

**The Virginia Eleventh Congressional District  
2016 Democratic Convention  
Permanent Resolutions Committee Report  
May 14, 2016**

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## The Virginia Eleventh Congressional District 2016 Democratic Convention Endorses Bold Policies to Fight Climate Change

### Whereas,

Man-made greenhouse gas emissions from fossil fuels such as coal, oil, and natural gas are the chief cause of climate change, according to the overwhelming majority of climate scientists. Scientists also agree that climate change is accelerating at an unprecedented rate and that we are running out of time to avert catastrophic consequences to our planet. Because greenhouse gases from fossil fuels, primarily carbon dioxide and methane, stay in the atmosphere for up to thousands of years, the decisions we make today will affect humanity for many centuries to come.

Climate change is already here. In the history of weather record-keeping, 2014 was the hottest year recorded, according to the National Oceanic and Atmospheric Administration and the National Aeronautics and Space Administration. Moreover, the World Meteorological Organization reports that 14 out of the 15 warmest years on record have occurred since 2000. Without bold action to fight climate change, rising temperatures will reduce labor productivity and increase energy demand. Summer heat, especially when combined with worsening drought, will decrease crop yields across the United States, and it has already increased the incidence of wildfires. The Risky Business Project on Climate Change determined that, in the Southeast, increasing temperatures would cause 11,000 to 35,000 additional deaths annually over the present century.

A U.S. Centers for Disease Control and Prevention report on global warming consequences states that, *“The health effects of these disruptions include increased respiratory and cardiovascular disease, injuries and premature deaths related to extreme weather events, changes in the prevalence and geographical distribution of food- and water-borne illnesses and other infectious diseases, and threats to mental health.”* Further, according to the Intergovernmental Panel on Climate Change, the poorest countries and regions worldwide are the most vulnerable. In this country, climate change will disproportionately affect minority and other disadvantaged populations and escalate income inequality. Worldwide, food insecurity, freshwater scarcity, and soil degradation will lead to migration and population pressures that will increase conflict, threatening both human and national security.

As a consequence of climate change, sea levels are already rising globally at an increasing rate, and catastrophic storms have become more frequent. According to the National Climate Assessment—U.S. Global Change Research Program, Virginia is highly vulnerable to storm surges and sea level rise due to climate change. Virginia Beach is cited among the top five most vulnerable cities in the southeastern U.S. The Risky Business Project on Climate Change reported that within the next 15 years, the average cost of coastal storms and increased hurricane activity along the Eastern Seaboard and the Gulf of Mexico is estimated to increase as much as \$7.3 billion annually up to a total of \$35 billion per year. The NCA further warns that economic effects are inevitable due to the impact of increasing temperatures, heat waves and water scarcity on Virginia’s public health, transportation, agricultural and forest productivity, and fisheries. Further, the loss of infrastructure, wetlands, and beaches along the Chesapeake Bay will harm Virginia’s tourism industry.

Fighting global warming requires both steep reductions in fossil fuel consumption within the next two decades and increased investment in energy efficiency and renewable energy. After China, the U.S. leads the world in global warming pollution from fossil fuels, yet we still lack mandatory reductions on fossil fuel emissions in many sectors. Virginia ranks near the bottom in renewable energy capacity compared with other states, and lacks a mandatory Renewable Portfolio Standard.

Fossil Fuel electrical power plants are responsible for nearly 40 percent of U.S. carbon dioxide pollution, representing our nation’s single largest source of global warming pollution. The Environmental Protection Agency (EPA)’s proposed Clean Power Plan would reduce carbon pollution from existing power plants 30 percent by 2030, relative to 2005. One of the side benefits will be a decrease in other pollutants emitted by coal and other fossil fuels that contribute to respiratory and cardiovascular disease. EPA estimates that the Clean Power Plan will prevent 2,700 to 6,600 premature deaths and 140,000 to 150,000 heart attacks per year.

President Obama has launched a national Climate Action Plan that sets a goal of 20 percent renewable energy solutions by 2020, cuts carbon emissions from new power plants, raises auto efficiency standards to 35 miles per gallon with a goal of 54.5 miles per gallon in 2025, and tasks the EPA with setting standards to cut methane emissions from the oil and gas sector by 40 to 45 percent from 2012 levels by 2025.

In April 2016, President Obama joined 174 other nations in signing the Paris Climate Agreement, which establishes a framework for reducing global greenhouse gas emissions. This historic agreement will combat climate change, and help generate increased investment and jobs in the renewable energy sector.

These measures are a good start, but they are not enough to fight the dire social, economic, and health consequences of climate change. Climate change champions are needed in federal, state, and local government to help protect such efforts from continued attack by industry special interests, and to enact additional initiatives to reduce energy waste and accelerate our transition from fossil fuels to renewable energy solutions.

**Therefore, be it resolved,** the Virginia Eleventh Congressional District 2016 Democratic Convention:

I. Urges:

- A. Virginia's federal, state, and local elected officials, within the scope of their respective purviews and in accord with Virginia's constitutional mandate to "protect [Virginia's] atmosphere, lands, and waters from pollution, impairment, or destruction", to:
1. Establish the fight against climate change as a top legislative priority;
  2. Support the design and implementation of the EPA's Clean Power Plan in Virginia, and impose a state moratorium on fracking for natural gas;
  3. Support a Progressive Carbon Tax that protects workers by both returning revenue to working families through tax credits and funding investment in job-creating renewable energy industries, training, and workforce development;
  4. Champion increased funding for renewable energy through legislation making permanent the federal Production Tax Credit and the Investment Tax Credit for solar, wind, and other emissions-free renewable energy sources; and pass state legislation to grant renewable energy tax credits and change Virginia's Renewable Portfolio Standard from a voluntary to a mandatory program;
  5. Pass legislation to expand Net Metering, so that owners of renewable energy systems can receive credit for power that they generate and send back into the grid;
  6. Champion energy efficiency legislation and funding for research and development designed to (a) reduce costs and increase efficiencies of renewable energy and electric power storage technologies and (b) generate high-paying green manufacturing, construction and service jobs; and promote utility-funded energy efficiency programs for low-income housing;
  7. Increase federal and state investments in infrastructure such as metrorail, railroad, and rapid bus service and in smart growth planning such as pedestrian and bike-friendly communities and public transportation within Virginia's existing cities, towns, and older communities;
  8. Vote and advocate to minimize fossil fuel projects in Virginia, such as drilling for oil off the coast of Virginia and drilling for natural gas on public lands such as the George Washington National Forest, as the Commonwealth moves toward a carbon-free environment. Senator Tim Kaine set a good example for other lawmakers to emulate in opposing new fossil fuel projects in Virginia with his trenchant explanation and his vote against the TransCanada Keystone XL Pipeline: "*Approving Keystone XL is a market signal to expand production of dirty tar sands oil. I believe energy should be getting cleaner every day.*"
  9. Take the lead in initiating legislation to eliminate corporate tax loopholes and subsidies for the natural resource extractive industries, e.g. oil, coal, and natural gas;
  10. Refuse campaign contributions from the fossil fuel industry and members of the American Legislative Exchange Council (ALEC). ALEC denies climate change, and key ALEC goals are undermining environmental protections and immunizing industries from legal accountability for injury or damage inflicted.
- B. Governor Terry McAuliffe to amend the current Virginia Energy Plan, and the Climate Change and Resiliency Update Commission, to develop recommendations in agreement with actions A1-10, above;
- C. President Obama to expand EPA's task to set national standards for methane emissions that include existing, new, and modified sources, and to task the Department of the Interior's Bureau of Land Management to set mandatory national standards for oil and gas methane emissions on public lands.

II. Commends:

- A. Delegates David Bulova, Kaye Kory, Rob Krupicka, Alfonso Lopez, Jennifer McClellan, Rip Sullivan, and David Toscano and Senators Rosalyn Dance, Adam Ebbin, John Edwards, Barbara Favola, Mamie Locke, Donald McEachin, Chap Petersen, and Scott Surovell for previously introducing legislation to combat climate change; and Senator Surovell for recently introducing SB537, which required utilities to transfer coal ash to dry, lined landfills; and
- B. Governor Terry McAuliffe for vetoing Senate Bill 44, which extended tax breaks to subsidize coal companies that have already received hundreds of millions of Virginia taxpayer subsidy dollars, and for vetoing SB21, which was introduced to weaken Virginia's implementation of EPA's Clean Power Plan; and
- C. Congressman Gerry Connolly for co-chairing the House Sustainable Energy and Environment Coalition and for his track record of opposing Atlantic Coast offshore drilling and subsidies to the oil industry, protecting the Department of the Interior's ability to reduce methane emissions and supporting higher fuel efficiency standards for cars and trucks; Congressman Don Beyer for cosponsoring, in his first months in office, legislation to impose a carbon tax and return proceeds to taxpayers; Congressman Robert "Bobby" Scott for promoting clean energy, opposing dirty energy projects such as offshore oil drilling in Virginia, and supporting actions to help Virginians adapt to the threat of inundation and coastal sea level rise due to climate change; and the instrumental leadership of the above three Democratic congressmen in overturning the Obama administration's decision to drill off the Atlantic coast.

**The Virginia Eleventh Congressional District 2016 Democratic Convention  
Opposes the So-Called “Right to Work” Proposed Amendment to the Virginia Bill of Rights**

**Whereas,**

The Virginia Bill of Rights is a sacred document that guarantees the most basic liberties to all residents of Virginia. Propelled by narrow interest groups with a political agenda designed to weaken unions, drive down wages and increase profits at the expense of the working men and women of Virginia, the Republican-controlled legislature is now spending more than \$130,000 in taxpayer funds to enact a so-called Right to Work amendment to the Virginia Bill of Rights. This is an unnecessary and divisive proposal that must be defeated.

Congress enacted the Labor Management Relations Act, also known as Taft-Hartley, in 1947. Taft-Hartley outlaws “closed shop” agreements, under which union membership could be required as a condition of employment. Taft-Hartley also allows employees in a bargaining unit represented by a union to choose not to join the union, except where employers have entered into “union security” agreements that require that all employees join the union and pay dues. In workplaces where union security agreements are not in place, Taft-Hartley requires that a union that represents the employees must negotiate on behalf of all employees in the bargaining unit, whether or not they are union members. Non-union employees then enjoy all of the benefits won by the union at the bargaining table, even though they paid no dues to the union for its services. This is what is known as the free-rider problem.

Because unions are required to represent the free riders who opt out of union membership but share in the gains won by the union, unions have entered into agency fee agreements with employers, under which non-union members pay their fair share of the cost incurred by the union in collective bargaining. These fair share or agency fee agreements are a common practice and they avoid the problem of free riders enjoying benefits paid for by others.

Urged on by business interests who benefit from a weakened union movement, many states have enacted laws that not only prohibit union security agreements, but also prohibit unions from collecting agency fees from non-union members. Supporters deceptively call this “Right to Work” legislation, but the laws have absolutely nothing to do with the right to work. “Right to Work” advocates know that many workers will choose not to join a union once they realize they still will enjoy all of the benefits won by the union in bargaining. Right to Work laws thus have one purpose: to cripple the union movement by driving down membership and forcing the union and its members to bear the cost of bargaining for non-union employees.

In 1947, Virginia adopted a Right to Work law, which has remained on the books for almost 70 years. Virginia’s Right to Work law not only prohibits the closed shop and union security agreements, but also prohibits employers from agreeing to deduct an agency fee from non-union members to cover a union’s cost of bargaining for them. It makes any such agreement illegal and criminalizes any effort to seek an agency fee or union security agreement.

Not satisfied with Virginia’s 70 year-old Right to Work law, Virginia’s Republican-controlled legislature is now pushing to enshrine portions of this anti-union statute into Virginia’s most historic and foundational document, the Virginia Bill of Rights. Their goal is to place these anti-union provisions alongside such fundamental liberties as equality of rights, due process of law, and freedom of speech. This is a misguided attempt to soil Virginia’s Bill of Rights with affirmation of a conservative political agenda. It is as misguided as the last such effort to include a narrow political agenda in Virginia’s most sacred text. That effort, a 2006 amendment that purported to outlaw marriage equality, survived for less than a decade before the courts overturned it.

The stated aim of the sponsors of this attempt to sully Virginia's Bill of Rights is to prevent future legislatures, elected by the people of Virginia, from amending Virginia's Right to Work law. This is an admission that their proposed amendment is fundamentally undemocratic. Beyond that, this poorly drafted amendment does not even fully accomplish the sponsors' aim, as it is silent on the agency-fee provision that is the holy grail of Right to Work legislation. Moreover, this proposal is fiscally irresponsible, requiring the State Department of Elections to spend more than \$130,000 in taxpayer dollars to prepare posters, pamphlets, and newspaper advertisements to publicize the measure.

As Eleanor Roosevelt said, Right to Work "does nothing for working people, but instead gives employers the right to exploit labor." Right to Work laws are simply bad public policy. In Right to Work states, as compared to non-Right to Work States, the average worker makes \$5,971 less per year; fewer people receive health insurance through their jobs; poverty rates are higher, especially for children; less is spent on public school education; and the rate of workplace deaths, according to the Bureau of Labor Statistics, is 54% higher.

Unions have always been a pathway to the middle class. This is especially true for women and communities of color. Wage disparities between women and men and between white workers and African American and Hispanic workers who are non-union are much greater than among unionized workers. A strong union movement is the best guarantee of ending wage disparities for women and for people of color.

Times are tough for many Virginians. Instead of wasting taxpayer dollars to push the narrow political agenda of certain business interests, elected officials should be looking for ways to improve the lives of the people who they represent. Virginia needs a strong economy, jobs, improved public services, and a world-class and well-funded education system. Virginia needs a strong, vibrant, and growing middle class. And to accomplish all of these aims, Virginia needs a strong union movement.

**Therefore, be it resolved,** the Virginia Eleventh Congressional District 2016 Democratic Convention:

1. Expresses its strong opposition to amending the Virginia Bill of Rights to include an anti-union "Right to Work" provision, on the basis that it is a waste of taxpayer dollars, has nothing to do with the right to work, is designed solely to weaken the union movement in Virginia, and detracts attention and resources away from real efforts to improve the lives of working people in Virginia;
2. Urges residents of the 11<sup>th</sup> Congressional District and throughout Virginia to vote no on the proposed amendment to the Virginia Bill of Rights;
3. Urges Virginia's federal, state, and local elected officials to oppose the proposed amendment to the Virginia Bill of Rights; and
4. Urges Virginia's federal, state, and local elected officials to redouble their efforts to enact real solutions to the problems faced by Virginia's working people.



**The Virginia Eleventh Congressional District 2016 Democratic Convention  
Endorses Raising the Federal Minimum Wage to \$15 per Hour**

**Whereas,**

Income inequality in America has been growing steadily since the beginning of the Reagan administration and the trend has become too stark to ignore. In the 32 years between 1947 and 1979, real (i.e., inflation-adjusted) family income doubled for rich and poor alike. In the 34 years between 1978 and 2012, the real family income of the poorest 20% actually declined, the average worker's income increased by only 5%, but CEO income increased by 875 percent. One reason the incomes of working people have not kept pace is the minimum wage. The federal minimum wage and the Virginia minimum wage are now \$7.25 per hour. They have not been raised since 2009.

Historically, the minimum wage has been raised erratically, as changing it requires an act of Congress. It was not raised at all from 1997 to 2007 and from 1981 to 1990. When Congress does not raise it, it does not keep pace with inflation.

American workers, particularly those with families, cannot support themselves on the minimum wage without assistance. Today, a full-time minimum-wage employee makes \$15,080 a year, or \$650 less than the federal poverty level for a two-person household. In 2013, 1.3 million workers earned the minimum wage. In Virginia, there were approximately 90,000 minimum wage workers in 2014. Based on the minimum wage, a worker would earn \$15,080 annually for a 40-hour work week. A single worker would pay approximately \$878 in federal taxes (with only a standard deduction). In addition, the worker pays 6.2% of earnings to social security and the employer pays a matching 6.2%. Of the \$15,080, the employee pays \$935 and the employer pays \$935. Thus without any other benefits taken into account, a minimum wage job incurs an employer cost of \$16,014. A \$15.00 an hour minimum wage returns annual earnings of \$31,200. The added employer matching social security 6.2% tax totals \$33,134. At the higher rate, a single worker would pay approximately \$3,274 in federal taxes (with only a standard deduction).

The minimum wage is important because the people who earn it are working adults, not just teenagers. Eighty-nine percent of those who would benefit from a federal minimum wage increase, even to \$12 per hour, are age 20 or older, and 56 percent are women.

Raising the federal minimum wage would also help workers in states with minimum wages higher than the federal level. While 29 states and the District of Columbia currently have such higher minimums, it has been estimated that increasing the federal minimum wage would boost earnings for nearly 38 million low-wage workers nationwide.

A reasonable increase in the minimum wage will not cause people to lose their jobs. In a letter to President Obama and congressional leaders urging a minimum wage increase, more than 600 economists, including seven Nobel Prize winners, wrote, *"In recent years there have been important developments in the academic literature on the effect of increases in the minimum wage on employment, with the weight of evidence now showing that increases in the minimum wage have had little or no negative effect on the employment of minimum-wage workers, even during times of weakness in the labor market. Research suggests that a minimum-wage increase could have a small stimulative effect on the economy as low-wage workers spend their additional earnings, raising demand and job growth, and providing some help on the jobs front."*

Recent surveys have shown that most small business owners with employees support a modest and gradual increase in the minimum wage. Small business owners say an increase "would immediately put more money in the pocket of low-wage workers who will then spend the money on things such as housing, food, and gas. This boost in demand for goods and services will help stimulate the economy and help create opportunities." Higher wages also reduce employee turnover, which can reduce employment and training costs.

Raising the minimum wage for tipped workers, many of whom are waiters, would not hurt restaurants. Even in states and cities where business owners must pay employees the full minimum wage before tips, restaurants have seen increases in sales even when the minimum wage has gone up.

Both Democratic presidential candidates, Hillary Clinton and Bernie Sanders, support raising the federal minimum wage to \$15 per hour. The general public also supports raising the federal minimum wage. Polls conducted since February 2013, when President Obama first called on Congress to increase the minimum wage, have consistently shown that an overwhelming majority of Americans support an increase.

**Therefore, be it Resolved**, the Virginia Eleventh District 2016 Democratic Convention commends Congressmen Gerry Connolly, Don Beyer, and Bobby Scott for their efforts to raise the minimum wage, and calls upon Congress to:

1. Raise the minimum wage to \$15 per hour by 2020; and
2. Thereafter, increase the minimum wage annually by the percentage by which labor productivity in the United States increased in the previous year, as calculated by the Bureau of Labor Statistics of the U.S. Department of Labor.

**The Virginia 11th Congressional District 2016 Democratic Convention  
Calls for Increased Funding for Job-Creating Infrastructure Projects**

**Whereas,**

More work at good wages is needed for the labor force to be more fully utilized, and for it to expand to include more of the employable population. State and federal agencies could grow employment and labor market participation substantially by increasing spending for infrastructure projects, and developing new funding mechanisms to support them.

Though the United States has seen the addition of millions of jobs since the recession, employment levels remain below pre-recession levels. Many people are underemployed or are not seeking work in the current job market. The "Headline U-3 Unemployment Rate" that is frequently cited in the press does not reflect the reduced rate of participation of employable persons in the labor force in what some are calling the new "gig economy."

Efforts to boost the U.S. economy through monetary policy may have succeeded in aiding the recovery of our economy, but they are insufficient to spur robust economic growth. Federal stimulus programs similarly provided support for the recovery, but no significant follow-up programs have been enacted.

One aspect of the increase in income inequality over the last three decades is that labor's share of the gross domestic product has declined. Many of the jobs added since the recession have been low-wage jobs. Employers have emphasized short-term and seasonal hiring more than was the case before the recession.

Capital spending has not increased in a robust way since the end of the recession. Substantial capital is "on the sidelines" around the world and could be employed at extraordinarily low rates in the current interest rate environment. This presents an opportunity for infrastructure investment to be made at very low cost.

The American Society of Civil Engineers estimates that infrastructure projects costing \$2.5 trillion are needed in the United States. The water crisis in Flint, Michigan, provides an example of the problems that we will encounter if our aging infrastructure is not addressed.

Improving our water, energy, transportation, and communications infrastructure is a sound investment. Future generations will make use of the improved infrastructure to conduct commerce and to remain competitive in the global economy.

Leaving our infrastructure deficits and problems for future generations is tantamount to saddling future generations with mountains of debt.

Investing in our infrastructure can take place at the higher levels that are needed through substantially increased funding of existing programs and development of new financing mechanisms such as an infrastructure bank and/or the sale of infrastructure bonds, provided that federal appropriations and implementing legislation and state programs are put on a fast track.

**Therefore, be it resolved,** the Virginia 11th Congressional District 2016 Democratic Convention calls upon Congress and the Commonwealth of Virginia to enact legislation that:

1. Substantially increases funding of existing federal and state infrastructure programs to allow for increased employment in infrastructure projects;
2. Establishes and funds state and federal infrastructure banks to provide financing for infrastructure projects that will substantially increase employment and labor market participation; and
3. Explores other means of public financing for infrastructure projects that will substantially increase employment and labor market participation.



## The Virginia Eleventh Congressional District 2016 Democratic Convention Calls for Criminal Justice Reform

### **Whereas,**

In 1980, fewer than 500,000 Americans were in prison; today, the number is 2.2 million. The United States now has the highest incarceration rate of any major country in the world. The median rate among all countries is 125 prisoners for every 100,000 people. In England, it's 153; Germany, 89; Japan, 63. In the United States, it's 700. There are an additional 4.8 million U.S. residents on probation or parole; the total U.S. correctional population is 6.9 million—roughly one in every 35 Americans. The United States incarcerates nearly 25 percent of the world's prisoners, even though we have only 5 percent of the world's population.

Incarceration in the U.S. skyrocketed between 1980 and 2000 because of harsher sentences for crimes—including mandatory imprisonment for lesser crimes, mandatory minimums, and mandatory terms for repeat offenders—and the elimination of parole.

There are great racial disparities in incarceration in the United States. As of 2009, black non-Hispanic males had an incarceration rate of 4,749 inmates per 100,000 U.S. residents, more than 2.6 times higher than the rate for Hispanic males (1,822 inmates per 100,000 U.S. residents) and 6 times higher than the rate for white non-Hispanic males (708 inmates per 100,000 U.S. residents). Black men who do not finish high school have a 60 percent chance of going to jail, which, over the course of their lives, will reduce their annual employment by nine weeks and lower their yearly earnings by 40 percent.

Over half (53.4 percent) of state and federal prisoners with sentences of a year or more are serving time for non-violent offenses. Some are even serving life sentences—for repeated nonviolent property or drug crimes.

Prisons operated by private companies—as opposed to the government—housed 8.4 percent of federal and state inmates in 2013. They have been tied to higher rates of violence and recidivism, shown to supply less-than-adequate health care, and found to offer fewer opportunities for educational enrichment. When people of color are sent to prison, they are more likely than their white peers to be sent to these institutions, which profit from mass incarceration.

In 1986, as part of the “War on Drugs”, Congress enacted mandatory minimum penalties for drug offenses. That legislation, and a wave of similar state laws, increased the number of people jailed for drug offenses by 1,200 percent. About 300,000 of the 2.2 million inmates in the U.S. today are drug offenders. About 25% of all people on probation or parole have a drug charge as their most serious offense. A significant fraction of drug offenders are in for possession or nonviolent offenses stemming from addiction and related behavioral issues. About half of all drug arrests are for marijuana offenses. African-Americans are imprisoned at a much higher rate for possession than non-blacks; they represent 74 percent of those imprisoned for possession, even though they make up only 14 percent of users.

Mass incarceration has only reduced U.S. crime rates by small amounts. It has not shut down the illegal drug trade, nor has it reduced the amounts of dangerous drugs—cocaine, heroin, and methamphetamines—used in the United States. In fact, the current system of drug illegality and black markets contributes to crime. Approximately 16 percent of state prisoners and 18 percent of federal prisoners have reported committing crimes to obtain money for drugs.

Treatment is a more cost-effective remedy for drug use than incarceration. Community drug treatment costs approximately \$20,000 less than incarceration per person per year. Every dollar spent on drug treatment in the community yields over \$18 in cost savings—to taxpayers and would-be victims—from the prevention of future crimes. By contrast, imprisonment of drug offenders yields only \$0.37 in cost savings per dollar spent. Releasing people to supervision and making treatment accessible is an effective way of reducing drug use, reducing drug-related crime, and reducing the number of people in prison.

The U.S. criminal justice system—federal, state, and local—costs more than \$200 billion a year.

**Therefore, be it resolved,** the Virginia Eleventh Congressional District 2016 Democratic Convention calls upon Congress and the Commonwealth of Virginia to undertake the following actions to eliminate the scourge of mass incarceration in the United States, and end the counterproductive War on Drugs:

1. Change criminal laws to permit judges to impose criminal sentences proportionate to the defendant's actual wrongdoing.
2. Reform or eliminate mandatory minimum sentences, which preclude judges from exercising their traditional role of individually tailoring a sentence to the crime and the defendant's culpability, taking all relevant factors into account.
3. Eliminate or narrow the use of life without parole and other severe sentences. Life sentences may be appropriate for certain horrific crimes. But people guilty of far less serious crimes, including nonviolent drug and property crimes, have received life sentences, including life without the possibility of parole.
4. Increase the use of compassionate and geriatric release of prisoners. In 2010, 26,200 state and federal prisoners were 65 or older. Absent compassionate or geriatric release, many prisoners will grow old and die behind bars.
5. Eliminate parole and probation policies that drive hundreds of thousands of people back to jail for nonthreatening, technical violations.
6. Provide for work-release programs, educational opportunities, and looser custody levels for prisoners preparing to reenter society.
7. Treat youth and adult offenders differently—tailor the prosecution, sentencing, and custody of youth to their needs and potential. Young offenders should not be subject to adult criminal justice procedures that fail to take their needs, vulnerabilities, and inherent capacity to grow and change into account.
8. Provide all youth offenders with periodic meaningful opportunities for release—ensure periodic review of continued incarceration and whether it is necessary in light of the youth's evolving maturity and capacity to return to society.
9. Pass the Prison is Not For Sale Act, which would require the government to directly oversee correctional facilities, rather than contracting them out.
10. Adopt drug policies that respect personal liberty, autonomy, and privacy—decriminalize drug use that does not impose unwanted harm on others. Use alternative measures to encourage people to make good choices around drugs and to protect drug users from harming their own health, including offering substance abuse treatment and social support.
11. Consider more aggressive public health approaches to reducing drug use. For example, for more addictive drugs, particularly opioids, consider ways to provide addicts access to drugs on a tightly controlled basis on the path to recovery. Recent research indicates that access to a drug that might be decriminalized, marijuana, improves opioid recovery. Granting such access under tightly controlled conditions should also be considered. The goals are to remove the profit motive from the drug market and remove the motivation for addicts to commit crimes to pay for their drugs. Needle exchange programs and safe rooms for overdose victims are additional public health measures to consider.
12. End unwarranted racial disparities due to drug law enforcement practices and eliminate crack/powder cocaine sentencing disparities. Although whites and blacks use and sell drugs at comparable rates, blacks are arrested and incarcerated on drug charges at rates that greatly exceed their proportion of the general population and of drug offenders (both users and sellers). Blacks also disproportionately bear the brunt of federal crack cocaine sentencing.

**The Virginia Eleventh Congressional District 2016 Democratic Convention  
Endorses Virginia's Restoration of Ex-Felons' Voting Rights**

**Whereas,**

Voting rights are the essence of American Democracy. For decades, many minorities have been denied the right to vote under fear of intimidation, retribution, or financial distress. Even today, many states have implemented prohibitive voting requirements that disproportionately disenfranchise communities of color, students, and senior citizens. Standing up for the voting rights of all citizens is long overdue, including restoring voting rights for individuals previously convicted of crimes who have served their sentences.

According to the Brennan Center for Justice, nearly 6 million citizens nationwide are unable to vote because of past criminal convictions, including 13 percent of African American men. This is seven times the national average.

Many states are moving toward the restoration of rights for individuals who have paid their debt to society. In 38 states and the District of Columbia, most ex-felons automatically gain the right to vote upon the completion of their sentences. However, even in states that have restored the right to vote, there are still many regulatory burdens and challenges to overcome. According to the National Council of State Legislatures, the complexity of the laws and processes surrounding restoration of rights is often confusing for many ex-felons seeking to navigate them. Additionally, prohibitive regulatory and bureaucratic barriers exist among the authorizing agencies, and underfunded parole boards create a backlog of applications.

For the past 10 years, the Commonwealth of Virginia has been moving toward the restoration of ex-felons' voting rights. In 2009 a state senate bill gave the Virginia General Assembly the authority to restore voting rights to nonviolent felons who had completed their sentences on a case-by-case basis. Guidance in 2013 ended Virginia's ability to permanently disenfranchise any citizens with felony convictions. Governor McAuliffe announced in 2014 that he would streamline the process of restoring voting rights, and by 2015 he had removed the requirement that citizens fully repay court costs and fees in order to have their voting rights restored. Finally, in 2016, the Governor fully restored voting rights to over 200,000 Virginians who have completed their sentences.

**Therefore, be it resolved,** the Virginia Eleventh Congressional District 2016 Democratic Convention:

1. Commends Governor Terry McAuliffe for not only restoring the voting rights of ex-felon citizens of Virginia but for helping them transition back into society by simultaneously restoring their right to civic engagement;
2. Asks the Virginia federal delegation to:
  - a. Take the lead in persuading fellow congress members representing states without voting rights restoration provisions to enact legislation to restore ex-felons' voting rights in their states; and
  - b. Support Representatives John Lewis' and Senator Kirsten Gillibrand's *Voter Empowerment Act* and other such legislation that includes provisions to restore the right to vote for millions of Americans with prior convictions.





**The Virginia Eleventh Congressional District 2016 Democratic Convention  
Asserts that Privatization of Public Schools Does Not Equal “Choice”**

**Whereas,**

The original charter school movement, which began as a grassroots attempt to improve public education (Forbes 09/29/11), has been hijacked by for-profit corporations and their political proponents as “part of a larger campaign to diminish public institutions by contracting out to the private, for-profit sector jobs and responsibilities of the public sector. School vouchers and charter schools run by for-profit companies are seen as part of the school privatization movement, which ... will ultimately undermine the country’s democracy” (Washington Post 01/07/16).

Charter Schools take public money but, as corporations, are not subject to audit by state comptrollers and have no accountability requirements for their use of public funds.

Charter schools have not, as touted, improved education. What they have done is allowed for cherry-picking of students, leaving poor and special needs children to public schools whose funds have been siphoned off to for-profit charter schools. Nevertheless, studies have found no significant improvement in education by charter schools. This is primarily because the bottom line is profit, not education. Charter schools pay their teachers less, employ teachers with far fewer years of experience, have greater turnover rates of teachers and often employ shortcuts such as “virtual instruction” where upwards of 130 students are being taught by computers.

Charter schools have become the new vehicle for a return to segregated schools in the South. These plans, backed by billionaires such as the Koch brothers, employ a “voucher” system to accomplish their goals. But they don’t use the loaded word “voucher”; instead, they call it “choice”. Here is an example:

“Mississippi just passed legislation to establish vouchers for children with special needs and to permit more charters. The ‘vouchers for children with special needs’ is a first step towards a broader voucher plan that grows to include low-income children; then to include children in schools that have low test scores; then to include more and more children, until everyone gets a voucher. The not-so-subtle joke is that the voucher is not large enough to pay the tuition at a first-rate private school, so most of the children will have a voucher to go to a religious school whose teachers are uncertified and whose resources are meager. Worse, the children with special needs lose the legal protections that the public school guarantees when they leave the public system.... It is a measure supported by ALEC (the American Legislative Exchange Council), the Koch-funded advocacy group for privatization and deregulation.” (Salon 04/14/16)

Privatization of education achieves many conservative political goals. It shrinks government and gets government out of the lives of citizens. It destroys the teachers’ unions. By making sure that only the privileged receive a decent education, it assures that the rich will stay rich and the poor will stay poor.

Charter schools try to justify their existence by showing results of standardized testing. The profit motivation for better testing results leads to teaching for testing rather than teaching for actual learning. Statistics show that children do not retain the information crammed into them purely for the purpose of penciling in little boxes.

**Therefore, be it resolved,** the Virginia 11<sup>th</sup> Congressional District 2016 Democratic Convention calls upon Congress and the Commonwealth of Virginia to enact legislation that:

1. Affirms that free compulsory education is the civil obligation of society;
2. Commits to a greater investment in free compulsory education;
3. Enacts legislation that keeps control of local schools under the aegis of the local school board, rather than political committees created to override school board decisions, and force charters on local communities;
4. Enacts legislation that requires full accountability by for-profit charter schools with respect to their use of public funds; and
5. Commits to education for the sake of learning, rather than results on standardized tests.



**The Virginia Eleventh Congressional District 2016 Democratic Convention  
Calls for Media Fairness and Disclosure**

**Whereas,**

Much of the media that reaches Americans through newspapers and broadcast and cable TV and radio is currently owned by a limited number of for-profit organizations, whose goals in maximizing profit and advertising sales are often in conflict with the practice of responsible and balanced journalism. While the Internet has many voices, much of its primary content comes from the concentrated sources in print and broadcast media. In addition, threats to net neutrality could limit Internet diversity.

In 1949, the Federal Communications Commission (FCC) introduced The Fairness Doctrine. The concern was that the three emerging television broadcasting networks would be able to exert undue influence over their viewers. The Fairness Doctrine required that holders of broadcast licenses present controversial issues of public interest, and that they do so in a manner that the FCC would deem honest, equitable, and balanced.

Congress backed the Fairness Doctrine in 1954 and by the 1970s the FCC called the doctrine the “single most important requirement of operation in public interest. The sine qua non for grant of a renewal of license”.

In 1975 the FCC enacted cross-ownership rules that prohibited unilateral ownership of television, radio, and newspaper media in any given region. The concern was rate fixing for advertising and *undue political influence*. The Supreme Court in *Red Lion Broadcasting Co. v. FCC* upheld this ruling.

In 1987 the FCC rescinded the Fairness Doctrine on the grounds that it “limited public debate.” In 1996 the Telecommunications Act deregulated the broadcasting and media markets and rescinded the ban on cross-ownership. Since 1997 just eight of the country's largest and most powerful media and telecommunications companies, their corporate parents, and three of their trade groups, have spent more than \$400 million on political contributions and lobbying in Washington, according to a Common Cause analysis of federal records.

Also since that time, corporations such as Clear Channel, now owned by iHeartMedia, have gained virtual monopolies over the information available in cities and towns all over the United States. This organization, in particular, acts as the voice of the Republican Party and is the only source of news, political intercourse, and advertising available to a significant segment of the American population.

Throughout the United States, corporate sponsors wield an undue influence on which news stories are chosen for broadcast and the manner in which they are presented.

This year's presidential election process has been a clear demonstration of corporate influence, allowing for wall-to-wall coverage of a media spectacle instead of a balanced presentation of all registered candidates. The domination of the media and its choices in who receives coverage and what type of coverage is afforded all candidates goes beyond mere concerns of fair and balanced reporting; it calls our democratic electoral process into question.

In a number of other western democracies, campaign finance and advertising is strictly regulated. For example, in France, according to the Law Library of Congress, “All forms of paid commercial advertisements through the press or by any audiovisual means are prohibited during the three months preceding the election. Instead, political advertisements are aired free of charge on an equal basis for all of the candidates on national television channels and radio stations during the official campaign.”

**Therefore, be it resolved,** the Virginia Eleventh Congressional District 2016 Democratic Convention urges our federal elected officials, in their FCC oversight capacity, to legislate:

1. Reinstatement of a 21<sup>st</sup>-century Fairness Doctrine;
2. Review of the Telecommunications Act of 1996, and reinstatement of the ban on cross-ownership of media outlets;
3. Rules requiring transparency of ownership and corporate sponsorship for all media;
4. A specified time period prior to elections for free and equal electioneering exposure for political candidates in broadcast media, similar to a number of other western democracies.



**The Virginia Eleventh Congressional District 2016 Democratic Convention  
Calls for Medicare For All**

**Whereas,**

This country has a long history of caring for older Americans through programs such as the Older Americans Act, Social Security, and Medicare. It also has a long history of providing health care to the poor through Medicaid and state supplemental programs. Since the administration of Franklin D. Roosevelt, Democrats have sought to create a universal health care system guaranteeing health care to all people. Every other major industrialized nation has done so.

The Affordable Care Act was a critically important step toward the goal of universal health care. But we must build upon the success of the ACA to achieve truly universal care. Twenty-nine million Americans today still do not have health insurance and millions more are under-insured and cannot afford the high copayments and deductibles charged by private health insurance companies.

The U.S. spends more on health care per person, and as a percentage of gross domestic product (17.1%), than any other advanced nation in the world, including the major nations of Europe, Australia, New Zealand, and Japan (Sweden is next closest at 11.9% of GDP). But that spending has not made Americans healthier than the rest of the world. The U.S. had the lowest life expectancy at birth of all high-income Organization for Economic Co-operation and Development (OECD) countries, at 78.8 years in 2013, compared with the OECD median of 81.2 years. The U.S. also had the highest infant mortality rate among those countries, at 6.1 deaths per 1,000 live births in 2011; the rate in the OECD median country was 3.5 deaths.

Creating a single, public insurance system, such as Medicare for all, would reduce health care spending significantly. It would eliminate administrative costs (saving \$476 billion per year) and allow the government to negotiate fair prices with drug companies on behalf of the American people (saving \$116 billion per year). In total, it would cut U.S. health care costs by almost 20% per year.

A family of four earning \$50,000 per year would save over \$5,800 on health care costs each year with Medicare for all. Businesses would save over \$9,400 a year in health care costs for the average employee (cutting costs from \$12,591 to \$3,100 per employee).

Medicare for all would also allow the government to track access to healthcare providers and make smart investments to avoid provider shortages and ensure communities can access the providers they need.

Medicare for all could be phased in over time to reduce any disruption caused by a change of health insurance systems. For example, the current eligibility age of 65 could be reduced in steps until all Americans were included in the program.

If Medicare were extended to all Americans, they would enjoy the freedom and security that comes with separating health insurance from employment. It would also promote entrepreneurship and innovation in every sector of the economy. People could start new businesses, stay home with their children, or leave jobs they didn't like without fear of losing their health care. Employers could focus on running their businesses rather than providing health insurance to their employees. Working Americans wouldn't have to choose between bargaining for higher wages or better health insurance. Parents wouldn't have to worry about providing health insurance to their children. People with serious or chronic illnesses could afford the medications necessary to keep them healthy. Millions of people would no longer have to choose between health care and other necessities such as food, heat, and shelter, and would have access to services that previously have been out of reach, including dental and long-term care.

Medicare for all could be paid for with employer and household premiums to Medicare (instead of private insurance), and appropriate progressive tax policies.

**Therefore, be it resolved,** the Virginia Eleventh District 2016 Democratic Convention calls upon Congress to:

1. Potentially, on a time-phased basis, grant all American citizens eligibility for Medicare; and
2. Ensure that Medicare will cover the entire continuum of health care, from inpatient to outpatient care; preventive to emergency care; primary care to specialty care, including long-term and palliative care; vision, hearing, and oral health care; mental health and substance abuse services; as well as prescription medications, medical equipment, supplies, diagnostics, and treatments.

**The Virginia Eleventh Congressional District 2016 Democratic Convention  
Proposes Changes in Federal Prescription Drug Policy to Balance Cost, Innovation, and Availability**

**Whereas,**

Current prescription drug policy has resulted in excessively high prices, chronic shortages, and misaligned incentives for the development and dispensing of drugs. These are signs of policy and market failures that appropriate government policy and program changes can address.

The drug industry has attempted to justify the high costs for new drugs because of the cost of research and development for developing and testing the drugs. Drug industry sources estimate the R&D cost of a single new drug at \$2.6B (up from a drug industry estimate of \$500M in 2001). These costs include “discovery” (determining the factors within a disease that might be amenable to a drug, and finding a candidate drug to treat the disease), “clinical trials” (testing the drug in accordance with FDA regulations), and “failed drugs” (writing off drugs that are abandoned due to the failure of clinical trials or the likelihood that profits will be “insufficient” from the perspective of the drug company). NIH funds “discovery” phase basic medical research at around \$32B, more than the entire drug industry R&D budget. Industry uses its exclusive term patent rights (20 years from the date of patent filing or 17 years from the date of grant) to price drugs to take advantage of its monopoly and to increase revenue, not simply to recover R&D costs. In certain instances, these prices are far above the reasonable cost of R&D, marketing, and production, resulting in an industry profit margin of over 20%. One new drug, Sovaldi, was recently priced at \$84K per treatment in the U.S., \$60K in the U.K, and \$900 in Egypt, according to Marilyn Tavenner, president and CEO of America’s Health Insurance Plans. Such examples may indicate that the U.S. is largely funding the recovery of drug R&D costs for the world, because prices in other countries are far closer to the marginal cost of production.

There are many possible approaches to try to rebalance the costs, incentives, and disincentives for prescription and generic drugs. Currently, clinical trials are done almost entirely by drug companies at their cost. These trials can be expensive and the drugs may fail during the trials. An alternative approach would be, for example, for the government to acquire some level of rights to drug patents prior to clinical trials, either by buying or licensing or creating a partnership for the patent rights or in return for funding all or some elements of the clinical trials. Such rights might include some outright ownership rights of the patent, geographic/territorial rights, the right to award multiple rights to produce drugs that successfully pass the trials, or a shorter exclusivity period. For example, the Patient-Centered Outcomes Research Institute or other entities may help determine which drugs might be the best candidates for such an alternative approach.

On average, prices for existing drugs are also increasing at rates far above inflation. –According to an American Association of Retired Persons report, drug prices increased 9.4% in 2013, while the inflation rate was 1.5%. For patented drugs, monopoly pricing power due to the patent is a major factor in the price increases. For out-of-patent drugs, massive short-term price increases are possible due to the time required to ramp up production and obtain approval for an alternate drug source. Because the firm that raised the price can lower it again in the face of competition, other potential sources have a very limited incentive to get into a market for such a drug, particularly if the market is small (For example, last year, Turing Pharmaceuticals raised the price of a 62-year-old drug, Daraprim, over 5000%, from \$13.50 per pill to \$750. Such price increases are not possible in a truly competitive market.).

The drug industry also has extensive drug shortages. As of April 27, 2016, there were 157 specific drug shortages listed by the American Society of Health-System Pharmacists. The shortages are due, among other reasons, to the limited availability of compounding pharmacies, which in effect manufacture specialty “sterile injectable” drugs from a combination of existing drugs in other forms.

The primary purpose of prescription U.S. drug policy should be to maximize the health benefits from the drugs, not to maximize profits for a pharmaceutical company. But current policy seems to be more designed as if the latter goal were the most important. With the current policies, there are few incentives for drug companies to develop drugs that would primarily benefit the poor, who cannot pay for them; to test existing out-of-patent drugs for new uses or to evaluate non-drug alternatives; or even to eliminate shortages. Stronger government oversight and alternative policy and program actions are needed to improve the affordability and availability of prescription and generic drugs to meet the needs of the American people.

**Therefore, be it resolved,** the Virginia Eleventh Congressional District 2016 Democratic Convention:

1. Commends the efforts of Rep. Lloyd Doggett (D-Texas) for his efforts in forming a Democratic Caucus Prescription Drug Pricing Task Force, and both Democratic presidential candidates for their strong positions on drug price reform;
2. As a matter of the highest priority, requests Congress to consider and, if appropriate, pass legislation to:
  - a. Fund the evaluation of alternative approaches to rebalancing incentives for innovation and cost for prescription drugs;
  - b. Fund research to leverage electronic health records (EHR), now generally available because of the High-Tech Act, to support clinical trials. Such research should consider changes to "meaningful use" to allow opt-in for clinical trials and to determine the data elements necessary in EHRs to support clinical trials. The use of EHRs for this purpose could substantially reduce the cost of clinical trials. However, privacy of personal health records should never be compromised;
  - c. Establish the capability (via the most logical combination of public, private, and nonprofit resources) to manufacture and distribute vaccines, generic drugs, compounded drugs, and other drugs with substantial social utility for which shortages might occur. The intent of this capability would be not to compete with private sources, but to establish a viable national strategic drug reserve—a source that could respond to and help meet exigent public health needs;
3. Requests that the Department of Health and Human Services take administrative actions, as recommended by the Democratic Caucus Prescription Drug Pricing Task Force, to reduce drug costs. This includes supporting a test case of the Bayh-Dole Act with the government exercising its retained patent rights, and having the Food and Drug Administration "prioritize the approval process for competing generics to counter unwarranted price increases" as recommended by Los Angeles Times columnist Michael Hiltzik; and
4. Requests that our state legislators review the California ballot initiative to require state-acquired drugs to be priced no higher than the Department of Veterans Affairs negotiated prices, consider similar legislation, and enable legislation to require constant renegotiation of lower drug prices of state-acquired drugs to reflect the state's economy of scale purchasing power.