

NLC RESOLUTION #2009-35

**URGING MORE EFFECTIVE EMERGENCY PREPAREDNESS AND RESPONSE
AND ACTION ON RELATED ISSUES**

WHEREAS, there is an urgent need for significant improvements in emergency preparedness and response capabilities at the local, state and federal levels before future natural disasters or acts of terrorism;

WHEREAS, since 1991, the U.S. General Accountability Office (GAO) has issued 120 reports on preparedness and response including a 1993 report that predicted that local and state first responders would be overwhelmed by future catastrophic natural disasters, so that immediate federal help would need to be coordinated by the Federal Emergency Management Agency (FEMA);

WHEREAS, emergency response was improved significantly after the 1993 GAO recommendations were implemented, but then the lessons were forgotten and many of the changes were undone, and there is significant evidence that the need to focus attention and resources on preventing and responding to acts of terrorism resulted in a shift away from traditional disaster management;

WHEREAS, effective disaster preparedness and mitigation measures are vastly preferable to and less costly than avoidable disaster recovery and best achieved through effective communication and transparency; and

WHEREAS, our nation's cities and towns need solid assurance and demonstrated actions that our federal government partner is ready and able to provide swift and effective emergency assistance.

WHEREAS, the creation of the Department of Homeland Security (DHS) was intended to better coordinate our nations' preparedness, readiness and response to all hazards, regardless of the cause;

WHEREAS, since the creation of DHS there have been several internal reorganizations within the Department which separated the preparedness and response functions which have led to a weakening of Federal Emergency Management Agency's (FEMA) response and recovery capabilities;

NOW, THEREFORE, BE IT RESOLVED that to accomplish the significant improvements in emergency preparedness and response capabilities and related matters that are clearly necessary, NLC calls on the Administration, members of Congress, state and local government leaders, other state and local government organizations and interested private and non-profit sector entities to work together constructively and in good faith on these issues as a matter of national urgency; and

BE IT FURTHER RESOLVED that the nation's emergency response system must be repaired and strengthened;

BE IT FURTHER RESOLVED that NLC believes that FEMA could best serve municipalities free of the operational and administrative constraints imposed on it by DHS;

BE IT FURTHER RESOLVED that NLC urges prompt and meaningful action in Congress, including appropriating sufficient funding to accomplish these objectives:

- better coordinated and effective local, state and federal natural disaster preparedness plans, with special attention to evacuation procedures, emergency transportation, emergency medical resources, and availability of large shelters with emergency power, adequate supplies and staff in charge and in control;
- giving FEMA the competent leadership, structure, funding, authority, clear mandate and flexibility it needs to respond quickly and effectively;
- clear and appropriate division of responsibilities between local, state and federal governments in presidentially-declared disaster areas, with clear channels and protocols for communications between local, state and federal leaders, including maintaining the appropriate role of U.S. military forces in supporting emergency response to natural disasters;
- measures to assure that federal authorities do nothing to impede efforts by first responders and state and local authorities, or create unnecessary obstacles;
- more pre-positioning of basic emergency supplies and logistical arrangements to deliver them quickly;
- faster and better coordination of mutual assistance under the existing interstate Emergency Management Assistance Compact (EMAC);
- action by Congress and the Federal Communications Commission to develop comprehensive and interoperable emergency communications and set equipment with open standards, fund the purchase of emergency and interoperable communications equipment, and provide additional radio spectrum that will allow first responders to communicate over long distances using the same radio frequencies and equipment;
- reinstatement of a federal disaster preparedness and mitigation program like the former "Project Impact," based on effective incentives without burdensome mandates;
- better technology and resources for planning including timely and adequate flood and seismic mapping, land use planning and local disaster preparedness and mitigation programs to prevent structures from being built in high risk areas;
- sufficient federal funds to rebuild and improve damaged or destroyed infrastructure and restore protective natural conditions;
- measures to assure continued access by all local governments to tax-exempt borrowing for infrastructure improvements to make our communities more disaster resistant, temper impacts of natural disasters and reduce recovery time;
- action to enhance the financial soundness and integrity of the National Flood Insurance Program and other FEMA programs, including effective but non-cumbersome measures regarding contract award and administration, fiscal control and accountability, and safeguards to assure that funds go only to affected citizens and communities;

- create detailed fiscal controls, accountability, and safeguards to ensure that funds awarded in response to a natural or man-made disaster are disbursed only to impacted citizens and communities;
- necessary action at the federal and state levels to assure continued availability of adequate property and casualty insurance and excess insurance coverage to all regions of the nation, at affordable rates and without unreasonable exclusions or geographic redlining;
- support of the federal Citizen Corps program to encourage individual disaster plans; and
- adequate funding for the initiatives and capabilities outlined above.

NLC RESOLUTION #2009-36

**IN SUPPORT OF INTEROPERABLE PUBLIC SAFETY COMMUNICATIONS
SYSTEMS AND FUNDING**

WHEREAS, interference-free broadcast spectrum and reliable and interoperable wireless communications are essential to the public safety role of local officials;

WHEREAS, the federal government has a responsibility in providing adequate telecommunications spectrum to enhance interoperable communications among public safety and emergency services;

WHEREAS, past federal public safety frequencies and channels have been scattered and inadequate, resulting in a fragmented public safety spectrum;

WHEREAS, the federal government must provide funding to purchase the necessary equipment and training; and

WHEREAS, federal funding of interoperable public safety equipment continues not to meet the new needs and requirements of the post September 11th environment; and

WHEREAS, the national focus on interoperability planning has shifted to regional and/or statewide interoperability planning efforts; and

WHEREAS, the Department of Homeland Security has not required that states include municipalities in their statewide planning efforts;

NOW, THEREFORE, BE IT RESOLVED that the federal government must lead the efforts to resolve interoperability problems that affect emergency communications and data systems throughout the nation through providing adequate funding to SAFECOM to enable it to complete its mandated mission;

BE IT FURTHER RESOLVED that the Department of Commerce and the Department of Homeland Security must distribute the Public Safety Interoperable Communications (PSIC) grant funds in a timely manner as mandated by the Digital Television Transition and Public Safety Act of 2005;

BE IT FURTHER RESOLVED, that the federal government must ensure that municipalities are included in all national interoperability planning efforts;

BE IT FURTHER RESOLVED that the federal government must remedy the current shortage of broadcast spectrum availability across the nation by ensuring that the 700 MHz bandwidth is available for public safety needs by February 17, 2009; and

BE IT FURTHER RESOLVED that the federal government must provide adequate funding for interoperable equipment to better facilitate coordinated and effective emergency response in cities and across jurisdictions.

NLC RESOLUTION #2009-37

**SUPPORTING NATIONAL STANDARDS FOR INTEGRATED
JUSTICE INFORMATION SYSTEMS**

WHEREAS, local police often lack the technology to share critical information with other law-enforcement agencies within a state, with other states or with federal agencies;

WHEREAS, the lack of interoperability between criminal justice information systems prevents courts from having complete records when they sentence criminals;

WHEREAS, because records are not comprehensive, probation and corrections officials are sometimes unaware of violations committed by offenders;

WHEREAS, background checks conducted on employees working with vulnerable populations are sometimes incomplete;

WHEREAS, public safety is compromised by a lack of centralized, complete and accurate criminal history data about individuals, incidents and cases;

WHEREAS, some states are developing integrated criminal justice information systems, but these systems may not be compatible with one another;

WHEREAS, successful integration calls for a national framework of people, processes, data, standards, and technology focused on providing accurate and comprehensive data to the criminal justice community;

WHEREAS, police departments vary dramatically in fiscal capacity, staffing resources, technical expertise and business processes; and

WHEREAS, if an integrated information system is to function successfully, every criminal justice agency must use standards that support the exchange of data across existing and developing systems.

NOW, THEREFORE, BE IT RESOLVED that the National League of Cities (NLC) supports efforts by Congress to assist state and local governments with developing and funding integrated criminal justice information systems;

BE IT FURTHER RESOLVED that NLC calls on Congress to enact legislation that will establish uniform standards for criminal justice information systems relating to:

- Case processing
- Pre-trial release data
- Domestic and restraint conditions
- Post-conviction restrictive probation conditions
- Weapons prohibition information
- Juvenile arrests and conviction data

- Total case record, from incident report to outcome, and sanction compliance and completion
- Arrest warrant information
- Electronic fingerprinting and photo images
- DNA data collection
- Conviction status on all offense levels
- Detention/incarceration data
- Alcohol/driving restrictions; and

BE IT FURTHER RESOLVED that NLC urges Congress to provide financial assistance to state and local governments willing to implement integrated criminal justice information systems that incorporate established standards.

NEW RESOLUTION #2009-38

**URGING THE REVERSE OF THE CURRENT
MEXICAN EXTRADITION POLICY**

WHEREAS, the Preamble to the U.S. Constitution lists providing for the “common defense” as one reason for forming our national government;

WHEREAS, the Constitution prohibits state and local governments from entering into treaties with foreign governments to protect their citizens and arrange extradition for criminals;

WHEREAS, the “Extradition Treaty” (1980) allows Mexico to refuse to extradite a fugitive if U.S. courts charge the suspect with a capital offense, and now the Mexican Supreme Court has recently ruled that Mexico will not extradite criminals who face a life sentence in the U.S.;

WHEREAS, this restriction and policies followed by Mexico and other nations provides a safe haven for those who commit the most serious crimes in our municipalities, including murder and terrorist acts;

WHEREAS, a striking example of this threat to the common defense is that officials estimate that more than 60 suspected killers from Los Angeles County alone are in Mexico, including those responsible for murders of law enforcement officers, along with countless more individuals who are suspected of rape, child molestation, attempted murder and other serious, violent crimes;

WHEREAS, the existence of any safe haven for these most heinous criminals presents an enormous challenge for border states seeking to defend their citizens;

WHEREAS, the Attorney General from each of the 50 states has asked the U.S. Attorney General and Secretary of State to address this extradition issue with their counterparts in Mexico; and

WHEREAS, the resolution of this issue is critical to defending our nation from enemies both foreign and domestic.

NOW, THEREFORE, BE IT RESOLVED that the National League of Cities calls upon the President and Congress to use all diplomatic means at their disposal to insist that the “Extradition Treaty (1980)” be revised to resolve the critical issue of the extradition of those suspected of committing serious and violent crimes against the people in the U.S.

NLC RESOLUTION #2009-39

IN SUPPORT OF ELECTRONIC CONTROL DEVICES

WHEREAS, the National League of Cities' mission is to strengthen and promote cities as centers of opportunity, leadership, and governance; and

WHEREAS, the ability of law enforcement to safely and effectively deescalate violence, protect citizens and reduce injuries to criminal subjects is crucial to overall public safety and supports the mission of the National League of Cities; and

WHEREAS, electronic control devices have proven to be safe and effective tools for law enforcement to deescalate violence, protect citizens and reduce injuries to criminal subjects; and

WHEREAS, statistical data has shown decreases in officer and subject injuries in cities where electronic control devices are deployed; and

WHEREAS, overall law enforcement related shootings have declined in cities where electronic control devices are deployed; and

WHEREAS, statistical data has shown dramatic decreases in law enforcement workers compensation expenses in cities where electronic control devices are deployed; and

WHEREAS, proper training and appropriate use of electronic control devices is crucial to maintain their efficacy and safety; and

WHEREAS, municipal governments and local law enforcement agencies should promote safety and advance technologies and policies that encourage community safety; and

NOW, THEREFORE, BE IT RESOLVED, the National League of Cities calls on the United States Congress to provide adequate funding resources to assist local law enforcement agencies with the deployment of state-of-the-art non-lethal technologies such as electronic control devices in an effort to promote public safety; and

BE IT FURTHER RESOLVED, that the United States Congress provide adequate funding resources to assist local law enforcement agencies with the development and promulgation of policies governing appropriate training, use, and placement of electronic control devices in the local use of force continuum.

NLC RESOLUTION #2009-40

IN SUPPORT OF EFFORTS TO FIGHT ILLEGAL GUNS

WHEREAS, sixty percent of the guns used in crimes are traced back to just one percent of gun dealers; and

WHEREAS, eighty-five percent of gun dealers have never had a gun used in a crime traced back to them; and

WHEREAS, local governments and law enforcement have the responsibility to curb illegal guns both through criminal and civil actions; and

WHEREAS, the ability of local governments and law enforcement to use trace data held by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) is crucial to shutting off the supply of guns to criminals; and

WHEREAS, Congress has enacted restrictions that prevent local governments and law enforcement from using the trace data to its greatest effect, that prevent courts from compelling its disclosure and that prevent courts from hearing the data as evidence; and

WHEREAS, there are bills before Congress that would further weaken the ability of Federal, State and local governments and law enforcement to keep guns out of the hands of criminals; and

WHEREAS, on April 25, 2006 a bipartisan group of fifteen Mayors met in New York City at the Mayor's Summit on Illegal Guns, co-chaired by Mayor Michael R. Bloomberg and Mayor Thomas M. Menino, to begin a nationwide effort to fight illegal guns; and

WHEREAS, 30,000 Americans across the country are killed every year as a result of gun violence, destroying families and communities in big cities and small towns; and

WHEREAS, as local officials we are bound to do everything in our power to protect our residents, especially our children, from harm; and

WHEREAS, there is no greater threat to public safety than the threat of illegal guns.

NOW, THEREFORE, BE IT RESOLVED that The National League of Cities calls on Congress to reject legislative proposals that limit our cities' ability to solve and prevent crime in our communities; and

BE IT FURTHER RESOLVED that local governments and law enforcement be given access to ATF gun trace data as such information is critical to successful investigation and reduction of violent crime in our cities; and

BE IT FURTHER RESOLVED that Congress should remove restrictions it has placed on the availability and use of trace data that prevents that data being made available for use in civil actions against persons who violate laws governing the sale or transfer of guns; and

BE IT FURTHER RESOLVED that as local officials we will adopt and work together to find innovative new ways to advance the following principles:

- Punish – to the maximum extent of the law – criminals who possess, use and traffic in illegal guns;
- Target and hold accountable irresponsible gun dealers who break the law by knowingly selling guns to straw purchasers;
- Oppose all federal efforts to restrict cities’ right to access, use, and share trace data that is so essential to effective enforcement, or to interfere with the ability of the Bureau of Alcohol, Tobacco and Firearms to combat illegal gun trafficking;
- Work to develop and use technologies that aid in the detection and tracing of illegal guns;
- Support all local, state and federal legislation that targets illegal guns; coordinate legislative, enforcement, and litigation strategies; and share information and best practices;
- Expand the number of local officials engaged in this effort to combat illegal guns.

NLC RESOLUTION #2009-41

**ENCOURAGING CITIES TO DETERMINE THE PUBLIC SAFETY
IMPACTS RESULTING FROM TRANSPORTATION OF
HIGH LEVEL NUCLEAR WASTE**

WHEREAS, to encourage the generation of low cost electric power, the federal government, during the 1950s and 1960s, promoted development of nuclear power; and

WHEREAS, nuclear power plants used for producing electricity create long-lived and highly dangerous spent nuclear fuel as a waste product; and

WHEREAS, Congress has designated Yucca Mountain, Nevada, as the only site to be considered for storing high-level nuclear waste generated at commercial nuclear reactors and Navy ship reactors; and

WHEREAS, 90 percent of the high-level nuclear waste is located at sites east of the Mississippi River; and

WHEREAS, if the Yucca Mountain repository is licensed to accept waste, high-level nuclear waste will be shipped an average of 2,000 miles across the country through 43 states; and

WHEREAS, the Department of Energy has put forth proposed routes in the final Yucca Mountain Environmental Impact Statement leaving local governments to consider the impacts of such transportation and carry out impact analyses; and

WHEREAS, the city of Las Vegas has undertaken a study to determine the projected public safety costs to prepare for the transportation of high-level nuclear waste through the city and county to Yucca Mountain; and

WHEREAS, the projected costs for all public safety agencies in the Las Vegas valley at the start of the proposed shipping campaign total approximately \$385 million, and over the initial 24-year shipping campaign, the projected public safety impacts total approximately \$3.7 billion; and

WHEREAS, the city of Las Vegas does not stand alone on this issue since other cities will incur similar costs to prepare their public safety agencies for high-level nuclear waste shipments; and

WHEREAS, while the Nuclear Waste Policy Act (NWPA) and Nuclear Waste Policy Act Amendments (NWPAA) require the Department of Energy to provide technical and training assistance to local public safety agencies along the transportation corridor, the NWPA and NWPAA do not set funding amounts for such assistance nor do they require funding for capital infrastructure and other potentially large expenses, resulting in what could be astronomical unfunded mandates for these cities.

NOW, THEREFORE, BE IT RESOLVED by the National League of Cities to:

1. Strongly encourage all cities along the proposed spent nuclear fuel shipping routes to conduct similar public safety fiscal impact studies so that their public safety agencies will be prepared to respond should an accident involving high-level nuclear waste or any other hazardous material occur; and
2. Urge the United States Congress to provide adequate funding to all cities along the proposed spent nuclear fuel shipping routes for the purpose of conducting such studies.

NLC RESOLUTION #2009-42

**SUPPORTING THE RIGHT OF CITIES TO RECEIVE FEDERAL REIMBURSEMENT
FOR SERVICES PROVIDED TO CITIZENS FROM COMMUNITIES
AFFECTED IN AN EMERGENCY**

WHEREAS, during the 2005 hurricane season, and in particular during Hurricanes Katrina and Rita, cities throughout the country provided shelter and services for affected citizens from communities in Alabama, Florida, Louisiana, Mississippi, Texas, and elsewhere;

WHEREAS, during Hurricane Katrina, cities welcomed 1.2 million evacuees, including 372,000 school children, from other jurisdictions into their community and further, whereas hundreds of thousands remain displaced;

WHEREAS, cities often provide shelter and social services to citizens from all parts of the country effected by natural disasters and at considerable expense such as recovery of regular staff hours and lost revenue from venues used for recovery services;

WHEREAS, these “host cities” are restricted by federal law from receiving reimbursement for considerable expenses such as city staff time and lost venue revenues associated with providing essential services to their temporary “guests”;

WHEREAS, the National League of Cities (NLC) believes the federal government and cities must coordinate their efforts and resources in times of crisis;

NOW, THEREFORE, BE IT RESOLVED, that NLC believes the U.S. Congress should direct the Federal Emergency Management Agency (FEMA) and relevant agencies to reimburse host cities for costs related to disaster evacuations including straight time for city employees and use of city-owned sheltering facilities at the direction of the federal government.

BE IT FURTHER RESOLVED, that the NLC believes it is the right of every city when asked to provide services to citizens from jurisdictions outside of their own in times of a declared state of emergency, to recoup reimbursement from the federal government for expenses.

NLC RESOLUTION #2009-43

**REPEAL SECTION 1076 OF THE JOHN WARNER NATIONAL DEFENSE
AUTHORIZATION ACT**

WHEREAS, the governors' responsibility is to assure the security and well being of residents, and as the National Guard assists in this capacity, the authority for the National Guard must be maintained with the governors;

WHEREAS, governors need the ability to call on the National Guard to support local governments' response and recovery missions for any disaster regardless of cause, particularly catastrophic disasters; and

WHEREAS, Section 1076 of the John Warner National Defense Authorization Act (P.L. 109-364) expanded the president's authority to federalize the National Guard during certain emergencies and disasters; and

WHEREAS, the new provision does not require the president to contact, confer or collaborate with the affected governor before taking control of a state's Guard forces; and

WHEREAS, changing the chain of command could confuse the issue of who is in charge of commanding the Guard during a domestic emergency, negatively impacting the decision-making process and speed with which the National Guard currently acts in consultation with governors to respond to an emergency either within or outside of their states; and

WHEREAS, the amendment has the potential to exacerbate the current personnel and equipment shortages evident in all states because of demands in Iraq and Afghanistan; and

WHEREAS, the National Guard is a critical asset for the states to utilize during a catastrophic disaster to assist local governments, and if a catastrophic event occurred and National Guard troops were unavailable for the governors to deploy as needed, municipal resources could be overwhelmed, hampering their ability to assist their residents as their resources are drained.

NOW, THEREFORE, BE IT RESOLVED, that the National League of Cities urges the repeal of Section 1076 of the John Warner National Defense Authorization Act; and

BE IT FURTHER RESOLVED, the National League of Cities supports and is ready to assist the efforts of the National Governors Association to open a dialogue between Congress and the governors to discuss how best to enhance the use of the National Guard in responding to domestic disasters and emergencies.

NLC RESOLUTION #2009-44

**THE FEDERAL ROLE IN SUPPORTING HOMETOWN SECURITY
AND COMBATING VIOLENT CRIME**

WHEREAS, municipalities across the nation reported an increase of violent crime in 2006, and the annual FBI report, *Crime in the United States*, showed an increase of 1.9 percent in the number of violent crimes in 2006, compared to figures reported for 2005; and

WHEREAS, to curb gun violence in the United States that is associated with most homicides and non-fatal violent injuries, The Brady Handgun Violence Prevention Act of 1993 was signed into law. In 1998, permanent provisions of the act went into effect establishing the National Instant Criminal Background Checks System (NICS), a computerized system designed to determine if a person is qualified to obtain firearms. Currently, only thirteen states are full participants in the program with an additional eight states acting as partners with the FBI; and

WHEREAS, law enforcement agencies, states, cities, and counties do not currently have access to gun trace data collected by the Bureau of Alcohol, Tobacco and Firearms (ATF) and therefore, have limited ability to share gun trace data across geographic jurisdictions; and

WHEREAS, in 2004, the United States Congress allowed the ban on semi-automatic assault type weapon sales to expire permitting civilians to purchase semi-automatic assault type weapons normally used by law enforcement and the military; and

WHEREAS, in 1994, the Community Oriented Policing Services (COPS) program provided state and local police departments with much needed resources to hire additional officers and put more police on the streets, acquire and deploy cutting-edge crime-fighting technologies, and develop and test innovative policing strategies; and

WHEREAS, the COPS program has been credited with allowing police departments to focus on proactive, deterrent-based, community policing, rather than older, less effective and reactive methods. Municipalities strongly support revitalizing and fully funding the Community Oriented Policing (COPS) Program to assist municipalities in hiring additional law enforcement personnel to address the once again increasing rates of crime; and

WHEREAS, many municipalities are working on new and innovative programs to create solutions to combat crime. Such programs as Minnesota's use of multi-media to disseminate public safety messages, the Ft. Worth, Youth Services Diversion Project and the Court in the Schools project have given tens of thousands of high school students beneficial insight into our legal system, Michigan's Sobriety Court Project whose mission is to protect society and reduce crime by targeting substance abuse and addiction through intervention, treatment and offender accountability reduce crime in a proactive manner; and

WHEREAS, success of a community's violence prevention effort depends on preventive interventions being utilized. It is important to identify programs worthy of funding because of documented success, assessments of programs such as those outlined in the University of Colorado's Blueprints for Violence Prevention need to be expanded.

NOW, THEREFORE, BE IT RESOLVED, the National League of Cities calls upon the United States Congress and Administration to assist municipalities across the nation in combating crime by taking the following actions:

- provide states, cities, and police access to gun trace data crime data collected by the Alcohol, Tobacco and Firearms Agency to provide law enforcement with the ability to combat illegal weapons trafficking; and
- reinstate the ban on semi-automatic assault type weapon sales to civilians; and
- reinstate necessary federal funding for programs such as the Community Oriented Policing (COPS) Program; and
- fund pilot programs to assist municipalities in developing creative solutions to combat crime.

NLC RESOLUTION #2009-45

**ENCOURAGING THE FEDERAL EMERGENCY MANAGEMENT AGENCY TO
ADOPT REGULATIONS TO PERMIT MUNICIPALITIES TO OBTAIN DISASTER
ASSISTANCE WHEN COUNTIES ARE NOT ELIGIBLE**

WHEREAS, federal law does not permit the Federal Emergency Management Agency (FEMA) to provide disaster benefits to municipalities unless the county in which the municipality is situated is declared a disaster; and

WHEREAS, damage from natural disasters is sometimes not widespread enough to qualify an entire county for assistance, but damage within a municipality may be significant; and

WHEREAS, municipalities are often unable to afford the cost to repair or replace damaged infrastructure and facilities without assistance, often causing a loss of essential services necessary for the health and safety of its citizens; and

WHEREAS, our nation's cities and towns need solid assurance and demonstrated actions that our federal government partner is ready and able to provide swift and effective emergency assistance;

NOW, THEREFORE, BE IT RESOLVED, that the National League of Cities encourages Congress to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act) (Public Law 100-707) to permit municipalities to independently request through their state that their municipality be declared a disaster, therefore enabling the state to apply for and receive disaster assistance from FEMA on behalf of the impacted municipalities when counties are ineligible.

NLC RESOLUTION #2009-46

RESOLUTION ON CRADLE TO PRISON PIPELINE

WHEREAS, homicide is the leading cause of death among black males the age 15-24 and black males ages 15-19 are almost four times as likely as their white peers to die from a firearm injury and six times as likely to be homicide victims; and

WHEREAS, a black child born in 2001 has a 1 in 3 chance of going to prison in his lifetime and black juveniles are about four times as likely as their white peers to be incarcerated; and

WHEREAS, today 580,000 black males are serving sentences in state or federal prison, while fewer than 40,000 black males earn a bachelor's degree; and

WHEREAS, although minority youth represented just 39 percent of the US juvenile population they represent 60 percent of committed juveniles; and

WHEREAS, the suspension rate among black public school students is three times that for white students and black children are almost twice as likely as White children to be retained in a grade; and

WHEREAS, a Harvard Civil Rights Project and Urban Institute Report found in 2001 only 50 percent of black students graduated from high school on time with a regular diploma; and

WHEREAS, black babies are almost twice as likely as white babies to be born to teen parents and 56 percent of black children live in a single-parent household; and

WHEREAS, single mother households are almost six times as likely to be poor as two-parent households; and

WHEREAS, in 2006, 17.4 percent of children in America, 13 million children (one in six), were poor; and

WHEREAS, today in America, the richest nation on earth there are 1.2 million more children living in poverty than there were in 2000, an increase of 11 percent; and

WHEREAS, black babies are almost four times as likely as white babies to have their mothers die in childbirth and more than twice as likely as white babies to be born at very low birthweight and to die before their first birthday; and

WHEREAS, a congressional study found 15,000 children in juvenile detention facilities, some as young as 7 years old, solely because community mental health services were unavailable; and

WHEREAS, studies have reported that as many as three-fourths of incarcerated youths have mental health disorders and about 1 in 5 has a severe disorder;

WHEREAS, racial disparity runs through every major system impacting children's life chances such as health care, education, child poverty, family status and the juvenile/criminal justice system with these contributing factor being the fuel to the Cradle to Prison Pipeline;

NOW, THEREFORE BE IT RESOLVED that the National League of Cities urges Congress and the President to encourage that every child has a healthy start through available and affordable comprehensive health and mental health coverage that includes pregnant women wherever they live in America; and

BE IT FURTHER RESOLVED that the National League of Cities urges Congress and the President to encourage all children to be ready for school and make sure every child can read by the 4th grade through Early Head Start, child care and preschool; and

BE IT FURTHER RESOLVED that the National League of Cities urges Congress and the President to the richest nation on earth to end the child and family poverty that drives so much of the Prison Pipeline process and the racial disparities faced by black children who are disproportionately poor; and

BE IT FURTHER RESOLVED that the National League of Cities urges Congress and the President to dramatically decrease the number of children who enter the child welfare and juvenile and criminal justice systems and stop detaining children with adults and reduce the racial disparities in these and other child serving systems;

BE IT FURTHER RESOLVED that the National League of Cities urges Congress and the President to work for a fundamental paradigm shift in child policy and practice away from the too frequent first choice of punishment and incarceration to prevention and early intervention and a sustained child investment.

NLC RESOLUTION #2009-47

**URGING FEDERAL RESOURCES TO SUPPORT INCREASED DNA USE
IN NON VIOLENT CRIMES**

WHEREAS, a 2008 pilot study by the National Institute of Justice found that DNA collection and analysis in non violent propriety cases yielded twice as many suspects identified, arrested, and cases accepted for prosecution than traditional investigations, as well as those arrested had twice the amount of prior arrests and prior convictions; and

WHEREAS, suspects identified by DNA had at least twice as many prior felony arrests and convictions as those identified by traditional investigation; and

WHEREAS, DNA is at least five times as likely to result in a suspect identification compared with fingerprints; and

WHEREAS, since 2001 Great Britain has had success expanding the use of DNA analysis to nonviolent criminal incidents, such as property crimes like burglary, with tremendous success; and

WHEREAS, the increase use of DNA collection has been proven to remove repeat offenders from the streets who often avoid arrest and convictions with traditional methods;

WHEREAS, cities across the country would benefit from expanding DNA evidence collection and analysis to non violent criminal investigations; and

WHEREAS, despite the promising findings, expansion of DNA use will place increased costs on already stretched local criminal justice budgets,

NOW, THEREFORE, BE IT RESOLVED, the National League of Cities urges the federal government to direct resources to increase the use of the DNA collection and analysis in criminal cases, including resources for cities for training and additional law enforcement costs.