June 16, 2016

The Honorable Elijah Cummings
Chairman
Platform Committee
Democratic National Party

Dear Representative Cummings:

On behalf of the 1.5 million Reform Jews of the Union for Reform Judaism and the 2,000 rabbis of the Central Conference of American Rabbis, I write to respectfully submit testimony to the 2016 DNC Platform Committee, with the hopes that you will include our social justice priorities in this year’s party platform.

The Reform Jewish Movement, the largest stream in North American Jewry, envisions a world where all can experience wholeness, justice and compassion. Our membership has maintained active involvement in issues of social concern and public policy for throughout our nation’s history. As you work to draft the Democratic Party platform, I hope that you will incorporate the following testimony on racial justice and support for Israel.

**Racial Justice**

Over the past year, the Union for Reform Judaism has undertaken a national campaign to advance racial justice in the United States through advocating for policies at the local, state and national levels that protect the equal right of all American citizens to vote and that meaningfully reform our broken criminal justice system. We respectfully urge that the 2016 Democratic Party platform contain language supporting these and other measures to enshrine a commitment to racial equity in our nation’s laws and institutions.

**Voting Rights**

The 2012 Democratic Party platform states that “the right to vote and have your vote counted is an essential American freedom” and opposes “laws that place unnecessary restrictions on those seeking to exercise that freedom.” The platform also recognizes that attempts to restrict access to the ballot through measures like photo identification laws disproportionately impact youth, the elderly, people of color, low-income people and people with disabilities.

In the last four years, we have seen an unprecedented attack on voting rights protections across the country. In 2013, the Supreme Court ruled in *Shelby County v. Holder* to strike down a crucial component of the Voting Rights Act of 1965, thereby dismantling the preclearance system and opening the door for states and localities with a long history of voter disenfranchisement to more easily make changes to their election procedures. Immediately following that unfortunate decision, several states that had previously been subject to preclearance, including North Carolina\(^1\) and Texas\(^2\), overhauled their election laws to implement stringent

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and undue voting burdens like photo identification and reduced early voting periods. It is highly probable that such changes would not have been approved under the old preclearance system.

Efforts to block the vote have not been confined solely to the states previously under preclearance. In all, at least 17 states around the country will have new voting restrictions in place for the first time in presidential election this year, according to the Brennan Center for Justice. While many of the measures are ostensibly aimed at reducing voter fraud, there is little conclusive data to show that fraud is a serious problem in American elections, and growing evidence to suggest that these laws do indeed have a disparate impact on vulnerable communities.

The Union for Reform Judaism strongly supports measures to protect and expand the right to vote for all eligible American citizens. The values of democratic participation and responsive leadership lie at the foundation of our faith tradition. We read that the sage Hillel taught: “Al tifros min hatzibur – Do not separate yourself from the community” (Pirke Avot 2:4). Similarly, we are instructed that the preeminent scholar Rabbi Yitzhak said: “A ruler is not to be appointed unless the community is first consulted” (Babylonian Talmud Berachot 55a). This ethic of political participation has guided Jews to take part enthusiastically in the electoral process and is epitomized by traditionally strong Jewish voter turnout and deep engagement in voter education and registration efforts. Moreover, given our historical role in the civil rights struggle, allegations of voter disenfranchisement compel us to speak out. We feel a duty to support voting laws and procedures that maximize civic participation, and to oppose efforts to limit access for particular communities in the name of combatting an imagined but unsubstantiated problem.

We encourage the Democratic Party Platform Committee to include language in the 2016 platform that:

- Calls for the restoration of full force of the Voting Rights Act of 1965 through the passage of legislation to create a new preclearance formula;
- Continues to oppose any and all policies that restrict voting rights, particularly when those policies have a disparate impact on minority communities; and
- Supports innovative measures to protect and expand equal access to the ballot, such as automatic voter registration and updates to voting technology.

Criminal Justice Reform

The 2012 Democratic Party Platform states that Democrats will “end the dangerous cycle of violence” and “continue to fight inequalities in our criminal justice system” through such measures as equipping law enforcement with new technologies and trainings, reforming the death penalty, addressing racial disparities in sentencing for drug crimes and investing in anti-recidivism and reentry programming.

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Our criminal justice system is broken. Over the past three decades, tough-on-crime legislation at the federal and state levels, particularly for drug offenses, has created a system of over-criminalization and mass incarceration. As a result, more than two million people are currently being held in local, state and federal jails and prisons, the largest incarcerated population in the world. The criminal justice system displays deep and troublesome racial disparities. Shockingly, one in every three black men born today can expect to serve some time in prison, as compared to one in every 17 white men.

Law enforcement officers who risk their lives each day to ensure our safety deserve the respect and appreciation of all Americans. Their work is challenging and the decisions they are forced to make are difficult. Even as we reaffirm our respect and appreciation for law enforcement, we must acknowledge the long-standing structural injustices, particularly concerning race, that plague too much of our society, including our criminal justice system. The recent cases in cities across the United States involving the questionable use of deadly force by police dramatize the ongoing challenges. We mourn the deaths of Eric Garner, Michael Brown, Tamir Rice, and all who have had their lives cut tragically short under similar circumstances. While these cases differ, common threads run through them: economic, social, and racial disparities that deny opportunities to individuals of color and erode families and communities; the violence plaguing too many low income and communities of color; the violence faced daily by law enforcement, leading some police to view too many in communities of color with suspicion and even hostility; and the disparate treatment that grand juries and prosecutors too often give to police versus civilian crime suspects.

Systemic change is needed urgently, including repairing broken relationships between minority communities and law enforcement, making greater efforts to ensure police forces reflect the communities they serve, and ensuring that racial profiling is avoided. The collection of accurate, nationwide data on police use of lethal force can help guide this work. Bearing in mind the words of Leviticus (24:22), “There shall be one law for all of you,” members of law enforcement must also be accountable for their actions. State, local and municipal governments can be key partners, especially working with representatives of the police, political leaders and civil society (including the religious community), to begin the process of healing.

Racial inequities continue in sentencing, where black Americans are more likely than white Americans to be convicted and sentenced for drug crimes, despite ample evidence that white and black Americans use and sell drugs at roughly the same rates. The structure of mandatory minimum sentencing that has been erected since the 1980s has only compounded this problem, locking away particularly people of color for decades for low-level, nonviolent drug offenses. Comprehensive sentencing reform is required to mitigate the effects of racially-disproportionate mandatory minimum sentences and reduce our outsized prison population.

Once released from prison, returning citizens face a wide variety of barriers to reentry, including being unable to find gainful employment or secure stable and comfortable housing. These obstacles function as a second, undeserved punishment and perpetuate a cycle of criminality that all too often lands people back in the criminal justice system. Local, state and federal governments should direct efforts to reduce reentry

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barriers, and ensure that people who were formerly incarcerated are given the tools they need to reform their lives and become successful and productive members of society.

In Deuteronomy (16:20), Jews are commanded: “Tzedek, tzedek tirdof - Justice, justice you shall pursue." The sages explained that the word tzedek is repeated not only for emphasis, but to teach us that in our pursuit of justice, our means must be as just as our ends. We are also guided by our faith tradition’s teaching that “There is none on earth so righteous as to only do good and never sin” (Ecclesiastes 7:20), and by the commandment that “I have no pleasure in the death of the wicked, but that the wicked turn away from his life and live” (Ezekiel 33:11). Following in the spirit of these words, the Union for Reform Judaism supports measures to make the operation of our criminal justice system more just, especially for people of color, and to ensure that the criminal justice system strikes an appropriate balance between punishment and rehabilitation.

Additionally, the Reform Jewish Movement has long opposed the use of the death penalty. Studies show that it is not a crime deterrent,⁹ and that there are significant racial biases throughout our capital punishment system.¹⁰ We also take to heart the words of the Talmud, which remind us, “Whoever destroys a soul, it is considered as if he destroyed an entire world.”

- We encourage the Democratic Party Platform Committee to include language in the 2016 platform that:
- Recognizes the disparate impact of mass incarceration on communities of color;
- Endorses comprehensive reform of sentencing laws at the local, state and federal level;
- Supports efforts to reduce barriers to reentry for returning citizens; and
- Calls for the abolition of the death penalty.

Israel

Throughout the Reform Movement’s history, in times of peace and in times of strife, we have spoken out in unequivocal and unconditional support of the State of Israel and her people. This support stems from a love of the land and the understanding that the fate of Jews here in North America is inextricably tied to the fate of the Jewish State.

As the prophet Isaiah said, “For Zion's sake will I not remain silent, and for Jerusalem's sake I will not rest, until her righteousness goes forth as brightness, and her salvation like a burning torch” (62:1). For us, this means speaking in support of strengthening the relationship between the United States and Israel, addressing Iran’s destabilizing activities and ensuring Israel’s long-term vitality by continuing to support the two-state solution. We respectfully urge that the 2016 Democratic Party platform contain language supporting these critical aspects of U.S. policy towards Israel and the Middle East.

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The U.S.-Israel Relationship

The 2012 Democratic Party platform states that “A strong and secure Israel is vital to the United States not simply because we share strategic interests, but also because we share common values.” It also discusses the importance of defense cooperation between the United States and Israel and military aid to Israel. In addition, the platform voices “steadfast opposition to any attempt to delegitimize Israel on the world stage.”

The U.S.-Israel relationship is of historic and strategic importance. As Israeli President Reuven Rivlin once said, “There are three tenets to Israeli foreign policy, which are the strategic alliance with the United States, the strategic alliance with the United States, and the strategic alliance with the United States.” This alliance is based on shared values and common concerns. For the United States, Israel serves as a stable, democratic ally in a region marked by turbulence and as a partner in innovation. For Israel, the United States stands as a diplomatic ally, protecting the Jewish state from adversaries in the United Nations and other international fora, as well as the guarantor of Israel’s qualitative military edge through vital military aid. U.S. military aid enables Israel to confront serious security threats that exist in the region and whose impact is felt worldwide. We urge the Democratic Party to strengthen the relationship between the United States and Israel by supporting robust military aid for Israel, particularly as Israeli and American officials negotiate a new Memorandum of Understanding that will determine the next ten years of foreign military financing.

We also urge you clearly reject those voices who call to boycott, divest from and sanction Israel, known as the BDS Movement. The Union for Reform Judaism, like the overwhelming majority of the Jewish community nationwide, considers boycotts and other economic actions against Israel to be obstacles to peace that encourage division, rather than reconciliation.11 Earlier this year, the Central Conference of American Rabbis passed a resolution condemning BDS, noting that “BDS fails to provide a realistic vision for peace in the Middle East, as it stands in the way of promising peace negotiations aimed at a two-state solution. Instead, BDS emboldens and empowers hard-liners on both sides of the conflict.”12

We encourage the Democratic Party Platform Committee to include language in the 2016 platform that:

- Affirms the importance of a strong, U.S.-Israel relationship;
- Continues to support vital military aid to Israel; and
- Rejects efforts to boycott, divest from or sanction Israel.

The Two-State Solution

The 2012 Democratic Party platform states that “A just and lasting Israeli-Palestinian accord, producing two states for two peoples, would contribute to regional stability and help sustain Israel’s identity as a Jewish and democratic state” and “we will insist that any Palestinian partner must recognize Israel’s right to exist, reject violence, and adhere to existing agreements.”

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12 Central Conference of American Rabbis Resolution “Condemning the Boycott, Divestment, and Sanctions Campaign against Israel” (2/18/16), http://ccarnet.org/rabbis-speak/resolutions/all/ccar-resolution-condemning-boycott-divestment-and-/.
Our tradition sets out the imperative to “seek peace and pursue it” (Psalm 34:14). As such, our Movement has long supported a peaceful resolution to the Israel-Palestinian Conflict based on a two-state solution. Establishing a Palestinian state alongside Israel is the only way to achieve long-term security for Israel’s citizens and to alleviate the pain and suffering experienced by Palestinians. Under a two-state solution, Israel can remain a Jewish and democratic state, Palestinians can achieve self-determination, and both peoples can live in security, dignity and peace.

We recognize that supporting a two-state solution is not the same as bringing one about, and that both parties will need to make tough compromises in their pursuit of peace. The Reform Movement is supportive of efforts to negotiate on all four areas that will be part of a final status agreement: refugees, Jerusalem, borders, and settlements. Moreover, we understand that the United States has long played an important role facilitating negotiations. It is our view that the U.S. government should “act as a catalyst, not imposing a solution, but rather engaging vigorously to ensure the best chances for a real and lasting peace with long-term cooperation and stability.”

We also oppose unilateral actions that hinder the cause of peace, taking particular issue with Palestinian steps to enhance their status in international bodies. The only way to achieve a two-state solution is through direct negotiations between Israeli and Palestinian leaders. Our Movement condemned the 2013 United Nations vote to grant the Palestinians “non-member observer state” status and appreciated American efforts against this decision. We also cautioned against countermeasures that would have also undercut the peace process, including the construction of Israeli settlements and proposals in the United States to cut funding to the Palestinian Authority.

While peace between Israelis and Palestinians will be difficult to attain, that cannot stop us from acting in the best interests of all those who deserve to live a life free from violence and fear.

We encourage the Democratic Party Platform Committee to include language in the 2016 platform that:

- Continues to support for the two-state solution as the only way to secure a lasting peace between Israelis and Palestinians;
- Opposes unilateral actions that undermine the peace process; and
- Promotes direct, U.S.-facilitated negotiations between the two parties.

Iran

The 2012 Democratic Party Platform states that “Iran has yet to build a nuclear weapon, but has continually failed to meet its obligations under the NPT and several United Nations Security Council resolutions, and it cannot demonstrate with any credibility that its program is peaceful.” It also emphasizes the importance of “using all instruments of national power to prevent...”

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Iran from acquiring nuclear weapons” and makes it clear that “all options—including military force—remain on the table.”

A central aspect of our commitment to U.S., Israeli and global security is our concern for the threat posed by Iran. It is critical that Iran not be allowed to obtain a nuclear weapon. Such an achievement would not only pose an existential threat to Israel, but would further destabilize the Middle East, the global community, and allow Iran’s deplorable regime to extend its influence in dangerous ways. As the world studied and debated the Joint Comprehensive Plan of Action last summer, our Movement adopted a measured position that identified areas of concern that require continued focus, now that the deal has been implemented.16 Strong enforcement of agreement is vital; the U.S. cannot allow any violation of the JCPOA to go without consequence. We also remain concerned about Iran’s continued support for terrorism abroad and violations of human rights within its own borders.

We encourage the Democratic Party Platform Committee to include language in the 2016 platform that:

- Reaffirms that the U.S. will take no option off the table when it comes to preventing Iran from attaining nuclear weapons capability;
- Commits to ensuring Iran’s compliance with the JCPOA through rigorous inspections and consequences for violating the agreement; and
- Calls for U.S. leadership in addressing Iran’s continued human rights violations and support for terrorist organizations.

Thank you for considering the priorities I have outlined above. If you have any questions, feel free to contact me at the Religious Action Center of Reform Judaism, the Reform Movement’s office in Washington, D.C., at (202) 387-2800.

Sincerely,

Rabbi Jonah Dov Pesner
Director, Religious Action Center of Reform Judaism
Senior Vice President, Union for Reform Judaism

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