recommended for Adoption

TITLE: Restoration of the Voting Rights Act

PURPOSE: To encourage and ensure the right for every eligible American to vote

WHEREAS, the International Association of Official Human Rights Agencies (IAOHRA) is a professional association of over 140 state, county, and city governmental human rights commissions in the United States of America and several statutory human rights agencies in Canada; and,

WHEREAS, IAOHRA's goals are "to foster human and intergroup relations, to enhance human rights practices under law, and to promote civil and human rights around the world;" and,

WHEREAS, the purpose of the landmark decision of the Voting Rights Act of 1965 was to ensure that discrimination did not take place in the rights of those to vote; and

WHEREAS, several hundred people shed blood, and even died in the effort to secure the right to vote; and

WHEREAS, Jim Crow literacy test and poll taxes, and modern day voter suppression tactics such as restrictive ID requirements and the elimination of early voting, have had a devastating effect on minority and low-income communities; and

WHEREAS, Congress last re-authorized the Voting Rights Act as recently as 2006 and noted that the improvement of the minority voter turnout and registration was due to the Act; and

WHEREAS, the Supreme Court's decision on Alabama v. Holder on June 25, 2013 struck down the key provisions of the Voting Rights Act, disrupting fifty years of progress to ensure voter equality; and

WHEREAS, Section 5 of the Voting Rights Act has been deemed "inoperative" as a result of the Supreme Court's decision to invalidate Section 4 of the Voting Rights Act; and

WHEREAS, the Voting Rights Act has stopped thousands of discriminatory changes in voting procedures;

THEREFORE, BE IT RESOLVED, that the membership of IAOHRA hereby encourages defending and protecting the basic human right for all to have their vote heard and counted supports the enactment of a new and effective formula for Section 4 that will result in the restoration and reinvigoration of the Voting Rights Act of 1965.

Jean Kelleher, President

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**RESOLUTION #5
Recommended for Adoption**

TITLE: **Eliminating Racial Profiling**

PURPOSE: **To end Racial Profiling of African American Men in the United States**

WHEREAS, the International Association of Official Human Rights Agencies (IAOHRA) is a professional association of over 140 state, county, and city governmental human rights commissions in the United States of America and several statutory human rights agencies in Canada; and,

WHEREAS, IA OHRA's goals are "to foster human and intergroup relations, to enhance human rights practices under law, and to promote civil and human rights around the world;" and,

WHEREAS, IA OHRA recognizes racial profiling exists within other ethnic groups and opposes the practice at all levels; and,

WHEREAS, racial profiling is an issue that has afflicted our nation, African American neighborhoods and in particular, African American males for decades; and,

WHEREAS, racial profiling can be defined as the discriminatory practice by law enforcement officials of targeting individuals for suspicion of crime based on the individual's race, ethnicity, religion or national origin rather than on evidence-based suspicious behavior; and,

WHEREAS, racial profiling has demoralizing effects, from frequent harassment, prejudicial treatment on the street, in schools and communities and unlawful imprisonment and murder; and,

WHEREAS, the killing of Trayvon Martin and the subsequent not guilty verdict rendered in the case has permeated communities across the nation with anger, sadness and confusion. The American public seeks additional national attention be devoted to the issue of racial profiling; and,

WHEREAS, the 6th Circuit federal appeals court in Michigan reaffirmed that the FBI can refuse to release records that could disclose how race and ethnicity are used in investigation processes and the potential violation of individual's civil rights through racial profiling; and,

THEREFORE, BE IT RESOLVED, IA OHRA joins all moral Americans in pleading for an end to the war against young African American men; and,

BE IT FURTHER RESOLVED, IA OHRA supports efforts at the federal, state, and local levels to affirm the human rights of all African American males, promoting initiatives to reduce injustice and unfairness, while encouraging intercultural acceptance together with fostering and executing policies to ensure unbiased treatment of all citizens; and,

BE IT FINALLY RESOLVED, IAOHRA encourages its members to directly transmit this resolution to elected officials in their respective states or municipalities and take other steps to ensure racial profiling is a topic not only discussed but concrete action plans are implemented.

Jean Kelleher, President