

## US Loss of Moral Bearings Regarding Due Process for Detainees

WHEREAS, the 1st Amendment to the US Constitution states Congress shall make no law abridging the freedom of speech, or of the press; or the right of people peaceably to assemble, and to petition the Government for a redress of grievances; and

WHEREAS, the 4th Amendment to the US Constitution affirms the right of the people to the security in their persons, houses, papers, and effects, against unreasonable searches and seizures; and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation; and

WHEREAS, the 6th Amendment to the US Constitution declares in all criminal prosecution, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, and to be informed of the nature and cause of the accusation; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defense; and

WHEREAS, the 8th Amendment to the US Constitution states excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted; and

WHEREAS, the Universal Declaration of Human Rights adopted by the United Nations in 1948 includes: in Article 5, No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment; in Article 10, Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of the rights and obligations and of any criminal charge against him; and

WHEREAS, a 1996 report found Human Rights Watch deplored the fact that 36 states had followed the repressive methods used at the maximum-security prison in Marion, Illinois, to create super-maximum-security institutions; and

WHEREAS, US Army Private Bradley Manning, who leaked thousands of military documents to the website WikiLeaks and who has not even been convicted of any crime, has been held in solitary confinement in a military prison in Virginia since the end of July 2010, allowed to leave his 6' X 12' cell for only one hour per day, and now must now sleep naked and report to attention in the morning nude; and

WHEREAS, on March 7, 2011, President Obama issued an executive order that permits ongoing indefinite detention of Guantánamo detainees while establishing a periodic administrative review process for them and also announced the administration will lift the ban on bringing new military commissions charges against detainees that don't already have ongoing cases in the substandard system;

THEREFORE BE IT RESOLVED, that the \_\_\_\_\_ Precinct of the \_\_\_\_\_ County Democratic Party of North Carolina calls on President Barack Obama, US Attorney General Eric Holder, and the Senate and House Judiciary Committees to prevent miscarriage of justice on all residents, citizens, and detainees held by the US government to require humane treatment of all detainees and to prosecute those responsible for violating the rights of detainees; and

BE IT FURTHER RESOLVED, that the \_\_\_\_\_ Precinct of the \_\_\_\_\_ County Democratic Party of North Carolina calls on President Barack Obama to shut down Guantánamo Bay, Cuba, to end the illegitimate military commissions, and to prosecute terrorism suspects in the federal criminal courts.

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## **Support of Due Process for Anti-War and International Solidarity Activists**

WHEREAS, on Friday, September 24, 2010, the FBI coordinated national actions when it raided seven houses and an office in Chicago and Minneapolis; served subpoenas to testify before a federal grand jury to 14 activists in Illinois, Minnesota, and Michigan; and intimidated activists in California, Wisconsin and North Carolina; and

WHEREAS, these activists were involved in many groups, including the Twin Cities Anti-War Committee, the Palestine Solidarity Group, the Colombia Action Network, Students for a Democratic Society, and the Freedom Road Socialist Organization; and

WHEREAS, these activists and many others came together to organize the 2008 anti-war marches during the Republican National Convention in St. Paul; and

WHEREAS, in December, 2010, 9 Palestine Solidarity activists in Chicago were also subpoenaed; and

WHEREAS, the subpoenas claim that the grand jury is investigating violations of the 1996 law on the issue of "material support" of "designated foreign terrorist organizations; and

WHEREAS, the FBI confiscated computers, email and mailing lists, cell phones, cameras, videos, books, and passports; and

WHEREAS, these raids and intimidations across the country, including in Durham, North Carolina, against activists who oppose U.S. foreign policy are a threat to our freedoms and are unconstitutional;

THEREFORE BE IT RESOLVED, that the \_\_\_\_\_ Precinct of the \_\_\_\_\_ County Democratic Party of North Carolina calls on President Barack Obama, U. S. Attorney General Eric Holder, and the Senate and House Judiciary Committees to stop the FBI Campaign of repression against anti-war and international solidarity activists, halt the current grand jury proceedings against anti-war activists, and return all confiscated materials.