

**A RESOLUTION IN OPPOSITION TO THE
SUPREME COURT'S INTERPRETATION OF THE CONSTITUTION IN
THE CITIZENS UNITED CASE**

WHEREAS, in 2010 the United States Supreme Court issued its decision in Citizens United v. Federal Election Commission, holding that independent spending on elections by corporations and other groups could not be limited by government regulations; and

WHEREAS, this decision rolled back the legal restrictions on corporate spending in the electoral process, allowing for unlimited corporate spending to influence elections, candidate selection, and policy decisions; and

WHEREAS, in reaching its decision, a majority of the Supreme Court, relying on prior decisions, interpreted the First Amendment of the Constitution to afford corporations the same free speech protections as natural persons; and

WHEREAS, in his eloquent dissent, Justice John Paul Stevens rightly recognized that “corporations have no consciences, no beliefs, no feelings, no thoughts, no desires. Corporations help structure and facilitate the activities of human beings, to be sure, and their ‘personhood’ often serves as a useful legal fiction. But they are not themselves members of ‘We the People’ by whom and for whom our Constitution was established”; and

WHEREAS, the Court’s decision in Citizens United severely hampers the ability of federal, state, and local governments to enact reasonable campaign finance reforms and regulations regarding corporate political activity; and

WHEREAS, corporations should not be afforded the entirety of protections or “rights” of natural persons, such that the expenditure of corporate money to influence the electoral process is a form of constitutionally-protected speech; and

WHEREAS, several proposed amendments to the Constitution have been introduced in Congress that would allow governments to regulate the raising and spending of money by corporations to influence elections;

NOW, THEREFORE BE IT RESOLVED, the City of Charles Town opposes the Supreme Court’s interpretation of the Constitution in Citizens United regarding the constitutional rights of corporations, and agrees that corporations are not entitled to the entirety of protections or “rights” of natural persons, specifically so that the expenditure of corporate money to influence the electoral process is no longer a form of constitutionally-protected speech.

/s/
Peggy Smith
Mayor, City of Charles Town

ATTEST:
/s/
Kiya Tabb
City Clerk