

Resolution for Full Restoration of Habeas Corpus

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3 **WHEREAS** the principle of habeas corpus protects the individual from unlawful
4 imprisonment by requiring a prisoner be brought before a judge to hear the charges
5 leading to imprisonment, and to determine whether there are sufficient grounds for the
6 individual to be held; or whether the prisoner must be released;

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8 **WHEREAS** habeas corpus is protected in the US Constitution in Article One, Section 9:
9 “The privilege of the writ of habeas corpus shall not be suspended, unless when in cases
10 of rebellion or invasion the public safety may require”;

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12 **WHEREAS** the Sixth Amendment, in further support of that principle, assures that “the
13 accused shall enjoy the right ... to be informed of the nature and cause of the
14 accusation; to be confronted with the witnesses against him”; and

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16 **WHEREAS** the Bush Administration has attacked the right of habeas corpus and poses
17 serious threats to our Freedoms as guaranteed under the Constitution, by: Enacting the
18 Military Commissions Act of 2006 (Oct. 17, 2006) under which the President is given the
19 power to declare any non-citizen an “unlawful enemy combatant” and put the person
20 into a system of military tribunals with severely limited rights, including suspension of
21 the right of habeas corpus; and Extending the reach of potential abuses allowable under
22 the Military Commissions Act of 2006 to citizens and non-citizens alike;

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24 **THEREFORE BE IT RESOLVED** that Washington State Democrats endorse the
25 restoration of habeas corpus for all persons and call upon Washington Congressional
26 Representatives and Senators to actively support its full restoration.
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29 Submitted by the 36th District Democrats to the Democratic Central Committee for
30 consideration at its June 14 convention in Spokane. (Date Submitted 4/29/2008)

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32 The Resolutions Committee “AMENDED THIS RESOLUTION AND RECOMMENDED
33 A PASS” at its May 31, 2008 meeting in Ellensburg.

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35 The Washington State Democratic Convention “PASSED” this resolution at its June 14,
36 2008 meeting in Spokane.