

LAW, JUSTICE, AND ETHICS (LJE)

Resolution LJE-23-29

A RESOLUTION ON INCREASING COMPENSATION FOR INCARCERATED WORKERS

WHEREAS, the National Black Caucus of State Legislators (NBCSL) has long recognized the value of human labor and the importance of fair wages;

WHEREAS, the dignity of every person is inherent, and it is incumbent on the state to protect the dignity of all its citizens;

WHEREAS, fair and just wages are intrinsically tied to human dignity;

WHEREAS, the factors of disparities within imprisonment are partially a result of disproportionate social factors in African American and Latinx communities that are associated primarily with poverty, employment, housing, and family differences;

WHEREAS, the poverty rate is roughly 25 percent for both African American and Latinx communities, compared to 9 percent for White American communities;

WHEREAS, the median income for African American and Latinx communities is roughly \$20,000 less than the median income for White American communities;

WHEREAS, African American and Latinx adults are, respectively, 5.9 and 3.1 times more likely to be incarcerated than White adults;

WHEREAS, typical wages range from 14 cents to \$2.00/hour for prison maintenance labor, depending on the state where the inmate is incarcerated and the national average hovers around 63 cents per hour for this type of labor;

WHEREAS, in some states, prisoners work for free;

WHEREAS, inmates often suffer from unsafe working conditions and some of the higher-paying jobs are, by their very nature, extremely dangerous, like firefighting;

WHEREAS, there are over 870,000 inmates working full-time in American prisons ranging from electricians, carpenters, cooks, orderlies, conservation crew members, braille transcribers, silk screen printers, and many other integral work positions;

WHEREAS, most prison jobs teach incarcerated people very few skills relevant to the labor market they will rejoin upon release, so the wages they earn may be the only payoff they see;

WHEREAS, inflation continues to increase, yet the pay scale for those who are incarcerated continues to remain relatively low and does not reflect the inflation increase;

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WHEREAS, a large percentage of a person's wages earned in prison are garnished to pay restitution, and low wages mean payments to victims are also low;

WHEREAS, many people in prison have families, and low wages mean they are less able to help with general family financial needs, child support, or the added costs of communication and travel for families who have a loved one in prison;

WHEREAS, research found that parents, upon entering prison, on average owed \$10,543 in child support obligations, and due to a lack of income or full-time employment opportunities, the majority of parents have no means of paying child support debt while in prison, and they also struggle to pay it after their release;

WHEREAS, fifty-two percent of people in state prisons are parents of minors, and African American children are 7.5 times, and Latinx children 2.6 times, more likely than White children to have a parent in prison;

WHEREAS, there are 1.7 million children in the United States that have an incarcerated parent;

WHEREAS, returning members of society face many challenges upon reentry, including housing insecurity and difficulty finding and keeping employment;

WHEREAS, financial distress continues well after release from prison because of the difficulties one faces in finding a job, because having a criminal record makes the pathway to employment extremely difficult for those who are formerly incarcerated;

WHEREAS, a Brookings Institution study found that in the first year of post release, only 55 percent of formerly incarcerated people have any reported earnings, and the research found that those with jobs in the first year earned a median of \$10,090 and only 20 percent earned more than \$15,000;

WHEREAS, the inability to earn or save money puts heavy burdens on families once a person is released;

WHEREAS, 66 percent of formerly incarcerated people relied on family and friends as their primary source of financial support upon release;

WHEREAS, estimates indicate formerly incarcerated people owe as much as 60 percent of their income to criminal justice debt. According to one source, up to 85 percent of people released from prison owe some form of criminal justice debt, compared to 25 percent in 1991;

WHEREAS, formerly incarcerated people are almost 10 times more likely to be homeless than the general public;

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WHEREAS, people in prison who earn a fair and just wage can contribute to the growth of the economy and to public safety, and these contributions to their families, taxes, restitution, and themselves will ultimately save states money by reducing the number of times people reoffend, the number of children in need of social services, and the likelihood of people seeking out governmental assistance; and

WHEREAS, State laws should be amended to address the unfair wage compensation and to provide incarcerated persons with base work protections by redefining prison labor.

THEREFORE, BE IT RESOLVED, that the National Black Caucus of State Legislators (NBCSL) hereby supports fair and just wages for incarcerated persons, and urges states to provide fair compensation to incarcerated persons;

BE IT FURTHER RESOLVED, that NBCSL urges State Legislators to adopt laws which consider the importance of earnings and relevant job training for people they hope will be independent one day; and

BE IT FINALLY RESOLVED, that a copy of this resolution be transmitted to the President of the United States, Vice President of the United States, members of the United States House of Representatives and the United States Senate, and other federal and state government officials as appropriate.

Resolution ID: LJE-23-29

Sponsored by: Sen. Steven Bradford (CA)

Policy Committee: Law, Justice, and Ethics (LJE)