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#FixThe13thNY End Convict Leasing 2.0 Fact Sheet

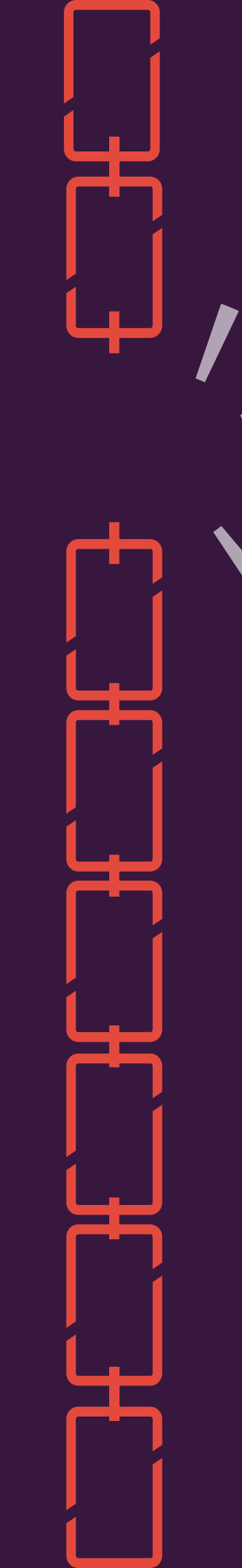
Bringing the Private Sector into New York State Prisons:

Governor Hochul's Jail to Jobs proposal to allow private corporations to benefit off the labor of incarcerated individuals is deeply harmful to the communities, families, and individuals who have already been most impacted by mass incarceration. They deserve help, not a return to convict leasing, which was outlawed in New York State over 125 years ago in 1894.

Incarcerated people are already forced to work without any federal and state employment protections, and far below minimum wage. They do not receive paid sick leave, mandatory overtime for unsalaried employees, OSHA protections, or unionization rights. They deserve a real fair deal—not continued poor working conditions and low pay at the hands of private sector corporations.

Background

- Even after the Civil War, slavery continued to exist in the form of convict leasing. Southern states leased incarcerated people to corporations and plantations, and they were forced to work on railways, plantations, and mines. These incarcerated people received no pay and faced dangerous, inhumane, and often deadly working conditions — a clear continuation of slave labor conditions for the incarcerated.
- 125 years after New York appropriately outlawed this practice, **Governor Hochul has proposed to bring private sector employers back to our state prison facilities, and is looking to amend the New York state Constitution to do so.** This is the beginning of “Convict Leasing 2.0.”
- The Governor's proposal would allow incarcerated individuals, who are disproportionately of color, to be exploited for the profit of private corporations. Prisons would be allowed to garnish 50 percent of the wages earned by the incarcerated. **This is exploitation, not rehabilitation.**
- The individuals who will be impacted by this policy are predominantly Black and Latinx. In New York State, 30,803 people are currently incarcerated. Black New Yorkers make up 18 percent of state residents, but 50 percent of those incarcerated. Latinx individuals make up 22 percent of the incarcerated population.

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- In developing this proposal, the Governor did not ask for input from directly impacted communities, organizations that are led by directly impacted individuals, or even community members about her “Jail To Jobs” plan.
 - Currently, incarcerated people are already exploited in New York State: they are forced to work without any federal and state employment protections at far below minimum wage, at a so-called “Slavery Wage.” On average, detainees in New York State prisons earn approximately \$0.65 an hour, with some earning as little as \$0.16 an hour. Incarcerated people do not receive paid sick leave, mandatory overtime for unsalaried employees, OSHA protections, or unionization rights.
 - Incarcerated workers currently produce upwards of \$53 million a year in revenue for New York State through Corcraft, a corporation run by the Department of Corrections and Community Supervision, which requires state agencies to purchase items from them. Corcraft sells to NYS agencies, NYC departments, counties, towns, cities, schools, colleges and universities, police departments, fire departments, correctional facilities and not-for-profits.
 - Poor wages and working conditions for the incarcerated must be addressed, but not through continued exploitation. A true Jail to Jobs program would rehabilitate, not exploit.
 - **Governor Hochul’s plan needs to include the following:**
 - The end of legal slavery, and abolition of forced labor and forced vocational training for all incarcerated people.
 - A true minimum wage, without garnishment, for all incarcerated people.
 - Improved working conditions for the incarcerated.
 - High-quality vocational training opportunities that prepare individuals for re-entry.
 - The right of incarcerated people to be able to create or join unions.
 - Prison allows society to turn hard-fought civil rights into fictions for certain individuals, allowing us to ignore their humanity. This has to stop.

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