

SENATE RESOLUTION No. 16

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Senator RONALD L. RICE

District 28 (Essex)

Senator NIA H. GILL

District 34 (Essex and Passaic)

Co-Sponsored by:

Senator Ruiz

SYNOPSIS

Urges Congress to propose amendment to United States Constitution to prohibit use of slavery or indentured servitude for individuals convicted of crime.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 2/10/2020)

SR16 RICE, GILL

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- 1 **A SENATE RESOLUTION** respectfully urging Congress to propose an
2 amendment to the United States Constitution to prohibit the use
3 of slavery or indentured servitude for individuals convicted of a
4 crime.
5
- 6 **WHEREAS**, The Thirteenth Amendment to the United States
7 Constitution was adopted in 1865, and is commonly understood to
8 have abolished slavery and indentured servitude in the United
9 States; and
- 10 **WHEREAS**, The Thirteenth Amendment reads: “Neither slavery nor
11 involuntary servitude, except as a punishment for crime whereof the
12 party shall have been duly convicted, shall exist within the United
13 States, or any place subject to their jurisdiction”; and
- 14 **WHEREAS**, The Thirteenth Amendment did not completely abolish
15 slavery and indentured servitude, but rather allowed both slavery
16 and indentured servitude to remain legal as punishments for
17 individuals convicted of a crime; and
- 18 **WHEREAS**, Twenty-Five percent of the worlds incarcerated
19 population, roughly 2.3 million people, currently reside in the
20 United States; and
- 21 **WHEREAS**, Nearly 20 percent of federal prisoners and seven percent of
22 state prisoners are held in private correctional facilities; and
- 23 **WHEREAS**, The private correctional facility industry is a \$4.8 billion
24 industry; and
- 25 **WHEREAS**, In order to make a profit, private correctional facilities
26 often rely on low cost labor provided by prison workers; and
- 27 **WHEREAS**, According to the Seventh Circuit Appeals Court, prison
28 workers are not entitled to receive the minimum wage under the
29 “Fair Labor Standards Act,” and the average working inmate’s
30 wage is 93 cents per hour; and
- 31 **WHEREAS**, Incarcerated workers in states such as South Carolina and
32 Texas are not paid for the work that they are forced to perform; and
- 33 **WHEREAS**, According to the Solidarity Research Center, the
34 California prison system made a \$58 million profit from the work
35 of prison inmates, where 4,000 California prison workers earn \$2
36 per day; and
- 37 **WHEREAS**, Most of the work performed by incarcerated individuals
38 does not develop skills that are translatable to the labor market
39 outside of prison; and
- 40 **WHEREAS**, Therefore, it is appropriate for Congress to adopt an
41 amendment to the United States Constitution to prohibit the use of
42 slavery and indentured servitude for incarcerated individuals; now,
43 therefore,
44
- 45 **BE IT RESOLVED** *by the Senate of the State of New Jersey:*
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- 47 1. This House urges Congress to propose an Amendment to the
48 United States Constitution to prohibit the use of slavery, indentured

1 servitude, and involuntary servitude within the United States or any
2 of its territories.

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4 2. Copies of this resolution as filed with the Secretary of State
5 shall be transmitted by the Secretary of the Senate to the President
6 of the United States Senate, the Speaker of the United States House
7 of Representatives, and each member of Congress elected from this
8 State.

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STATEMENT

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13 This resolution respectfully urges Congress to amend the United
14 States Constitution to prohibit the use of slavery or indentured
15 servitude for individuals convicted of a crime. It is commonly
16 understood that the Thirteenth Amendment to the United States
17 Constitution abolished slavery and indentured servitude. However,
18 the Thirteenth Amendment makes an exception for the use of
19 slavery and indentured servitude as punishments for individuals
20 convicted of a crime.

21 The average wage for a working incarcerated individual is a
22 mere 93 cents per hour. The work that is typically required of
23 incarcerated individuals does not prepare or develop skills that are
24 necessary for employment in the labor market outside of prison.
25 The work provides neither a sufficient wage to prepare for life
26 outside of prison, nor skills necessary to obtain work upon release.
27 Therefore Congress should amend the United States Constitution to
28 prohibit the use of slavery and indentured servitude for incarcerated
29 individuals.