



PLANK 11: Abolish labor abuses, unpaid labor in prisons, and racial injustices.

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The 13th Amendment, ratified in 1865, says: “Neither slavery nor involuntary servitude, *except as a punishment for crime whereof the party shall have been duly convicted*, shall exist within the United States, or any place subject to their jurisdiction.” The italicized phrase, known as the “exception clause,” has contributed to a prison-industrial complex that incarcerates Black people at [five times the rate of White people](#), while profiting from their unpaid and/or underpaid labor. After passage of the 13th Amendment, [Black Codes](#) in the South created offenses that were intentionally vague, sending more Black people to prison than ever before. At the same time, many states put people in prison to work through the brutal and inhumane practice known as “[convict-leasing](#)” — a practice that allowed White plantation owners and industrialists to “lease” people in prison to work for them (against their will and for no pay) decades after the end of the Civil War. States also benefited from this free labor by forcing people to work on “chain gangs” building roads and growing crops on prison farms. This practice [continues in various forms today](#).

What’s more, decisions in other areas have made equity-based challenges to exploitative, racialized practices difficult. Impossibly high bars to legal challenges, like the failure to consider “disparate impact” an acceptable basis for 14th Amendment Equal Protection Clause claims, has foreclosed legal challenges that could help combat racial injustice.

A just society cannot exist when its most marginalized members are forced to perform unpaid or extremely underpaid labor for large corporations and governments. We must advocate for the end of the practice of slavery in jails and prisons while making it easier to challenge racially disparate policies in court.

Federal Policy Priorities

End the exception clause

- Support a constitutional amendment that would eliminate the “exception clause” of the 13th Amendment, which continues to allow involuntary servitude in U.S. prisons and jails, such as through the [“Abolition Amendment.”](#)

Acknowledge and begin to address past harms

- Pass legislation to establish a [Commission on Truth, Racial Healing, and Transformation](#) to properly acknowledge, memorialize, and be a catalyst for progress toward jettisoning the belief in a hierarchy of human value, embracing common humanity, and eliminating persistent racial inequities.
- Support the establishment of a federal commission to study and develop reparation proposals for African Americans, such as by passing legislation similar to H.R. 40 (Commission to Study and Develop Reparation Proposals for African Americans Act). The commission should examine slavery and discrimination in the colonies and in the United States from 1619 to the present, and it should recommend appropriate remedies.
- Support appropriations to provide victims compensation funding for survivors of police violence or families of victims of unlawful use of deadly force by police.

Reform the U.S. Commission on Civil Rights

- Pass legislation to transform the U.S. Commission on Civil Rights into a U.S. Commission on Civil and Human Rights to expand its mandate to include not only civil and human rights issues, but also monitoring human rights implementation and enforcement efforts, and to make structural reforms to improve the commission’s ability to function as an independent national human rights institution.

Protect the employment rights of detained individuals

- Ensure that the employment rights, including wages, of incarcerated or detained workers in federal, state, and local prisons, jails, and detention centers are regulated by the respective labor authority in the jurisdiction. All workers should be paid the prevailing wage in their jurisdictions.

Address racial disparities in legislation and sentencing policies

- Require racial impact statements for sentencing and other prison-related bills.
- Mandate racial equity in sentencing practices through periodic audits to identify sentencing disparities based on race. Provide meaningful opportunities for people to reduce their sentences due to those disparities.
- Support legislation that eliminates or greatly alters school threat assessment policies to avoid racism, ableism, transphobia, homophobia, or other targeting of students deemed threatening on the basis of their eccentricity or prejudice rather than a credible belief, supported by evidence, that the student will commit a violent act.

Expand opportunities for legal redress

- Support statutory changes to Title VI of the Civil Rights Act of 1964 — and potentially other statutes — to allow “disparate impact” claims.
- Repeal the Prison Litigation Reform Act of 1996.
- Repeal the Antiterrorism and Effective Death Penalty Act of 1996.
- Ensure that law enforcement officers can be held accountable for their conduct, including by ending qualified immunity.
- As stated in **Plank 1: Protect communities with a new paradigm for public safety beyond policing**, guarantee a private right of action (PRA) for recovering damages for all constitutional violations by all *federal* officials by amending Section 1979 of the Revised Statutes (42 U.S.C. 4 1983) to insert “of the United States or” before “of any State.”

