

PROPOSITION **6** **ELIMINATES CONSTITUTIONAL PROVISION ALLOWING INVOLUNTARY SERVITUDE FOR INCARCERATED PERSONS. LEGISLATIVE CONSTITUTIONAL AMENDMENT.**

**OFFICIAL TITLE AND SUMMARY**

PREPARED BY THE ATTORNEY GENERAL

The text of this measure can be found on page 97 and the Secretary of State’s website at [voterguide.sos.ca.gov](http://voterguide.sos.ca.gov).

- Amends the California Constitution to remove the current constitutional provision that allows jails and prisons to impose involuntary servitude to punish crime (*i.e.*, forcing incarcerated persons to work).
- Prohibits the California Department of Corrections and Rehabilitation from punishing incarcerated persons for refusing a work assignment. Allows incarcerated persons to voluntarily accept work assignments in exchange for credit to reduce their sentences.

**SUMMARY OF LEGISLATIVE ANALYST’S ESTIMATE OF NET STATE AND LOCAL GOVERNMENT FISCAL IMPACT:**

- Potential increase or decrease in state and local criminal justice costs, depending on how rules around work for people in state prison and county jail change. Any effect likely would not exceed the tens of millions of dollars annually.

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FINAL VOTES CAST BY THE LEGISLATURE ON ACA 8 (PROPOSITION 6)  
(CHAPTER 133, STATUTES OF 2024)

Senate:	Ayes 33	Noes 3
Assembly:	Ayes 68	Noes 0

**ANALYSIS BY THE LEGISLATIVE ANALYST**

**BACKGROUND**

**“Involuntary Servitude” Banned Except as a Punishment for Crime.** The California Constitution bans involuntary servitude except as a punishment for crime. The Constitution does not define involuntary servitude. However, involuntary servitude commonly refers to forcing people to work against their will.

**Some People in State Prison and County Jail Work.** People in prison and jail can be required to work or do other

activities such as taking classes. Work includes jobs like cooking, cleaning, or other tasks needed to run prisons and jails. Roughly one-third of people in prison work. Many of these workers are paid less than \$1 per hour. Workers can also earn “time credits” that reduce the amount of time they serve in prison or jail. People who refuse to work or do other activities can face consequences such as losing the ability to make regular phone calls.

## PROPOSAL

***Bans Involuntary Servitude as a Punishment for Crime.*** Proposition 6 changes the Constitution to ban involuntary servitude as a punishment for crime. It also bans state prisons from disciplining people who refuse to work. However, Proposition 6 states it does not stop prisons from giving people time credits for working.

## FISCAL EFFECTS

### ***Potential Increase or Decrease in State and Local Criminal Justice Costs.***

The fiscal effects of Proposition 6 on state and local criminal justice costs are uncertain. This is because it would depend on how Proposition 6 would change rules around work for people in state prison and county jail and how people would respond to those changes. For example, if people in prison and jail no longer face consequences for refusing to work,

prisons and/or jails might have to find other ways to encourage working. If this is done by increasing pay, costs would increase. If this is done by giving more time credits instead, costs would decrease because people would serve less time. **Any potential increase or decrease in state and local criminal justice costs likely would not exceed the tens of millions of dollars each year (annually).** This amount is less than one-half of 1 percent of the state's total General Fund budget. (The General Fund is the account the state uses to pay for most public services, including education, health care, and prisons.)

Visit [sos.ca.gov/campaign-lobbying/cal-access-resources/measure-contributions/2024-ballot-measure-contribution-totals](https://sos.ca.gov/campaign-lobbying/cal-access-resources/measure-contributions/2024-ballot-measure-contribution-totals) for a list of committees primarily formed to support or oppose this measure.

Visit [fppc.ca.gov/transparency/top-contributors.html](https://fppc.ca.gov/transparency/top-contributors.html) to access the committee's top 10 contributors.

★ ARGUMENT IN FAVOR OF PROPOSITION 6 ★

*Proposition 6: Ending Slavery in California's Carceral System*

VOTE YES on PROPOSITION 6. Proposition 6 eliminates all forms of slavery and involuntary servitude within California, ensuring no person is subjected to such conditions regardless of their confinement circumstances.

**PROPOSITION 6 RESTORES HUMAN DIGNITY BY ENDING FORCED LABOR, WHICH CONSTITUTES SLAVERY AND VIOLATES HUMAN RIGHTS.** Incarcerated people should have dignity and the agency to pursue a rehabilitative path because forced labor serves no rehabilitative purpose. This amendment focuses on the moral imperative of allowing voluntary work assignments, emphasizing the importance of human rights.

**PROPOSITION 6 ENHANCES PUBLIC SAFETY BY PRIORITIZING REHABILITATION.** Forced labor in prisons is cruel and unfair, often leading to harsh punishments like violence, solitary confinement, and denial of services. These practices undermine rehabilitation and increase the likelihood of reoffending. In contrast, Proposition 6 expands voluntary prison work programs and ensures dignity, choice, and rehabilitation. Incarcerated individuals will voluntarily take part in education, job training, and other programs that help prevent crimes against Californians.

**ENDING SLAVERY IS A BIPARTISAN PRIORITY WITH WIDESPREAD SUPPORT.** ACA 8, now known as Proposition 6, passed unanimously in the Assembly (68-0) and with overwhelming approval in the Senate (33-3). California is one of 16 states that still allow this practice, highlighting the urgent need for reform.

**PROPOSITION 6 SUPPORTS THE NATIONAL MOVEMENT BY CLOSING THE LOOPHOLE IN CALIFORNIA'S VERSION OF THE 13TH AMENDMENT.** While it does not change federal law, it upholds justice by preventing forced labor in California. Voluntary work programs reduce recidivism by offering skill development and rehabilitation, aiding formerly incarcerated individuals in reintegrating into society. Productive work, rooted in dignity, allows reintegration by letting formerly incarcerated people use their work experiences as proof of their efforts.

Many states have amended their constitutions to close the loopholes that allow forced labor and involuntary servitude under certain conditions. This includes significant voter support: over 66% in Colorado (2018), over 80% in Utah, and over 68% in Nebraska (2020). In 2022, similar measures saw over 76% approval in Alabama, over 55% in Oregon, over 79% in Tennessee, and over 88% in Vermont. Nevada is also referring this issue to voters for the 2024 election. Additionally, federal legislators are moving this session to close the loophole in the 13th Amendment with Senate Joint Resolution 33, introduced by Senators Jeff Merkley and Cory Booker, and House Joint Resolution 72 by Representative Nikema Williams.

**Lori Wilson**, Assemblymember  
California Legislature

**Dolores Huerta**, Executive Director  
Dolores Huerta Foundation

**Stephen Downing**, Deputy Chief (Ret.)  
Law Enforcement Action Partnership

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★ ARGUMENT AGAINST PROPOSITION 6 ★

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# NO ARGUMENT AGAINST PROPOSITION 6 WAS SUBMITTED.