Resolution supporting Assembly Constitutional Amendment 3, authored by Assembly Member Sydney Kamlager, and denouncing structural racism and any vestiges of slavery.

WHEREAS, Article 1, Section 6 of the California Constitution states, “There shall be no slavery in this state; nor involuntary servitude, unless for the punishment of crime;” and

WHEREAS, Black, Latino, Brown, Asian and Pacific Islander, Indigenous people, and other people of color have been disproportionately affected by these laws and, at current, are incarcerated at the highest rates across the nation and within the State of California; and

WHEREAS, Incarcerated people in California are subject to inhumane forced labor and exploitation of their bodies including fighting wildfires, and manufacturing and packaging products that benefit our own state agencies including the Department of Motor Vehicles, the Department of Health Care Services, and more; and

WHEREAS, Incarcerated people are not properly compensated for their labor and are forced to into dangerous working conditions under threat of punishment; and

WHEREAS, California has a history of sanctioning slavery and involuntary servitude including forcing the return of enslaved people back to slave owners in states where slavery was legal through the Fugitive Slave Act, passing the Act for the Government and Protection of Indians, which established the legal slavey and involuntary servitude of Indigenous children, and enacting laws that created and allowed a slave labor system to permeate throughout the state of California during the Gold Rush; and

WHEREAS, California has adopted racist stances throughout its history including refusing to ratify the 14th and 15th Amendments of the Constitution of the United States, the
internment of Japanese citizens in World War II, and the constitutional ban on employment of Chinese or Mongolian descent; and

WHEREAS, California has repealed these laws and ultimately ratified the 14th and 15th Amendments as a recognition of the racism and immorality of these laws and declared that these provisions are relics of the past that have no place in California’s legal code; and

WHEREAS, It is clear that Article 1 Section 6 of the California Constitution as it is currently written is not consistent with the current legislative, judicial, and executive intent of modern California law and fails to unequivocally prohibit the inhumane practice of slavery and involuntary servitude; and

WHEREAS, The people seek the same protections for incarcerated people as non-incarcerated people to be free from oppressive constitutional statutes and eliminate the exception of using slavery and indentured servitude as punishment of crime; and

WHEREAS, The people seek to update and remove outdated constitutional language that better reflects California’s spirit and values, freedom and liberties, and end the vestiges of slavery that continue to put Black, Latino, and other people of color into involuntary servitude in California; and

WHEREAS, The San Francisco Board of Supervisors passed Resolution 366-20 on August 21, 2020 declaring anti-Black racism as a human rights and public health crisis in San Francisco and requesting that City and County of San Francisco departments and agencies advocate for local, state, regional, and federal anti-racist policies that advance efforts to dismantle systemic racism; and

WHEREAS, Assembly Constitutional Amendment 3 (ACA 3), introduced by Assembly Member Sydney Kamlager, will amend Article 1, Section 6 of the California Constitution to remove the language “except for punishment for a crime” and prohibit slavery and involuntary servitude without exception; now, therefore, be it
RESOLVED, That The San Francisco Board of Supervisors hereby supports ACA 3 to amend the California Constitution, and urges both houses of the California State Legislature to move this forward to the people of California for a vote; and, be it

FURTHER RESOLVED, The San Francisco Board of Supervisors formally denounces structural racism and any vestiges of slavery operating within its jurisdiction and commits to working with local, state, and national mechanisms reasonably employing means to create and maintain an equitable, healthy, and safe environment for all Californians including those impacted by laws and regulations which have been found outside of the spirit of California and its lettered law; and, be it

FURTHER RESOLVED, That the Board of Supervisors hereby directs the Clerk of the Board to transmit a copy of this Resolution to the California State Assembly and the California State Senate as well as the Amendment’s primary sponsor, Assembly Member Sydney Kamlager.
Resolution supporting Assembly Constitutional Amendment 3, authored by Assembly Member Sydney Kamlager, and denouncing structural racism and any vestiges of slavery.

February 25, 2021 Public Safety and Neighborhood Services Committee - RECOMMENDED

March 09, 2021 Board of Supervisors - ADOPTED
Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

I hereby certify that the foregoing Resolution was ADOPTED on 3/9/2021 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without her approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.