

After writing a previous commentary this amendment (though a legislator thought doing so “marginalized” me in the eyes of some legislators, a sad statement about them) I found out that amendments like this are “going around.”

However, before I get to that, I should add this to what I said in my previous commentary: The current language in Tennessee’s constitution is almost verbatim that which is found in the Thirteenth Amendment to the U.S. Constitution.

#### 13<sup>th</sup> Amendment:

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.

#### Current Language in Tennessee Constitution:

That slavery and involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, are forever prohibited in this state.

#### **So, why does the language need to be changed?**

##### Point 1:

Part of the answer rests in this: This is part of a national effort per published news reports. “The ballot initiatives are part of a national push to strike down the exception clause in the 13th Amendment that allows slavery and involuntary servitude as punishment for crime.”

I get that legislators do not want to vote against putting the amendment on the ballot and be portrayed by the media as being for slavery. But enslaving a free person by requiring him or her to do any work against his or her will and requiring a convicted criminal to work in connection with his or her punishment are different things that should be easy enough to explain to most voters.

##### Point 2:

But the article also says this about persons convicted of crimes: “They aren't afforded the same kinds of protections, *such as minimum wage and benefits*, and in many cases lose visitation privileges or face solitary confinement if they do not work, even in cases of injury or illness. West Coast states, for example, have long relied on incarcerated people to fight wildfires.” (emphasis added)

So, now taxpayers could be open to having to pay fair market wages to persons convicted of crime if they work in the prison laundry to keep their clothes and linens clean?

I am voting against the amendment. The solution to any problem with the number of people in prisons is to re-examine some of our criminal and sentencing laws, not do away with work details where *civil* liberty has been forfeited because of being convicted of a crime.