

**NLC RESOLUTION #2012-27**

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

**WHEREAS**, interference-free broadcast spectrum and reliable and interoperable wireless data and voice communications are essential to the public safety role of municipalities' first responders; and

**WHEREAS**, public safety has been granted only small sections of spectrum over time, but never enough to consolidate communications into a single frequency band, resulting in a fragmented public safety spectrum that does not meet the needs and requirements of the post September 11<sup>th</sup> environment; and

**WHEREAS**, in the line of duty, first responders must be able to utilize mobile technologies citizens take for granted, such as: distributing and receiving pictures, video and data in real-time from other officers, citizens and emergency dispatch systems in order to achieve better policing and disaster response; and

**WHEREAS**, in disaster situations, commercial customers usage blocks first responders from accessing commercial networks; and

**WHEREAS**, the segment of 700MHz spectrum known as the "D Block" is uniquely positioned to provide a one-time opportunity to improve first responder communications and emergency response capabilities by allowing first responders to have full control of deciding when public safety needs dedicated and secure access to a network rather than allowing private industry to decide; and

**WHEREAS**, the federal government has a responsibility to provide adequate telecommunications spectrum as to create secure and dedicated Nationwide Public Safety Voice and Broadband communications networks among public safety and emergency services.

**NOW, THEREFORE, BE IT RESOLVED** that the federal government must reallocate the 700 MHz D Block of spectrum to public safety for the purpose of building a Nationwide Public Safety Broadband communications network; and

**BE IT FURTHER RESOLVED**, that the federal government must preserve the current 700 MHz narrowband reserved for voice communications through the current lifecycle of local investments in this infrastructure to prevent harmful interference to narrowband operations or impairment of narrowband interoperability; and

**BE IT FURTHER RESOLVED** that the Department of Commerce, the Department of Homeland Security, and the Federal Communications Commission must work directly with representatives of state and local governments to ensure an appropriate governance model for the D Block of spectrum; and

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

**BE IT FURTHER RESOLVED** that the federal government must provide funding and assistance to states and localities to build out the Nationwide Public Safety Broadband communications network and ensure affordable access to the equipment necessary.

**NLC RESOLUTION #2012-28**

**IN SUPPORT OF EFFORTS TO FIGHT ILLEGAL GUNS**

**WHEREAS**, 60 percent of the guns used in crimes are traced back to just one percent of gun dealers; and

**WHEREAS**, 85 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, law enforcement, and research institutions from using the trace data to its greatest effect; 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**, as local officials we are bound to do everything in our power to protect our residents, especially our children, from harm; and

**WHEREAS**, the illegal use of guns is a significant threat to public safety.

**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 agencies be allowed to fully and publicly utilize ATF gun trace data because it is critical to successful criminal investigations and crafting strategies to reduce violent crime in our cities and towns; and

**BE IT FURTHER RESOLVED** that Congress should remove restrictions it has placed on the availability and use of trace data that prevents the data from being used for academic and not-for-profit research; 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 ATF 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; and
- Expand the number of local officials engaged in this effort to combat illegal guns.

## **NLC RESOLUTION #2012-29**

### **RESOLUTION ON CRADLE TO PRISON PIPELINE**

**WHEREAS**, homicide is the leading cause of death among black males ages 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 U.S. 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 birth weight 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; and

**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 (NLC) 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 NLC urges Congress and the President to encourage all children to be ready for school and make sure every child can read by the 4<sup>th</sup> grade through Early Head Start, child care and preschool; and

**BE IT FURTHER RESOLVED** that NLC urges Congress and the President of 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 NLC 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; and

**BE IT FURTHER RESOLVED** that NLC 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 #2012-30****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 non-violent 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; and

**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** that 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.

**NLC RESOLUTION #2012-31****ON MENTAL HEALTH AND THE CRIMINAL JUSTICE SYSTEM**

**WHEREAS**, interactions between law enforcement and persons with mental illness can require special training, be difficult to resolve, and involve volatile situations that risk the safety of all involved; and

**WHEREAS**, a June 2009 study<sup>1</sup> found that 15 percent of men and 31 percent of women in United States prisons and jails have serious mental illness, constituting more than one in every eight inmates; and

**WHEREAS**, these numbers suggest that as many as 2 million bookings of people with serious mental illnesses may occur each year, resulting in the criminalization of the mentally ill; and

**WHEREAS**, substance abuse and dependence, which are both highly inter-related with mental illness, lack of psychiatric treatment, and noncompliance with psychiatric medications are significant predictors of arrest for those with mental illness; and

**WHEREAS**, deinstitutionalization, lack of adequate community support for persons with mental illness, difficulty gaining access to community treatment, and the attitudes of police officers and society are all commonly cited as causes for persons with mental illness being placed in the criminal justice system; and

**WHEREAS**, because jails and prisons are not the optimal settings to provide acute psychiatric treatment, many communities have instituted mechanisms to divert individuals with serious mental illnesses from jail to community-based services or provide offenders with mental illness reentry strategies and transitional services upon release.

**NOW, THEREFORE, BE IT RESOLVED** that the National League of Cities (NLC) believes that how the criminal justice community engages people with mental illness is an issue of national concern; and

**BE IT FURTHER RESOLVED** that NLC urges Congress to support programs that provide mental health consultation to law enforcement in the field, and formal training on how to identify the symptoms of mental illness and the most effective ways to interact with individuals displaying these symptoms; and

**BE IT FURTHER RESOLVED** that NLC urges the Department of Justice and Congress to fund joint efforts between local law enforcement and health officials, to reduce repeat calls for service and better serve people with mental illnesses; and

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<sup>1</sup>Henry J. Steadman, Fred C. Osher, Pamela Clark Robbins, Brian Case, and Steven Samuels. *Prevalence of Serious Mental Illness Among Jail Inmates*, Psychiatric Services 2009 60: 761-765.

**BE IT FURTHER RESOLVED** that NLC urges Congress to provide funding for programs to improve the screening of incoming jail and prison detainees for mental illness; promote diversion to mental health programs when appropriate; increase the availability of grants for mental health courts and other diversion efforts; provide intensive treatment when necessary; and, ensure transitional services when leaving jail; and

**BE IT FURTHER RESOLVED** that NLC urges Congress to pass legislation that ensures that appropriate programs such as, Medicaid, disability, educational or vocational retraining or other federal benefits are available to eligible individuals on the first day of their release, ensuring access to the necessary services and resources vital to making a successful transition back into society.

**NLC RESOLUTION #2012-32**

**URGING THE REVISION 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; and

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

**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 United States; and

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

**WHEREAS**, the existence of any safe haven for those who are alleged to be the most heinous criminals presents an enormous challenge for border states seeking to defend their citizens; 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 alleged to have committed serious and violent crimes against the people in the United States.

**NLC RESOLUTION #2012-33****ENCOURAGING FEDERAL EFFORTS AND COLLABORATION  
TO PROTECT AGAINST AND RESPOND TO CYBER THREATS**

**WHEREAS**, the growing number of attacks on our cyber networks has become "one of the most serious economic and national security threats our nation faces;"<sup>2</sup> and,

**WHEREAS**, cyberspace has been recognized by the federal government as a key strategic asset for the United States with its security being vital; and,

**WHEREAS**, in 2011 the General Accountability Office added "the Nation's Cyber Critical Infrastructures" to its list of operations it identifies as "high risk... problems impeding effective government and costing billions of dollars each year;"<sup>3</sup> and,

**WHEREAS**, the federal government has warned that cyber-based infiltrations of the nation's electric grid, water, sewer, and other critical infrastructure have already occurred, and have left behind software programs that could be used to disrupt the system; and,

**WHEREAS**, the 2003 Northeast power blackout, although in no way connected to a cyber-attack, showed how failure in even a small part of the grid can have cascading effects; and,

**WHEREAS**, municipalities manage critical infrastructure such as utilities and transit systems, as well as maintain sensitive databases on individuals, public works, and industries; and,

**WHEREAS**, information sharing across all levels of government and the private sector is lacking, often leaving municipalities unaware of the latest threats to data systems; and,

**WHEREAS**, municipalities are often not aware of steps that can be taken to mitigate threats to networks; and,

**WHEREAS**, changes in how we utilize electronic communications has resulted in important questions about civil rights and privacy protections; and,

**WHEREAS**, Congress has recognized the need for a greater federal role, introducing approximately 50 cyber-related bills in the last session; and,

**WHEREAS**, as a result of its 60-day Cyberspace Policy Review, the White House has proposed comprehensive cybersecurity legislation to Congress and intends to continue to mature the federal role in cyberspace.

**NOW THEREFORE, BE IT RESOLVED**, that NLC believes there is a crucial federal role in cybersecurity related to national security, protection of sensitive information and intellectual property, and the availability and continuity of infrastructure; and,

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<sup>2</sup> President Barack Obama. "Remarks By The President On Securing Our Nation's Cyber Infrastructure." May 29, 2009.

<sup>3</sup> General Accountability Office. Report GAO-11-278, "High-Risk Series: An Update." February 2011.

**BE IT FURTHER RESOLVED**, NLC applauds the Administration and Congress for recognizing the increasing importance of securing cyberspace, taking initial steps to review federal policy on cyberspace, and reaching out to state and local governments, and the private sector, on this issue; and,

**BE IT FURTHER RESOLVED**, that federal engagement with state and local governments, as well as the private sector, must increase to ensure the safety of e-commerce and to secure critical infrastructure from online threats; and,

**BE IT FURTHER RESOLVED**, that the frameworks for facilitating the sharing of information on cyber threats among all levels of government, such as the Multi-State Information Sharing and Analysis Center (MS-ISAC) and other members of the National Council of ISACs, as well as with the private sector, must be encouraged; and,

**BE IT FURTHER RESOLVED**, the federal government should disseminate cyber-intrusion detection and prevention tools to intergovernmental partners, and be permitted, when requested, to provide assistance to localities and other entities in addressing and repairing damages from a major cyber-attack and for advice on building better defenses; and

**BE IT FURTHER RESOLVED**, NLC urges Congress and the administration to safeguard civil liberties and privacy of its citizens while maintaining the safety and stability of the internet.

**NLC RESOLUTION #2012-34****ON STOPPING HUMAN TRAFFICKING**

**WHEREAS**, 150 years ago President Abraham Lincoln issued the Emancipation Proclamation, proclaiming the freedom of millions of slaves; and,

**WHEREAS**, the 13<sup>th</sup> Amendment to the Constitution officially abolished and continues to prohibit slavery and involuntary servitude in the United States; and,

**WHEREAS**, human trafficking is a modern day form of slavery that impacts people of all ages and of both genders, where services, labor, or sex are supplied by victims who are forced, defrauded or coerced to work through such methods as involuntary servitude, debt bondage, and forced labor; and,

**WHEREAS**, human trafficking is a high-profit and low-risk endeavor for the traffickers, estimated to bring in \$32 billion a year internationally making it second only to the narcotics trade in international profitability; and,

**WHEREAS**, at the heart of this heinous crime are the myriad forms of enslavement – not the activities involved in international transportation—and hundreds of thousands of U.S. citizens and other permanent residents, including kidnapped and homeless youth, are considered to be at risk for or victims of trafficking; and,

**WHEREAS**, victims of human trafficking live among us in our cities and towns, but are typically captive and isolated, unaware of their rights, powerless to access services, and afraid to ask law enforcement and other authority figures for help; and,

**WHEREAS**, human trafficking occurs across the United States, in large cities as well as small towns, in affluent and poor neighborhoods; and,

**WHEREAS**, combating human trafficking requires a collaborative, comprehensive approach across all levels of government; and,

**WHEREAS**, the U.S. Congress passed the Trafficking Victims Protection Act in October 2000, updating human slavery statutes and creating for the first time a comprehensive Federal law to protect victims of trafficking and to prosecute their traffickers; and,

**WHEREAS**, municipalities support the subsequent efforts of the Department of Justice, the Department of Homeland Security, the Department of Health and Human Services, and the Department of State to work with state and local governments, as well as key service providers, to prevent human trafficking, apprehend and prosecute human traffickers, and support the victims of human trafficking.

**NOW, THEREFORE, BE IT RESOLVED** that the National League of Cities calls on the United States Congress to reauthorize and provide adequate funding for the Trafficking Victims Protection Reauthorization Act, which will give law enforcement additional tools and resources to prevent

human trafficking, investigate human trafficking crimes, promote increased cooperation among federal agencies, between the U.S. and other countries, and between federal, state and local law enforcement; and,

**BE IT FURTHER RESOLVED** that the federal government should continue training key state, local government, and non-profit personnel, as well as make efforts to increase the public's awareness of human trafficking.

**NLC RESOLUTION #2012-35****IN SUPPORT OF FEDERAL LEGISLATION AND AN INTERSTATE COMPACT TO  
COMBAT PILL MILLS**

**WHEREAS**, the Office of National Drug Control Policy states that prescription drugs account for the second most commonly abused category of drugs, behind marijuana and ahead of cocaine, heroin, methamphetamine, and other drugs.

**WHEREAS**, prescription drug abuse poses a unique challenge because of the need to balance prevention, education, and enforcement, with the need for legitimate access to controlled substance prescription drugs.

**WHEREAS**, the term “pill mill” is used to describe a doctor, clinic or pharmacy that is prescribing or dispensing powerful narcotics inappropriately or for non-medical reasons.

**WHEREAS**, H.R. 1065, known as the “Pill Mill Crackdown Act of 2011,” as introduced toughens federal penalties for pill mill operators by doubling the prison sentence for offenders from 10 to 20 years and tripling the fine from \$1 million to \$3 million.

**WHEREAS**, H.R. 1065 as introduced uses assets seized from drug violators to fund state drug monitoring databases, enforce actions against pill mills, and support drug treatment programs.

**WHEREAS**, H.R. 1065 as introduced reclassifies hydrocodone combination drugs (some of the most addictive and dangerous drug mixtures) to make them more difficult to prescribe and obtain.

**WHEREAS**, prescription monitoring programs (PMPs) are highly effective tools utilized by government officials for reducing prescription drug abuse and diversion. PMPs collect, monitor, and analyze electronically transmitted prescribing and dispensing data submitted by pharmacies and dispensing practitioners.

**WHEREAS**, currently 48 states and one territory have legislation authorizing the creation and operation of a PMP. Thirty-five states currently have a PMP that is operational, whereby they are collecting data from dispensers and reporting information from the database to authorized users.

**WHEREAS**, the ideal means for achieving greater uniformity, information sharing and cooperation across state lines does not yet exist.

**WHEREAS**, an interoperable system of information sharing among the various state monitoring programs is likely to be a far more reliable and effective means of ensuring that these medicines are properly distributed.

**WHEREAS**, the Council of State Governments, in conjunction with federal and state policymakers, state legislators, and other interested stakeholders, has developed the Prescription Monitoring Program Compact.

**WHEREAS**, congressional consent is required by Article I, Section 10 of the United States Constitution to create an interstate compact.

**NOW, THEREFORE, BE IT RESOLVED** that the National League of Cities (NLC) support the passage of H.R. 1065, known as the “Pill Mill Crackdown Act of 2011,” as introduced.

**BE IT FURTHER RESOLVED** that NLC supports the creation of an interstate compact to link prescription drug monitoring programs from state to state.