

My name is Spencer Cahoon. I'm a citizen of our great state and an attorney licensed to practice here. I share today on behalf of myself, but also with the insight of numerous conversations with people and organization in our community as well as people currently and previously incarcerated in our prisons.

While most slavery and involuntary servitude has been constitutionally banned in our state and nation since shortly after the civil war, Ohio continues to allow involuntary servitude for people being punished for crimes.

Punishment for crimes has evolved greatly over time. From the Code of Hammurabi (most famously known as "an eye for an eye"), to slavery and banishment practiced by the ancient Greeks and Romans, to public humiliation in stocks and pillories, to our modern American criminal punishments. One certain thing is that society's take on what is appropriate changes with time.

Involuntary servitude, sometimes referred to as "modern day slavery"¹ by incarcerated people, is the last vestige of a practice that we universally condemn in every other situation but criminal conviction.

It likely comes as no surprise to anyone on this committee that our prisons, the last place where involuntary servitude is practiced, disproportionately contain Black people (3.5x more than our census data would predict)² and people with disabilities (1 in 3 incarcerated people),³ which includes people struggling with mental health issues (1 in 5 incarcerated people diagnosed)⁴. These communities are disproportionately impacted by this outdated constitutional provision.

Our larger societal understanding of justice has evolved. Colorado eliminated this clause from their state constitution in 2018 by a public vote with 66% support.⁵ Nebraska voted a similar change in 2020 with 68% support.⁶ Utah, too, passed a similar legislation⁷ in 2020 and over 80% of electors voted in favor of the change.⁸ Such a change has even

¹ <https://www.washingtonpost.com/nation/2018/08/21/inmates-across-us-are-staging-prison-strike-over-modern-day-slavery/>

² 45% of incarcerated people were identified as Black compared to Ohio's census demographics of only 13.1% of our population identifying as Black; Compare ODRC's 2020 Census (https://drc.ohio.gov/Portals/0/INSTITUTION%20CENSUS%20REPORT_JANUARY%202020.pdf) with Ohio's Census data (<https://www.census.gov/quickfacts/OH>)

³ <https://www.americanprogress.org/issues/criminal-justice/reports/2016/07/18/141447/disabled-behind-bars/> based on Bureau of Justice Statistics information - <https://bjs.ojp.gov/content/pub/pdf/dpji1112.pdf>

⁴ <https://www.dispatch.com/article/20150419/NEWS/304199871>

⁵ <https://www.npr.org/2018/11/07/665295736/colorado-votes-to-abolish-slavery-2-years-after-similar-amendment-failed>; <https://www.togethercolorado.org/how-colorado-became-the-first-state-to-abolish-slavery/>

⁶ [https://ballotpedia.org/Nebraska_Amendment_1,_Remove_Slavery_as_Punishment_for_Crime_from_Constitution_Amendment_\(2020\)](https://ballotpedia.org/Nebraska_Amendment_1,_Remove_Slavery_as_Punishment_for_Crime_from_Constitution_Amendment_(2020))

⁷ <https://le.utah.gov/~2019/bills/static/HJR008.html>

⁸ [https://ballotpedia.org/Utah_Constitutional_Amendment_C,_Remove_Slavery_as_Punishment_for_a_Crime_from_Constitution_Amendment_\(2020\)](https://ballotpedia.org/Utah_Constitutional_Amendment_C,_Remove_Slavery_as_Punishment_for_a_Crime_from_Constitution_Amendment_(2020))

been introduced at the national level.⁹ This change has been popular when presented for a public vote, which illustrates our changed understanding of justice.

While it is tempting to say much more, in the interest of brevity and conciseness, I simply ask you to support Senate Joint Resolution 1. It is time for Ohio to offer the option to change this provision to our citizens.

⁹ <https://www.npr.org/2020/12/03/942413221/democrats-push-abolition-amendment-to-fully-erase-slavery-from-u-s-constitution>