

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
COUNTY OF ESSEX

Revised
56

RESOLUTION NO. _____
PROPOSED BY: COMMISSIONERS RICHARDSON & SEBOLD
SUBJECT:

AUTHORITY FOR RESOLUTION N.J.S.A. 40:41a-38(q)
AUTHORITY FOR ACTION C.C.E 2-11 (C)

RESOLUTION

**SUPPORTING THE JOINT RESOLUTIONS OF CONGRESS PROPOSING AMENDMENT OF THE UNITED STATES CONSTITUTION TO
ABOLISH THE PUNISHMENT CLAUSE IN THE 13TH AMENDMENT**

WHEREAS, the Essex County Board of County Commissioners finds that slavery and indentured servitude in all their forms are abhorrent practices; and

WHEREAS, in 1865, the 13th Amendment to the United States Constitution was ratified; and

WHEREAS, the 13th Amendment, Section 1, reads as follows: "*Neither slavery nor involuntary servitude, except as a punishment for a crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.*"; and

WHEREAS, the highlighted language, which includes what has been referred to as the "Punishment Clause", permits any person in the United States who has been convicted of any crime to be enslaved; and

WHEREAS, the Punishment Clause, and the 19th Century philosophies that it embodies, are contrary to the values and philosophies of liberty and human rights that, in the 21st Century, the United States has expressed to the people of the United States and to people and governments across the globe, and

WHEREAS, the continuing right to engage in legal slavery under judicial authority and pursuant to the Punishment Clause degrades the United States before its own people and before the peoples of the World; and

WHEREAS, Joint Resolutions have been introduced in the United States Senate (SJR 33) and the United States House of Representatives (HJR 72) which, if passed and ratified, would amend the United States Constitution to abolish the Punishment Clause, and

WHEREAS, our criminal justice system has the means to ensure people who have committed crimes are appropriately sentenced without resorting to slavery or involuntary servitude; and

WHEREAS, Congress recognizes the value of high-quality work programs that provide useful skills and stability for people in correctional institutions, and it is not the intent of Congress to interfere with opportunities for incarcerated people to consent to work or to modify any employment protections currently available to people in correctional institutions; and

WHEREAS, the Board of County Commissioners supports the passage of the Joint Resolutions and the ratification of the proposed Amendment; now, therefore, be it

RESOLVED that the Essex County Board of County Commissioners calls upon the United States Senate and the United States House of Representatives to pass the Joint Resolutions as soon as possible so that the proposed Amendment can be submitted to the States for ratification; and, be it further

RESOLVED, the Clerk of the Board is directed to send a copy of this Resolution to United States Representatives Payne, Sherrill, and Menendez, and to United States Senators Robert Menendez and Cory Booker.

Michel J. Polunski

Approved as to form and legality _____

Commissioner Counsel

RECORD OF VOTE (X=Vote N.V.=Abstention ABS=Absent)

Moved by Commissioner _____

Second by Commissioner _____

Commissioner	Yes	No	N.V.	ABS	Commissioner	Yes	No	N.V.	ABS
COOPER					MERCADO				
GILL					POMARES, V.P.				
GRAHAM					SEBOLD				
JOHNSON									
LUCIANO					RICHARDSON, PRES.				

It is hereby certified that the foregoing Resolution was () adopted () defeated () tabled by roll call vote at a _____ meeting of the Board of County Commissioners of the County of Essex, New Jersey held on _____

Is Publication Required () Yes () No

Date Published _____

Wayne L. Richardson, President