

The exception, and what it means for you.

Abolish Slavery National Network · abolishslavery.us · September 2026 · Information, not legal advice.

THE WORDS

"Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction." Thirteenth Amendment, Section 1, 1865.

Read the middle of the sentence. The Constitution bans slavery for everyone except a person convicted of a crime. On the day of conviction, the protection is suspended. That is what a conviction does in the United States, and no one in the courtroom says so.

WHAT SLAVERY MEANS IN LAW

Slavery has a legal definition the United States accepted in 1929: "the status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised." The powers are possession, use, management, profit, transfer, and disposal. It is not about the locked door. It is about being used, managed, and profited from.

WHERE THE STATES STAND

Nine state constitutions carry no exception: Alabama, Colorado, Nebraska, Nevada, Oregon, Tennessee, Utah, and Vermont removed it by vote since 2018, and Rhode Island never wrote it. In those states the custodian has no authorization in the state constitution for any power of ownership. In every other state, the exception stands in the state constitution or the state relies on the federal one.

YOUR PLEA FORM

If you pleaded guilty, look at your plea form. It lists the fees. It lists the rights you gave up. It does not tell you that conviction suspends your protection against slavery. No plea form the network has audited does. Keep your copy. It is evidence of what you were told and what you were not.

IF YOU WERE NEVER CONVICTED

The exception reaches only a person "duly convicted." People awaiting trial, in immigration detention, in civil

commitment, and children in juvenile facilities have not been convicted of the thing they are held for. The exception does not reach them at all. Any power of ownership exercised there is exercised with no authorization in the Constitution.

KEEP THE RECORD

The network's audits run on records. What you can keep, if you can keep it safely:

1. Your work assignment: the job, the hours, the pay rate, and who profits from the work.
2. The rule that punishes refusing work, by number, and any write-up for refusing.
3. Grievance receipts and responses, with dates.
4. Your plea form and sentencing papers.
5. Anything that shows transfer for money, use of your body without consent, or profit from you.

Do not refuse work to make a record. Refusal is punished. The rules themselves are the record.

SEND IT OUT

Have someone you trust on the outside send copies, never originals, to the network at info@abolishslavery.us. Write your state on everything. The network reads the record against the definition and publishes findings by state. It does not represent individuals and it is not your lawyer.

Your local coalition

The Thirteenth Amendment is quoted from the National Archives. The definition of slavery is Article 1(1) of the 1926 Slavery Convention, to which the United States adhered on March 21, 1929. The state list is as of September 2026 and is kept current at abolishslavery.us/where-we-stand.html. This sheet may be copied and handed out without permission.

For families: ask for the rules in writing.

A model public records request. Every state has a public records law. Copy this, fill in the brackets, and send it to the records custodian of the department that holds your family member.

[Date]

Records Custodian

[State] Department of Corrections

[Address]

Re: Public records request under [name of the state's public records law]

Dear Records Custodian:

Under [the state public records law], I request copies of the following records:

1. The Department's current policies, directives, and rules on work assignments for people in custody, including any rule that requires work and any rule that punishes refusal to work.
2. The current pay schedule for work performed by people in custody, and any policy on deductions from that pay.
3. The disciplinary code as it applies to refusal to work, and the sanctions available.
4. Any contract, agreement, or memorandum under which people in custody perform work for a state agency, a private company, or any other outside entity, and any record of revenue received under it.
5. The Department's policy on the transfer of people in custody to facilities operated by private contractors or by other states.

Please provide the records electronically if possible. If any part of a record is withheld, please identify the record, state the exemption relied on, and release the remainder. If the Department does not hold a requested record, please say so. If fees will exceed [amount], please tell me before proceeding.

Thank you.

[Name]

[Mailing address]

[Email]

WHAT TO DO WITH THE ANSWER

- Keep the date you sent it. Most states set a deadline to respond. Silence past the deadline is itself a record.
- Keep every page you receive, and every letter that denies or delays. A denial is a record too.
- Send copies to info@abolishslavery.us with your state in the subject line. The network reads the policies against the definition and publishes what they show.

The network's records requests, the policies they returned, and what the policies show are published state by state at abolishslavery.us/enforcement.html. This is information, not legal advice. For advice about a specific case, speak to a lawyer.