

SJR 10-4
(LC 1359)
5/26/21 (DJ/ps)

Requested by HOUSE COMMITTEE ON JUDICIARY

**PROPOSED AMENDMENTS TO
SENATE JOINT RESOLUTION 10**

1 Delete lines 2 through 17 of the printed joint resolution and insert:

2 “Whereas the Oregon Constitution has prohibited slavery and involuntary
3 servitude, which is the coerced service of one individual for the benefit of
4 another, since 1857; and

5 “Whereas the Constitution’s prohibition on slavery and involuntary
6 servitude contains antiquated language that on its face creates an exception
7 to the prohibition on slavery and involuntary servitude; and

8 “Whereas in a just society that respects human dignity and the exercise
9 of free will, there must be no exception to an unqualified and absolute pro-
10 hibition on slavery and involuntary servitude; and

11 “Whereas Oregon and the United States are examining past instances of
12 discrimination and are striving to undo foundational and historical barriers
13 that perpetuate the injustice and unfairness of discrimination; and

14 “Whereas a state constitution is a foundational element of governance in
15 a civil society and therefore no place for remnants of historical language
16 that perpetuates principles of discrimination and racial intolerance; and

17 “Whereas the voters of this state recognized in adopting section 41, Ar-
18 ticle I, of the Oregon Constitution (section 41), that individuals who are
19 convicted of a crime benefit from being fully engaged in productive activity
20 so as to successfully re-enter society with practical skills and a viable work
21 ethic; and

1 “Whereas section 41 envisions persons who are incarcerated performing
2 labor at correctional institutions or pursuant to work release programs,
3 participating in training and participating in educational opportunities, all
4 of which develop motivation, work capabilities and cooperation; and

5 “Whereas section 41 authorizes compensation for labor and describes se-
6 veral types of jobs or related training that those who are incarcerated may
7 perform; and

8 “Whereas because work provides myriad individual and collective bene-
9 fits, the purpose of this proposed constitutional amendment is not to with-
10 draw legitimate opportunities to work from individuals who have been
11 convicted of a crime; and

12 “Whereas section 41 and this proposed constitutional amendment may
13 operate in tandem to achieve positive outcomes for persons who are
14 incarcerated or who re-enter society while more fully and completely re-
15 moving the stain of slavery and involuntary servitude from this state; now,
16 therefore,”.

17 In line 21, after the second period, insert “(1)”.

18 After line 22, insert:

19 “(2) Upon conviction of a crime, an Oregon court or a probation or parole
20 agency may order the convicted person to engage in education, counseling,
21 treatment, community service or other alternatives to incarceration, as part
22 of sentencing for the crime, in accordance with programs that have been in
23 place historically or that may be developed in the future, to provide ac-
24 countability, reformation, protection of society or rehabilitation.”.

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