

APPROVED AS TO FORM AND LEGALITY



CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

INTRODUCED BY COUNCILMEMBER CARROLL FIFE
AND CO-SPONSORED BY CITY ATTORNEY BARBARA J. PARKER

RESOLUTION IN SUPPORT OF PROPOSITION 6, WHICH IF APPROVED BY VOTERS AT THE NOVEMBER 5, 2024 GENERAL ELECTION, WOULD AMEND ARTICLE 1, SECTION 6 OF THE CALIFORNIA CONSTITUTION TO PROHIBIT SLAVERY AND INVOLUNTARY SERVITUDE AS PUNISHMENT FOR CRIME

WHEREAS, Article 1, Section 6 of the California Constitution currently states that slavery and involuntary servitude are prohibited, except as punishment for crime; and

WHEREAS, the exception clause permits the continued exploitation of labor from incarcerated individuals, which disproportionately impacts people of color, particularly Black and Indigenous communities, and perpetuates systemic racial inequalities; and

WHEREAS, forced labor under the guise of punishment for crime is a vestige of slavery, a system that the United States Constitution's 13th Amendment sought to abolish, yet left this harmful exception intact, effectively allowing slavery by another name; and

WHEREAS, California is currently one of only 16 states that still retains this exception in its constitution, perpetuating a practice that should have been eradicated with the abolition of slavery; and

WHEREAS, Proposition 6 seeks to amend Article 1, Section 6 of the California Constitution to remove the exception clause, fully prohibiting slavery and involuntary servitude under any circumstances, thereby reaffirming California's commitment to human rights and dignity; and

WHEREAS, the passage of Proposition 6 aligns with the principles of justice and fairness, ensuring that no individual, regardless of their legal status, can be subjected to involuntary servitude as a means of punishment; and

WHEREAS, there is no formal opposition to Proposition 6, and its passage would only strengthen California's justice system by promoting rehabilitation over exploitation; and

WHEREAS, a broad coalition of civil rights organizations, faith leaders, labor unions, legal experts, and formerly incarcerated individuals have voiced their strong support for Proposition 6; and

WHEREAS, the Oakland City Council has previously passed resolutions in support state-level efforts to amend Article 1, Section 6 of the California Constitution¹; and

WHEREAS, the City of Oakland recognizes the importance of historical accountability and the responsibility to dismantle the legacies of systemic injustice embedded in our state and nation’s legal framework; now, therefore, be it

RESOLVED: That the Oakland City Council hereby supports and endorses Proposition 6, which would amend Article 1, Section 6 of the California Constitution to remove the exception clause permitting slavery and involuntary servitude as punishment for crime.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FIFE, GALLO, JENKINS, KALB, KAPLAN, RAMACHANDRAN, REID, AND
PRESIDENT FORTUNATO BAS

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____

ASHA REED
City Clerk and Clerk of the Council of the
City of Oakland, California

¹ See Resolutions [88843 CMS](#) (2021) and [90323 C.M.S.](#) (2024)