



YOUTH LEADERSHIP INSTITUTE

Use Your Voice

May 15th, 2023

The Honorable Chris R. Holden
Chair, Assembly Committee on Appropriations
1021 O Street, Suite 8220
Sacramento, CA 95814

Re: Assembly Constitutional Amendment 8 (Wilson) - SUPPORT

DEAR ASSEMBLYMEMBER HOLDEN,

Youth Leadership Institute is pleased to inform you that we strongly support **ACA 8 (Wilson) - the End Slavery in California Act**, which would give voters the opportunity to finally end all forms of slavery in California by prohibiting involuntary servitude.

As an unapologetically anti-racist organization whose staff and youth participants are almost entirely Black, Indigenous and people of color, yli is adamant in our position against involuntary servitude. Our youth wake up fighting everyday to address the generations of harm to their families and communities caused by chattel slavery and white supremacy, and it's time that our elected officials do their part.

Despite the Thirteenth Amendment outlawing slavery and involuntary servitude, the California Constitution states, "Involuntary servitude is prohibited except to punish crime." But Black's law dictionary makes clear that involuntary servitude is "when a person is forced to work against his will. Slavery." **In short, involuntary servitude is a form of slavery.**

The legacy of slavery and forced labor runs deep in California's history, from the 1850 Indian Indenture Act that criminalized everyday behavior and wrote racist language into California law, to Africans and African Americans who were forced to mine for gold and help build prisons. Though California entered the union as a "free" state, there were more than 1,000 enslaved African Americans as well as thousands of enslaved Indigenous people in California at a time when the total population was just 100,000. Continuing through the early 1940s, African Americans were "leased out" to plantation

owners and manufacturers as cheap labor throughout the country – a system that was then replaced by “chain gangs,” a dehumanizing practice of chaining together incarcerated people to perform manual labor. While the labor has changed to manufacturing, farming, and firefighting, the system of slavery is largely the same.

Incarcerated people in California today are still forced to follow orders to work or face cruel treatment for any work absences: physical violence, solitary confinement, denial of phone calls and family visits, and disciplinary action that results in longer prison terms. Punishments are often issued even when absences are due to illness or injuries sustained through the work itself.

More than 94,000 Californians are currently enslaved in state prison. African Americans account for 28% of the prison population despite making up less than 6% of California’s overall population. Although no courts explicitly order forced labor as a part of criminal sentencing, it’s standard practice to force incarcerated people to perform labor.

The vast majority of incarcerated people want to work, further their education, and participate in rehabilitative programs — all of which facilitate personal transformation and successful reintegration. Incarcerated people often face a dilemma: report to CDCR-mandated work assignments or report to court-mandated rehabilitative programs such as Narcotics Anonymous. If they follow orders to work, their record will show they failed to complete programming as required. If they do not show up to their shifts, they receive a rules violation (at minimum). Either choice leads to one result: unjust disciplinary action.

Involuntary servitude leads to dangerous work conditions with virtually no accommodations, whether in CDCR factory settings or ever-increasing wildfires outside the prison. Consider the case of [Samual Nathaniel Brown](#), whose near-death experience with being forced to clean COVID-19-infected facilities while incarcerated at California State Prison Lancaster inspired this proposed Constitutional Amendment. Across prisons, the State leaned on incarcerated workers to produce hand sanitizer, soaps, and masks during this time. In further exploitation, incarcerated workers were not allowed to use these same protective equipment they produced to keep themselves safe during their essential work.

The psychological effects of slavery and involuntary servitude are well documented throughout the history of California. People who suffer under

these conditions develop long-term mental health conditions, including trauma, loss of self-esteem, and the stigma and shame of dehumanization.

ACA 8 is part of a national movement to ban slavery in all its forms. In 2022, Alabama, Oregon, Tennessee, and Vermont joined Nebraska (2020), Utah (2020), and Colorado (2018) as states that have passed constitutional amendments prohibiting slavery and involuntary servitude. In 2020, U.S. Senator Jeff Merkley (OR) introduced a resolution to remove involuntary servitude from the U.S. Constitution as a punishment for crime. Today, 16 states prohibit enslavement and involuntary servitude, but maintain exception provisions for criminal punishment; 9 states permit involuntary servitude as a criminal punishment – California being one of them.

It is a moral imperative that California dissolve the remnants of slavery from our constitution. The **End Slavery in California Act** would give voters the opportunity to amend Article 1, Section 6 of the California Constitution to prohibit slavery and involuntary servitude without exception.

For the above reasons, Youth Leadership Institute strongly supports ACA 8 and urges your AYE vote. Please do not hesitate to contact us at pbarahona@yli.org with any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read 'PB', with a long horizontal flourish extending to the right.

PATRICIA BARAHONA
CHIEF EXECUTIVE OFFICER
Youth Leadership Institute