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House Committee on Judiciary
Re: Support for SJR 10

Dear Chair Bynum, Vice Chairs Noble and Power, and members of the committee:

I write you today as senior research associate at the Transformative Justice Initiative at Willamette University and as a resident of the city of Portland whose husband served 19 years in the Oregon prison system. I am asking for your support of SJR 10, which would remove the antiquated language of “slavery” and “involuntary servitude” from the Oregon Constitution.

Over 12 years as a scholar researching the history of the US prison system and current conditions of confinement, the connections between our current practices of incarceration and the practices of slavery have become increasingly clear. Sociologists consider the experience of chattel slavery in the United States a form of “social death.” Slavery not only exploited the labor of people of African descent, but dehumanized them, labeled them as inferior, deprived them of civic and moral standing, prohibited their access to institutions and resources, and separated family members. In each of these ways, current practices of incarceration bear remarkable similarity to the experience of slavery.

Black Americans are exceptionally impacted by incarceration, experiencing incarceration rates more than seven times higher than those of white Americans. Being labeled a “criminal” carries immeasurable symbolic power connoting moral inferiority and, at times, sub-human status. These labels follow convicted individuals throughout their lives, well-past their completion of jail, prison, or parole terms, and severely limit their ability to connect to the resources and institutions necessary to live as full-fledged members of the community. Indeed, legal barriers can bar individuals with criminal histories from access to public assistance, employment, housing, college admissions, and licensure in certain industries. The practice of incarceration separates individuals from their families, including their children, sometimes for decades at a time. For these reasons and more, renowned advocate Bryan Stevenson, founder of the Equal Justice Initiative, has said of mass incarceration: “Slavery didn’t end; it evolved.”

Recent calls to address systemic racism in our criminal legal system demand that we grapple with these connections, as well as the harmful impacts they have wrought for communities of color and poor white Americans. SRJ 10 is one simple and small but symbolically meaningful step we can take in this direction.

As the wife of a man who served 19 years in prison in Oregon, I can also speak to the outrage and indignation it causes me to know that my husband, a deeply caring and devoted husband and father who does meaningful work in the community, was equated to an object of exploitation during his prison term by the most politically powerful document in our State. What bothers me about this is that it renders a complex personal story invisible and meaningless. My husband committed violent crimes as an adolescent and young adult for which he served sentences in the juvenile and adult systems. For the first 10 years he spent in adult prison, he continued to adhere to a worldview that valued violence as a means of protecting self and others, and gang life as a means of cultural pride and political expression.

As he matured, he began to reflect on his past, including the impact of having a violently abusive alcoholic father, experiencing deep alienation when his mother moved the family to Eastern Oregon from a largely Mexican-American border town in Texas, and being thrust into early independence because of the long hours his mother worked in the fields. He began connecting to other incarcerated men undergoing similar processes of reflection, and he participated in classes on Trauma Transformation, Restorative Justice, and conflict resolution. This work helped him to understand his life's purpose. He began making firm, integrated decisions about who he wanted to be and how he wanted to conduct himself in the world upon his release. Today, not four years since he was released from prison, he manages three mentoring programs targeting Latinx youth, and is a supportive son, brother, father, and husband.

Our prisons are full of people with similar life histories as my husband, people who committed serious crimes and over the course of their incarceration have become mature adults who work full-time jobs, participate in education, and serve as leaders within the incarcerated community. Many of these individuals committed deeply harmful acts, and the pursuit of justice requires that we hold them accountable. But equating these complex, valuable human beings to objects is insulting, demeaning, and deeply pessimistic. In so doing, we fail to recognize the potential in all of us for transformation. This is a moral failure that we have an obligation to rectify.

In my roles as scholar, advocate, mother, wife, and taxpaying citizen of this state, I ask you to support SJR 10 and fully remove the language of "slavery" and "involuntary servitude" from the Oregon Constitution.

Sincerely,

Nicole Lindahl-Ruiz