



Abolish Slavery
NATIONAL NETWORK



info@abolishslavery.us

• Camden, NJ • Jersey City, NJ

April 17th, 2026

Subject: Petition to Amend New Jersey Criminal Plea Form CN 10079 – Submitted April 17, 2026

Dear Members of the Criminal Practice Committee:

Attached please find the Petition submitted by the Coalition to End Slavery in New Jersey and the Abolish Slavery National Network requesting amendment of the standardized New Jersey Criminal Plea Form (CN 10079) to require disclosure of the loss of constitutional protection from slavery and involuntary servitude upon conviction.

A hard-copy original is being delivered to the Hughes Justice Complex today.

This petition is filed as the judicial-branch companion to SCR 16 and SR 91, which are currently pending before the Legislature.

Thank you for your consideration.

Respectfully,

Dennis Febo
Lead Organizer and Primary Strategist
Abolish Slavery National Network
info@abolishslavery.us

Antonne Henshaw
Lead Organizer
Coalition to End Slavery in New Jersey

**IN THE MATTER OF A PETITION
TO AMEND THE NEW JERSEY CRIMINAL PLEA FORM
TO REQUIRE DISCLOSURE OF LOSS OF CONSTITUTIONAL
PROTECTION FROM SLAVERY AND INVOLUNTARY SERVITUDE
UPON CONVICTION**

Petition Submitted to the
Criminal Practice Committee
of the Supreme Court of New Jersey

Submitted by
Coalition to End Slavery in New Jersey
and
Abolish Slavery National Network, Inc.

Date of Submission: April 17, 2026

Primary Contact
Coalition to End Slavery in New Jersey
1 Market St, Suite 360, Camden, NJ 08102

Administrative Contact
Abolish Slavery National Network
info@abolishslavery.us

TABLE OF CONTENTS

Executive Summary

I. Identification of Form and Existing Language

II. Proposed Amendment Language

III. Legal Basis for the Amendment

A. Guilty Pleas Must Disclose Direct Constitutional Consequences of Conviction

B. The Thirteenth Amendment Imposes a Status Change Upon Conviction

C. New Jersey Exercises Punitive Authority Derived from That Status Change

D. The Conditions Authorized by Conviction Are Actively Exercised

E. Due Process Requires Disclosure of the Constitutional Status Change

IV. Continuing Consequences and Durable Status Effects of Conviction

V. Conclusion and Request for Action

Appendix A: Supporting Authorities

Appendix B: Current New Jersey Criminal Plea Form

Appendix C: Institutional Letters of Support

April 1, 2026

Criminal Practice Committee
Administrative Office of the Courts
Supreme Court of New Jersey
Hughes Justice Complex
25 Market Street
Trenton, New Jersey 08625

Re: Petition to Amend the New Jersey Criminal Plea Form to Require Disclosure of Loss of Constitutional Protection from Slavery and Involuntary Servitude Upon Conviction

Dear Members of the Criminal Practice Committee:

The undersigned respectfully submits this Petition requesting amendment of the standardized New Jersey Criminal Plea Form, designated as New Jersey Judiciary Form CN 10079. The proposed amendment would require that defendants entering guilty pleas be expressly advised that a criminal conviction results in the loss of constitutional protection against slavery and involuntary servitude under the Thirteenth Amendment to the United States Constitution, and that such a conviction authorizes the State to compel labor and exercise custodial control as punishment for crime.

The purpose of the proposed amendment is to ensure that guilty pleas are entered knowingly, voluntarily, and intelligently, with full disclosure of the direct constitutional consequences of conviction. The petition does not seek to alter sentencing authority or existing law. It seeks only to ensure that defendants are accurately informed of the constitutional status change that attaches upon conviction, a status change that New Jersey's correctional and supervisory systems actively exercise in routine institutional practice.

The Petition includes proposed advisement language, legal analysis, an evidentiary record establishing that the consequences disclosed by the proposed language are actively exercised in New Jersey, and supporting authority. Petitioners respectfully request that the Committee review the proposal and recommend its adoption to the Supreme Court.

Respectfully submitted,

Coalition to End Slavery in New Jersey
Abolish Slavery National Network

EXECUTIVE SUMMARY

This Petition requests an amendment to the standardized New Jersey Criminal Plea Form to require express disclosure that a criminal conviction results in the loss of constitutional protection from slavery and involuntary servitude, and that conviction authorizes the State to compel labor and exercise custodial control as punishment for crime. The proposed amendment ensures that defendants entering guilty pleas are fully informed of the direct constitutional consequences of conviction consistent with the requirements of *Boykin v. Alabama*, 395 U.S. 238 (1969), and *Padilla v. Kentucky*, 559 U.S. 356 (2010).

A guilty plea is valid only if it is entered knowingly, voluntarily, and intelligently. New Jersey courts require that defendants understand the rights they waive and the legal consequences that attach upon conviction. A criminal conviction is not merely a sentence of incarceration or supervision. It is a transformation in constitutional status. The Thirteenth Amendment's exception clause provides that neither slavery nor involuntary servitude shall exist within the United States except as a punishment for crime whereof the party shall have been duly convicted. That exception operates automatically upon conviction, stripping the convicted person of constitutional protection against the State's exercise of ownership-like powers.

The current plea form does not disclose this constitutional consequence. Defendants are informed of financial penalties, custodial exposure, parole consequences, immigration consequences, and other direct and collateral effects of conviction. They are not informed of the constitutional status change that authorizes the compulsory labor, custodial control, and liberty deprivation that New Jersey's correctional and supervisory systems exercise as a matter of routine institutional practice.

This omission is not theoretical. The New Jersey State Parole Board's FY2024 Annual Report documents that the state executed 1,130 physical parole revocations, imposed 566 GPS monitoring conditions requiring persons on parole to wear tracking devices, and applied 452 restrictive curfew conditions in a single year. The New Jersey Administrative Code at Title 10A designates refusing to work as a sanctionable offense carrying consequences, including placement in restrictive housing for up to 120 days and loss of sentence credits. The New Jersey Prison Justice Watch Isolated Confinement Restriction Act report documents a median of seven months of restrictive housing isolation in conditions that include cells without functioning lights or water.

These are the conditions that constitutional protection against slavery and involuntary servitude would otherwise prohibit. Conviction removes that protection. The plea form says nothing about it.

This Petition does not seek to modify sentencing authority or challenge existing law. It seeks only to require accurate disclosure of the legal condition that attaches upon conviction so that plea proceedings reflect the full scope of constitutional reality. Petitioners respectfully request that the Criminal Practice Committee recommend adoption of the proposed amendment.

I. Identification of Form and Existing Language

This Petition applies to the standardized New Jersey Criminal Plea Form, New Jersey Judiciary Form CN 10079, used in Superior Court proceedings throughout the state. The plea form is promulgated under the authority of the Supreme Court of New Jersey and functions as a uniform instrument to ensure that guilty pleas are entered knowingly, voluntarily, and intelligently in accordance with constitutional due process requirements.

The current form requires defendants to acknowledge the waiver of trial rights, exposure to incarceration, financial penalties, restitution obligations, parole consequences, immigration consequences under *Padilla v. Kentucky*, and other statutory penalties. The form is designed to ensure that a defendant understands the legal effects of a conviction before entering a guilty plea and to create a written record that the defendant was informed of those effects.

The form does not contain any advisement informing the defendant that a criminal conviction results in the loss of constitutional protection from slavery and involuntary servitude as provided by the Thirteenth Amendment to the United States Constitution. The form does not advise the defendant that upon conviction, the State acquires constitutional authorization to compel labor, restrict movement, control conditions of existence, and impose custodial discipline through mechanisms that would otherwise be constitutionally prohibited. The form does not advise the defendant that this constitutional status change persists beyond the period of physical incarceration and extends through community supervision, parole, and other forms of sentence.

The absence of this advisement creates a material omission in the plea process. A defendant is informed of financial penalties and custodial exposure, yet is not informed of the constitutional transformation that authorizes the full architecture of compulsory control that characterizes New Jersey's correctional and supervisory systems. Because this consequence flows directly from the fact of conviction rather than from any subsequent discretionary act by the court or the State, it is a direct legal consequence that must be disclosed.

This Petition seeks to correct that omission by adding a discrete advisement to the plea form, ensuring that the constitutional consequences of conviction are disclosed with the same clarity as other direct legal effects of a guilty plea.

II. Proposed Amendment Language

Petitioners propose the addition of a standalone advisement to the standardized New Jersey Criminal Plea Form. The proposed language is intended to be clear, accessible to defendants with varying literacy levels, and consistent with the form's existing structure.

The following advisement should be inserted as a separately numbered item in the advisement section of the plea form, following the existing advisements regarding incarceration and parole consequences:

CONSTITUTIONAL STATUS UPON CONVICTION

The Thirteenth Amendment to the United States Constitution abolished slavery but permits slavery and involuntary servitude as punishment for crime after conviction.

Do you understand that upon conviction, you will lose your Thirteenth Amendment protection against slavery and involuntary servitude?

☐ Yes, I understand.

☐ No, I do not understand. I request further explanation from my attorney or the court.

Defendant Signature: _____ Date: _____

This advisement must not be merged into existing questions concerning incarceration or probation. It addresses a distinct constitutional consequence of conviction, categorically different from the imposition of a sentence. It must appear as an independent disclosure to ensure that the defendant's acknowledgment is meaningful and that the record reflects the defendant's specific understanding of the constitutional status change that accompanies a conviction.

The proposed amendment does not alter sentencing authority or create new penalties. It serves solely as a disclosure requirement, ensuring that defendants are informed of the constitutional status change that attaches upon conviction. The advisement is administrable, brief, and drafted in plain language accessible to defendants of varying literacy levels.

III. Legal Basis for the Amendment

A. Guilty Pleas Must Disclose Direct Constitutional Consequences of Conviction

A guilty plea is valid under the Due Process Clause only if it is entered knowingly, voluntarily, and intelligently. *Boykin v. Alabama*, 395 U.S. 238, 242 (1969). The Supreme Court held in *Boykin* that the record must affirmatively show that the defendant understood the consequences of the plea, and that waiver of constitutional rights cannot be presumed from a silent record. *Id.* at 243.

Padilla v. Kentucky, 559 U.S. 356 (2010), extended the disclosure obligation by holding that counsel must advise defendants of consequences that are intimately related to the criminal process, automatic upon conviction, and sufficiently severe to require disclosure. The Court rejected the categorical distinction between direct and collateral consequences as the governing framework, holding instead that the severity and certainty of a consequence determine whether it triggers the disclosure obligation. The Court held that when consequences are closely connected to the criminal process and fundamentally affect legal status, the duty to give correct advice is equally clear. *Id.* at 369.

The imposition of a constitutional status change upon conviction satisfies the *Padilla* standard. The loss of Thirteenth Amendment protection is not speculative, discretionary, or remote. It attaches at the moment of conviction by operation of constitutional text, applies in every case without individual determination, and extends through the full period of sentence and supervision. It is more severe and more certain than the deportation consequence that *Padilla* held requires disclosure.

B. The Thirteenth Amendment Imposes a Status Change Upon Conviction

The Thirteenth Amendment provides:

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.

The exception clause is not a limitation on the prohibition's scope. It is a grant of constitutional authorization. It establishes that conviction transforms the defendant's legal relationship to the prohibition, removing the convicted person from its protection for the duration of punishment. This transformation is a status change in the technical legal sense: it alters the constitutional category within which the person's relationship to state authority is assessed.

The 1926 Slavery Convention, ratified by the United States and binding as domestic law under the Supremacy Clause, defines slavery as the status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised. The constitutional exception removes the barrier that would otherwise prevent the exercise of those powers. Conviction authorizes the State to exercise them. The plea form says nothing about any of this.

The United States District Court for the District of New Jersey directly applied this framework in *Wofford v. Lanigan*, No. 15-1982 (D.N.J. 2015), holding that compulsory prison labor does not violate the Thirteenth Amendment because conviction removes the incarcerated person from its protection. The State cannot

simultaneously rely on that removal as the legal basis for its authority over incarcerated persons and decline to disclose that removal at the moment of plea.

C. New Jersey Exercises Punitive Authority Derived from That Status Change

New Jersey's sentencing, correctional, and supervisory systems do not merely authorize the exercise of ownership-like powers upon conviction. They exercise those powers routinely and at scale. The constitutional exception is the legal foundation for an extensive institutional architecture of compulsory control.

The New Jersey Administrative Code, Title 10A, designates refusing to work as a sanctionable prohibited act under Charge 254, and refusing to obey an order as a sanctionable prohibited act under Charge 256. Both are classified as Category B offenses, carrying consequences including placement in a Restrictive Housing Unit for up to 120 days and a loss of sentence credits for up to 180 days. The authority to impose those consequences is derived directly from the constitutional exception: without it, compelled labor under threat of a punitive sanction would be constitutionally prohibited.

New Jersey parole regulations authorize parole officers to employ physical force to maintain custody and ensure compliance. Those regulations require persons on parole to wear GPS tracking devices as a condition of supervised release. They establish warrant custody procedures under which a person arrested for a parole violation is ineligible for bail and may be detained pending a revocation hearing. None of these powers would be constitutionally available to the State if the person retained full Thirteenth Amendment protection. Conviction is what authorizes them.

D. The Conditions Authorized by Conviction Are Actively Exercised

The consequences whose disclosure this Petition seeks are not abstract or speculative. They are documented at scale in official New Jersey state records.

Condition Authorized by Conviction	New Jersey Documentation
Compelled labor under the menace of penalty	N.J.A.C. Title 10A: Charge 254 designates refusal to work as a sanctionable prohibited act punishable by up to 120 days in Restrictive Housing and loss of 180 days of sentence credits
Physical recapture and detention	NJSPB FY2024 Annual Report: 1,130 physical parole revocations executed
Continuous body surveillance	NJSPB FY2024 Annual Report: 566 GPS monitoring conditions requiring persons to charge, maintain, and provide access to tracking devices on their bodies
Movement restriction under threat of detention	NJSPB FY2024 Annual Report: 452 restrictive curfew conditions
Identity and communication control	NJSPB FY2024 Annual Report: 192 internet and social media bans

Condition Authorized by Conviction	New Jersey Documentation
Extended isolation in degraded conditions	NJ Prison Justice Watch ICRA Report: seven-month median Restrictive Housing Unit isolation; cells documented without functioning lights or water

A defendant who does not know that a conviction removes constitutional protection against these conditions cannot enter a plea knowingly, voluntarily, and intelligently within the meaning of Boykin and Padilla.

E. Due Process Requires Disclosure of the Constitutional Status Change

The plea process must inform defendants of consequences that fundamentally alter their legal condition. New Jersey courts have recognized that a conviction creates a durable legal status carrying continuing consequences beyond incarceration. *McCann v. Clerk of Jersey City*, 167 N.J. 311 (2001); *State v. Levine*, 253 N.J. Super. 149 (App. Div. 1991). Requiring disclosure of the constitutional status change does not create new law. The status exists, and the consequences flow from it regardless of whether the plea form acknowledges them. The amendment proposed here does no more than what due process requires: it ensures that the defendant knows what is actually being imposed.

IV. Continuing Consequences and Durable Status Effects of Conviction

A criminal conviction does not end with the completion of a custodial sentence. It establishes a legal status that carries continuing consequences across multiple domains of New Jersey law. Individuals who have been convicted remain subject to supervision conditions, civil disabilities, employment restrictions, licensing exclusions, and regulatory obligations that flow from the fact of conviction itself rather than from the duration of incarceration.

The Thirteenth Amendment exception attaches at the moment of conviction, not merely during imprisonment. While the degree of physical custody changes over time, the underlying legal condition created by conviction continues to define the individual's relationship to the State across multiple phases of the sentence. New Jersey sentencing practice reflects this durable status framework. Conditions of parole, probation, community supervision, mandated programming, and regulatory reporting obligations may extend long after release from incarceration, all enforceable through physical arrest and return to custody, and all deriving their constitutional legitimacy from the exception clause.

The New Jersey Supreme Court confirmed in *McCann v. Clerk of Jersey City* that a conviction produces continuing civil disabilities arising from the legal status created by conviction rather than from discretionary punishment. The Appellate Division confirmed in *State v. Levine* that an individual on parole remains in the State's legal custody and does not regain the full constitutional status of an ordinary citizen. Because this legal condition shapes the individual's ongoing legal standing throughout the sentence and supervision, disclosure at the time of plea is essential.

The proposed advisement also addresses the context of juvenile transfer. New Jersey statutes permit prosecutors to seek a waiver of juvenile status for a defendant to be tried as an adult. Defendants transferred to adult court and convicted are subject to the full constitutional status change described in this Petition. Those defendants are, by law, simultaneously classified as lacking the legal capacity to enter binding decisions in most other legal contexts. The law cannot simultaneously maintain that a person lacks legal capacity to make binding decisions generally and that the same person has validly waived constitutional protection against slavery and involuntary servitude without disclosure of what is being waived. This compounding constitutional deficiency underscores the necessity of the proposed amendment, particularly in cases involving transferred juvenile defendants.

V. Conclusion and Request for Action

For the reasons set forth in this Petition, the Coalition to End Slavery in New Jersey and the Abolish Slavery National Network respectfully request that the Criminal Practice Committee recommend adoption of the proposed amendment to the standardized New Jersey Criminal Plea Form.

The constitutional status change resulting from conviction under the Thirteenth Amendment's exception clause is the legal foundation for the compulsory labor, custodial control, movement restriction, and liberty deprivation that New Jersey's correctional and supervisory systems routinely exercise as documented institutional practice. That status change attaches automatically upon conviction, applies without individual determination, and extends through the full period of sentence and supervision. It is a direct consequence of a guilty plea that must be disclosed under *Boykin v. Alabama* and *Padilla v. Kentucky*.

The current plea form does not disclose it. The proposed amendment corrects that omission without altering sentencing authority, expanding punishment, or modifying substantive law. It aligns plea procedure with constitutional reality and strengthens the knowing and voluntary nature of guilty pleas entered in New Jersey courts. It does so with a single administrable advisement drafted in plain language accessible to defendants of varying literacy levels, consistent in form with the existing structure of Form CN 10079.

The filing of this Petition places the State of New Jersey on formal notice that this constitutional omission has been identified and that a remedial amendment has been proposed. Petitioners respectfully request that the Committee review the enclosed proposal, receive any additional submissions from interested parties, and transmit a recommendation to the Supreme Court of New Jersey for adoption.

This Petition is submitted in the spirit in which New Jersey has historically led in the reform of the criminal justice system. Senate Concurrent Resolution 16, introduced in the New Jersey Senate on January 13, 2026, proposes a constitutional amendment that would prohibit slavery and involuntary servitude as punishment for crime within the state. Senate Resolution 91, introduced on March 19, 2026, urges the United States Congress to eliminate the federal punishment exception. These legislative actions establish that the constitutional dimension of criminal punishment is before the New Jersey legislature at this moment. The proposed amendment to the plea form is the complementary procedural action that ensures defendants are informed of the constitutional status those resolutions seek to change.

Respectfully submitted,

Dennis Febo, Lead Organizer and Primary Strategist — Abolish Slavery National Network

Antonne Henshaw, Lead Organizer — Coalition to End Slavery in New Jersey

Dated: April 1, 2026

APPENDIX A

SUPPORTING AUTHORITIES

A. Constitutional Text

U.S. Const. amend. XIII. 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. The exception clause operates automatically upon conviction, stripping the convicted person of constitutional protection against slavery and involuntary servitude for the duration of punishment.

B. United States Supreme Court Authority

Boykin v. Alabama, **395 U.S. 238 (1969)**. Established the knowing, voluntary, and intelligent standard for guilty pleas. Held that the record must affirmatively show the defendant's understanding of the consequences of the plea and that waiver of constitutional rights cannot be presumed from silence. The foundational authority for all plea disclosure requirements.

Padilla v. Kentucky, **559 U.S. 356 (2010)**. Extended the disclosure obligation to consequences that are severe and certain, rejecting the categorical direct and collateral distinction as the governing standard. Held that when consequences are closely connected to the criminal process and fundamentally affect legal status, disclosure is required. The severity and certainty of the loss of Thirteenth Amendment protection satisfy this standard.

C. New Jersey Authority

McCann v. Clerk of Jersey City, **167 N.J. 311 (2001)**. The New Jersey Supreme Court recognized that a criminal conviction produces continuing civil disabilities arising from the legal status created by conviction rather than from discretionary punishment. This authority establishes that New Jersey treats a conviction as creating a durable legal condition with continuing consequences, supporting the classification of the constitutional status change as a direct consequence requiring disclosure.

State v. Levine, **253 N.J. Super. 149 (App. Div. 1991)**. The Appellate Division held that an individual on parole remains in the State's legal custody and does not regain the full constitutional status of an ordinary citizen. The court treated parole as a continuation of the sentence in which liberty remains conditional and subject to enforceable state control. This authority confirms that the constitutional status change created by conviction extends beyond physical incarceration.

Wofford v. Lanigan, **No. 15-1982 (D.N.J. 2015)**. The United States District Court for the District of New Jersey held that compulsory prison labor does not violate the Thirteenth Amendment because a conviction removes the individual from its protection. This authority confirms that New Jersey's correctional system directly relies on the constitutional exception as the legal basis for compelled labor. The State cannot rely on that exception while declining to disclose it at the plea.

D. New Jersey Operational Documentation

New Jersey State Parole Board FY2024 Annual Report. Documents 1,130 physical parole revocations, 566 GPS monitoring conditions, and 452 restrictive curfew conditions in a single fiscal year. Establishes that the conditions authorized by conviction are actively exercised at scale in New Jersey's supervisory system.

New Jersey Administrative Code, Title 10A (Inmate Discipline). Designates refusal to work as Charge 254, a Category B prohibited act punishable by Restrictive Housing Unit placement up to 120 days and loss of sentence credits up to 180 days. Establishes the compelled labor architecture authorized by the constitutional exception.

New Jersey Prison Justice Watch, Isolated Confinement Restriction Act Report. Documents a median of seven months of Restrictive Housing Unit isolation in conditions including cells without functioning lights or water. Establishes the conditions of custodial control authorized by the constitutional exception and actually exercised in New Jersey state facilities.

E. International Interpretive Authority

Slavery Convention, art. 1(1), Sept. 25, 1926 (ratified by the United States). Defines slavery as the status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised. Establishes that slavery is a legal status, not merely a condition of compelled labor. The constitutional exception creates exactly this status by removing the barrier that would otherwise prevent the exercise of ownership-like powers over the convicted person.

Bellagio-Harvard Guidelines on the Legal Parameters of Slavery (2012). Authoritative interpretation of the 1926 Slavery Convention confirming that possession is the foundational ownership power and that the exercise of ownership-like powers need not involve formal legal title. Supports the analysis that the constitutional exception authorizes a status of possession-grade control over convicted persons.

F. Legislative Record

Senate Concurrent Resolution 16 (SCR 16), introduced January 13, 2026. Proposes an amendment to the New Jersey State Constitution to add a new Article I paragraph 24, prohibiting slavery or involuntary servitude as punishment for crime. Establishes that the New Jersey legislature has formally recognized the constitutional dimension of the punishment exception and is actively considering its elimination.

Senate Resolution 91 (SR 91), introduced March 19, 2026, by Senator Angela V. McKnight. Urges the United States Congress to propose an amendment to the United States Constitution to eliminate the punishment exception from the Thirteenth Amendment. Establishes the national legislative context within which the proposed plea form amendment is submitted.

APPENDIX B

CURRENT NEW JERSEY CRIMINAL PLEA FORM

New Jersey Judiciary Form CN 10079

The current New Jersey Judiciary Form CN 10079 is attached as Exhibit B-1. Petitioners draw the Committee's attention to the advisement section, which lists the rights waived by a guilty plea and the consequences of conviction. The proposed advisement should be inserted following the existing parole consequences advisement and preceding the defendant's signature block.

Petition to Amend the New Jersey Criminal Plea Form • April 17, 2026

Coalition to End Slavery in New Jersey • Abolish Slavery National Network

APPENDIX C

INSTITUTIONAL LETTERS OF SUPPORT

The following organizations have reviewed the petition requesting amendment of the standardized New Jersey Criminal Plea Form, CN 10079, to require disclosure of the loss of constitutional protection from slavery and involuntary servitude upon conviction. Each organization endorses the petition and respectfully urges the Criminal Practice Committee to recommend adoption of the proposed amendment. Individual letters of support from each signatory are attached hereto.

Abolish Slavery National Network

The Abolish Slavery National Network is a multi-state constitutional campaign that has successfully advanced constitutional amendments removing the punishment exception from state constitutions since 2018. The Network has conducted extensive research into the operational conditions authorized by the Thirteenth Amendment’s punishment exception across multiple jurisdictions and supports the proposed amendment as the essential procedural companion to constitutional reform efforts currently before the New Jersey legislature through SCR 16 and SR 91.

Signatory: Dennis Febo, Lead Organizer and Primary Strategist, Abolish Slavery National Network

Coalition to End Slavery in New Jersey

The Coalition to End Slavery in New Jersey is a community constitutional campaign composed of directly impacted individuals, formerly incarcerated advocates, legal practitioners, and community organizations rooted in the neighborhoods most affected by New Jersey’s correctional and supervisory systems. The Coalition submitted this petition and endorses it on behalf of its members, each of whom entered a guilty plea without disclosure of the constitutional status change that conviction imposed upon them.

Signatory: Antonne Henshaw, Lead Organizer, Coalition to End Slavery in New Jersey

Transformative Justice Initiative

The Transformative Justice Initiative is a community organization committed to advancing restorative and transformative approaches to justice that address the root causes of harm and hold institutions accountable to constitutional and human rights standards. The Initiative endorses this petition as consistent with its mission of ensuring that the legal system operates with transparency and accountability toward the communities it most directly affects.

Signatory: Ahava Divine, Lead Organizer, Transformative Justice Initiative

National Action Network, New Jersey Chapter

National Action Network is one of the leading civil rights organizations in the United States, founded by Reverend Al Sharpton. The New Jersey Chapter is actively engaged in criminal justice reform, racial equity advocacy, and the protection of constitutional rights for affected communities throughout the state. National Action Network endorses this petition as a necessary and long-overdue protection for defendants who enter the plea process without full knowledge of the constitutional status change that a conviction imposes.

Signatory: Steven Young, Chapter Director, National Action Network, New Jersey Chapter

Reimagining Justice

Reimagining Justice is an organization dedicated to transforming the structures of the criminal legal system through education, advocacy, and direct engagement with impacted communities. The organization endorses this petition as a foundational step toward ensuring that every person who enters a plea in New Jersey does so with full knowledge of the constitutional consequences of conviction.

Signatory: Dr. Liza Chowdry, Director, Reimagining Justice

Returning Citizens Support Group

The Returning Citizens Support Group is a peer-led organization that provides support, advocacy, and community for individuals navigating reentry after incarceration in New Jersey. Its members have firsthand experience with the conditions authorized by the Thirteenth Amendment's punishment exception, including compelled labor, GPS monitoring, movement restrictions, and parole revocation. The organization endorses this petition on behalf of its members and the broader community of individuals who entered pleas without knowledge of the constitutional status change that conviction imposed upon them.

Signatory: Edwin Ortiz, Lead Organizer, Returning Citizens Support Group

Guazabara Insights, LLC

Guazabara Insights is a consulting and research organization focused on constitutional accountability, institutional reform, and the development of evidence-based frameworks for measuring legal and structural compliance with abolition commitments. Guazabara Insights has contributed to the research and analytical

foundation underlying this petition and endorses the proposed amendment as an essential step toward ensuring that plea proceedings in New Jersey reflect the full constitutional reality of conviction.

Signatory: Ambiorix Ramirez, Chief Operating Officer, Guazabara Insights, LLC

American Friends Service Committee

The American Friends Service Committee is a Quaker organization founded in 1917 that carries out service, development, and peace programs worldwide and in the United States. The AFSC's criminal justice work, including decades of advocacy for the rights of incarcerated persons and their families, has documented the conditions that the Thirteenth Amendment's punishment exception authorizes in American correctional systems. The AFSC endorses this petition in the interests of basic procedural fairness and constitutional integrity.

Signatory: Bonnie Kerness, Criminal Justice Program Director, American Friends Service Committee

Summary of Signatories

Organization	Signatory	Status
Abolish Slavery National Network	Dennis Febo	Attached
Coalition to End Slavery in New Jersey	Antonne Henshaw	Attached
Transformative Justice Initiative	Ahava Divine	Attached
National Action Network, New Jersey Chapter	Steven Young	Attached
Reimagining Justice	To be confirmed	Attached
Returning Citizens Support Group	Edwin Ortiz	Attached
Guazabara Insights, LLC	Ambiorix Ramirez	Attached
American Friends Service Committee	Bonnie Kerness	Attached

Appendix C: Institutional Letters of Support

Petition to Amend New Jersey Criminal Plea Form CN 10079 • April 17, 2026



Abolish Slavery

NATIONAL NETWORK

A Multi-State Constitutional Campaign

Jersey City, New Jersey 07306

www.abolishslavery.us • info@abolishslavery.us

April 1st, 2026

Criminal Practice Committee
Administrative Office of the Courts
Supreme Court of New Jersey
Hughes Justice Complex
25 Market Street
Trenton, New Jersey 08625

Re: Letter of Support for Petition to Amend the New Jersey Criminal Plea Form to Require Disclosure of Loss of Constitutional Protection from Slavery and Involuntary Servitude Upon Conviction

Dear Members of the Criminal Practice Committee:

The Abolish Slavery National Network writes in support of the petition submitted by the Coalition to End Slavery in New Jersey, requesting amendment of the standardized New Jersey Criminal Plea Form, CN 10079, to require disclosure that a criminal conviction results in the loss of constitutional protection from slavery and involuntary servitude under the Thirteenth Amendment.

The Abolish Slavery National Network is a multi-state constitutional campaign founded to complete the unfinished work of the Thirteenth Amendment. Since 2018, we have worked with legislators, advocates, and affected communities across the country to remove the punishment exception from state constitutions. Eight states have enacted constitutional amendments through our campaign: Colorado, Vermont, Alabama, Tennessee, Oregon, Utah, Nebraska, and others. Each of those campaigns required building a legal and evidentiary record that the punishment exception is not a dormant historical artifact but an active constitutional authorization that states rely upon to exercise ownership-like powers over persons under sentence. New Jersey is now engaged in that same process through Senate Concurrent Resolution 16 and Senate Resolution 91. The petition before the Committee is the procedural companion to those legislative efforts.

Our work across eight states and multiple jurisdictions has yielded a consistent, documented finding. The Thirteenth Amendment's constitutional exception clause is not merely a textual artifact. It is the legal foundation upon which state correctional and supervisory systems rest their authority to compel labor, restrict movement, impose custodial discipline, and exercise extensive control over persons under sentence. Those powers are constitutionally available to the State precisely because conviction removes the person from the Amendment's protection. And in every jurisdiction where we have built an evidentiary record, we have confirmed the same constitutional omission that this petition identifies: the standard plea form says nothing about it.

Our research into New Jersey's correctional and supervisory systems, drawing entirely on publicly available primary sources, has documented the operational conditions that the constitutional exception authorizes in practice. The New Jersey State Parole Board FY2024 Annual Report

documents 1,130 physical parole revocations, 566 GPS monitoring conditions requiring persons to maintain tracking devices on their bodies, and 452 restrictive curfew conditions executed in a single fiscal year. The New Jersey Administrative Code at Title 10A designates refusing to work as a sanctionable prohibited act carrying consequences including placement in restrictive housing for up to 120 days and loss of sentence credits up to 180 days. The New Jersey Prison Justice Watch Isolated Confinement Restriction Act report documents a median of seven months of restrictive housing isolation in conditions that include cells without functioning lights or water. These are the conditions that constitutional protection against slavery and involuntary servitude would otherwise prohibit. New Jersey's correctional system exercises them as a matter of documented routine institutional practice. The plea form does not mention them.

This is not a matter of fringe constitutional theory. The United States District Court for the District of New Jersey held in *Wofford v. Lanigan* that compulsory prison labor does not violate the Thirteenth Amendment because conviction removes the incarcerated person from its protection. The New Jersey Supreme Court recognized in *McCann v. Clerk of Jersey City* that conviction produces a durable legal status carrying continuing civil disabilities. The Appellate Division confirmed in *State v. Levine* that an individual on parole does not regain the full constitutional status of an ordinary citizen. New Jersey courts and New Jersey law have already described and applied the constitutional status change that conviction creates. The plea form has simply never been required to disclose it.

The Supreme Court's decisions in *Boykin v. Alabama* and *Padilla v. Kentucky* establish the constitutional framework that makes disclosure mandatory. *Boykin* requires that a plea be knowing, voluntary, and intelligent and that the record affirmatively show the defendant's understanding of the consequences of the plea. *Padilla* holds that when a consequence is severe and certain, intimately connected to the criminal process, and fundamentally affects legal status, disclosure is required regardless of whether it is formally classified as direct or collateral. The loss of constitutional protection against slavery and involuntary servitude is more severe and more certain than the deportation consequence that *Padilla* held requires disclosure. It applies in every case, without individual determination, automatically upon conviction, and extends through the full period of sentence and supervision.

The Abolish Slavery National Network has observed across eight state campaigns that the moment a jurisdiction is formally asked to name what conviction does, the constitutional conversation changes. The petition before the Committee is that moment for New Jersey. We are not asking the Committee to resolve the constitutional question of whether the punishment exception should continue to exist. That question is before the New Jersey legislature through SCR 16, and before Congress through SR 91. We are asking the Committee to take the procedurally narrower and immediately available action of ensuring that defendants know what is being imposed upon them when they enter a plea. That is a due process question, not a status question. And the answer under *Boykin* and *Padilla* is clear.

We respectfully urge the Committee to recommend adoption of the proposed amendment. We are available to provide additional information, testimony, or supporting materials at the Committee's request.

Respectfully submitted,



Dennis Febo

Lead Organizer and Primary Strategist
Abolish Slavery National Network
35 Journal Square Plaza, Suite 928
Jersey City, New Jersey 07306
info@abolishslavery.us



A Community Constitutional Campaign
Camden, New Jersey 07306

April 15th, 2026

Criminal Practice Committee
Administrative Office of the Courts
Supreme Court of New Jersey
Hughes Justice Complex
25 Market Street
Trenton, New Jersey 08625

Re: Letter of Support from the Coalition to End Slavery in New Jersey for the Petition to Amend the New Jersey Criminal Plea Form

Dear Members of the Criminal Practice Committee:

The Coalition to End Slavery in New Jersey submits this letter in direct support of the accompanying petition requesting amendment of the New Jersey Criminal Plea Form, CN 10079, to require that defendants be told, before they plead guilty, that a conviction will strip them of constitutional protection against slavery and involuntary servitude.

We are a coalition of directly impacted individuals, formerly incarcerated advocates, legal practitioners, and community organizations rooted in the neighborhoods of New Jersey most affected by the conditions this petition addresses. Our members have lived the conditions that constitutional protection against slavery and involuntary servitude would prohibit if it were not suspended upon conviction. They have been placed in solitary confinement for refusing to work. They have carried GPS devices on their bodies as a condition of freedom. They have been arrested on parole warrants and held without bail pending revocation hearings. They have lost months and years of sentence credit due to disciplinary proceedings. They have watched the architecture of custodial control extend far beyond the prison walls and into every dimension of daily life.

None of them was told at the moment they entered their pleas that this is what conviction would authorize. None of them was told that the Thirteenth Amendment's prohibition on slavery does not apply to them because they have been duly convicted. None of them understood that the constitutional protection that every other person in New Jersey retains was being suspended at the precise moment the judge accepted their plea. That is not because they were inattentive or poorly represented. It is because the plea form does not say it. No plea form in any jurisdiction in the United States says it. The system that imposes these conditions has simply never been required to name them at the moment of imposition.

We want the Committee to understand what this silence means in practice. In New Jersey in FY2024, 1,130 persons were physically returned to custody through parole revocation. Five hundred sixty-six persons were required to wear GPS tracking devices at all times as a condition

of supervised release. The New Jersey Administrative Code, Title 10A, designates refusal to work as a sanctionable offense punishable by up to 120 days in solitary confinement. New Jersey Prison Justice Watch documented a median of seven months of restrictive housing isolation in conditions that include cells without functioning lights or water. These are not exceptional circumstances. They are the ordinary institutional output of a system operating under constitutional authority it does not disclose at the moment it is conferred.

The members of this Coalition who experienced these conditions did not know, at the time they entered their pleas, that they were consenting to a constitutional change. They knew they were going to prison. They did not know they were accepting a legal condition that authorizes the State to exercise ownership-like powers over them that would be constitutionally prohibited in any other context. The difference between those two things is precisely what *Boykin v. Alabama* and *Padilla v. Kentucky* require to be disclosed.

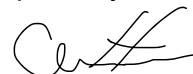
We are aware that some will argue that defendants already understand they are going to prison and that disclosing the constitutional basis for what happens there serves no practical purpose. We want to be direct with the Committee about why that argument fails from the perspective of the people it most affects. Understanding that you are going to prison is not the same as understanding that prison will exercise powers over you that are otherwise constitutionally forbidden. Understanding that you will be required to work is not the same as understanding that refusing to work is a sanctionable offense under a constitutional provision that authorizes slavery as punishment. Understanding that you will be subject to parole conditions is not the same as understanding that those conditions rest on a constitutional exception that removes you from the Amendment's protection. These are different things. The Constitution recognizes them as different things. The plea form should too.

New Jersey is at a constitutional turning point on this question. Senate Concurrent Resolution 16 proposes to remove the punishment exception from the New Jersey Constitution entirely, adding language that no person shall be held in slavery or involuntary servitude in this State, including as a penalty or a punishment for a crime. Senate Resolution 91 urges the United States Congress to do the same at the federal level. These legislative actions reflect a growing recognition that the punishment exception is not a passive historical artifact but an active constitutional authorization for conditions that New Jersey is now asking itself whether to permit at all.

While that larger constitutional question is resolved through the legislative process, this petition asks for a smaller, immediately available action: tell defendants what the law currently does to them at the moment it does so. That is not a radical request. It is a due process requirement. And it is one that every member of this Coalition who entered a plea without that disclosure deserved to receive.

The Coalition to End Slavery in New Jersey respectfully urges the Criminal Practice Committee to recommend adoption of the proposed amendment. We are prepared to provide testimony from directly impacted members, additional documentation of the conditions experienced under the current system, and any other information the Committee finds useful in its deliberations.

Respectfully submitted,



Antonne Henshaw

Lead Organizer, Coalition to End Slavery in New Jersey
Coalition to End Slavery in New Jersey
35 Journal Square Plaza, Suite 928
Jersey City, New Jersey 07306



Transformative Justice Initiative

Criminal Practice Committee
Administrative Office of the Courts
Supreme Court of New Jersey
Hughes Justice Complex
25 Market Street
Trenton, New Jersey 08625

April 1, 2026

Re: Letter of Support for Petition to Amend the New Jersey Criminal Plea Form to Require Disclosure of Loss of Constitutional Protection from Slavery and Involuntary Servitude Upon Conviction

Dear Members of the Criminal Practice Committee:

The Transformative Justice Initiative submits this letter in support of the petition requesting amendment of the standardized New Jersey Criminal Plea Form, CN 10079, to require that defendants be told before entering a guilty plea that conviction removes their constitutional protection against slavery and involuntary servitude under the Thirteenth Amendment.

The Transformative Justice Initiative was built on a foundational belief: that genuine accountability requires truth. Not the performance of accountability. Not the administrative appearance of it. The actual naming of what has been done, to whom, by what authority, and at whose expense. We work with communities, institutions, and individuals to build processes in which harm is acknowledged, responsibility is accepted, and repair becomes possible. We bring that same commitment to the legal system and to the question at the center of this petition.

The legal system cannot be held accountable for what it will not name. The Thirteenth Amendment abolished slavery in 1865, but it carried an exception: slavery and involuntary servitude remain constitutionally permitted as punishment for crime after conviction. That exception is not a footnote. It is the constitutional authorization for compelled labor, GPS surveillance, solitary confinement, and the full architecture of control that New Jersey's correctional and supervisory systems exercise over persons under sentence. The New Jersey State Parole Board's own records document 1,130 physical parole revocations, 566 GPS monitoring conditions, and 452 restrictive curfew conditions in a single year. The New Jersey Administrative Code designates refusing to work as a sanctionable offense carrying up to 120 days in solitary confinement. These are not incidental features of incarceration. They are the exercise of constitutional authority that conviction confers. And at the moment conviction confers that authority, in the courtroom, during the plea, the system is silent about what it is doing.

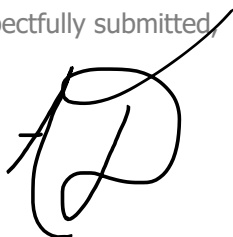
Transformative justice asks a simple question about every system that exercises power: does the person subject to that power know what is being done to them and on what basis? In the context of the criminal plea process, that question has a clear answer. Defendants are told about incarceration. They are told about fines and restitution. They are told about immigration consequences. They are not told that conviction will alter their constitutional status, removing the protection that the Thirteenth Amendment otherwise provides against the exercise of ownership-like authority over their persons. That silence is not neutral. It is a structural feature of a system that has historically benefited from those it controls not fully understanding the legal basis of that control. We recognize that the Criminal Practice Committee's role is procedural. The petition does not ask the Committee to resolve whether the punishment exception should continue to exist. That question is properly before the New Jersey legislature through Senate Concurrent Resolution 16 and before Congress through Senate Resolution 91.

The petition asks only that the plea form tell the truth about what currently exists. The Thirteenth Amendment abolished slavery but permits it as punishment for crime after conviction. Do you understand that upon conviction you will lose your Thirteenth Amendment protection against slavery and involuntary servitude? These are seventeen words that belong in the plea process because they describe something real that conviction does. Defendants deserve to know it before they plead. Transformative justice does not begin after sentencing. It begins the moment a person enters the legal process. A plea proceeding in which a defendant is asked to waive constitutional rights without being told the full scope of what those rights protect and what their waiver authorizes is not a just proceeding. It is a proceeding in which the state holds all the information, and the defendant holds almost none. The proposed amendment does not change who holds power. It changes what the person subject to that power is told about it. That is the minimum that accountability requires.

The Transformative Justice Initiative respectfully urges the Criminal Practice Committee to recommend adoption of the proposed amendment. We stand with the Coalition to End Slavery in New Jersey, the Abolish Slavery National Network, and all organizations supporting this petition. Truth is the beginning of transformation. The proposed amendment is one sentence of truth in a plea process that has withheld it for one hundred sixty years.

We are available to provide testimony, additional perspective, or community documentation at the Committee's request.

Respectfully submitted,



Ahava Divine MSW
Chief Operating Officer
1809 S Broadway Camden NJ 08103
Contact@AhavaDivine.Com





NATIONAL ACTION NETWORK

South Jersey Chapter

1835 North Arkansas Avenue

Atlantic City, New Jersey 08401

Advancing Civil Rights • Protecting Constitutional Dignity • Demanding Justice

April 1, 2026

Criminal Practice Committee
Administrative Office of the Courts
Supreme Court of New Jersey
Hughes Justice Complex
25 Market Street
Trenton, New Jersey 08625

Re: Letter of Support for Petition to Amend the New Jersey Criminal Plea Form to Require Disclosure of Loss of Constitutional Protection from Slavery and Involuntary Servitude Upon Conviction.

Dear Members of the Criminal Practice Committee:

The National Action Network, South New Jersey Chapter, writes in strong support of the petition submitted by the Coalition to End Slavery in New Jersey and the Abolish Slavery National Network requesting amendment of the standardized New Jersey Criminal Plea Form, CN 10079, to require that defendants be informed before entering a guilty plea that conviction removes their constitutional protection against slavery and involuntary servitude under the Thirteenth Amendment to the United States Constitution.

The National Action Network was founded on the principle that the struggle for civil rights in America is unfinished so long as any person is denied the full protection of the Constitution. That principle finds direct application in this petition. The Thirteenth Amendment abolished slavery in the United States in 1865. But the same amendment contains an exception clause that permits slavery and involuntary servitude as punishment for crime. That exception is not historical. It is active. It is the constitutional basis upon which New Jersey and every other state in the union compels labor, restricts movement, imposes custodial control, and exercises authority over persons under sentence that would be constitutionally prohibited in any other context. And now that authority is conferred, at the moment a defendant stands before a judge and enters a guilty plea, the system says nothing about it.

The communities that the South New Jersey Chapter of the National Action Network serves are the communities that know this silence most intimately. Black residents of New Jersey are incarcerated at a rate 12.5 times that of white residents, the highest racial disparity in incarceration of any state in the nation. The men and women who enter guilty pleas in New Jersey's courtrooms every day, disproportionately Black and brown, are not told that conviction will change their constitutional status. They are not told that the Amendment that abolished slavery contains an exception that now applies to them. They are not told that the State is constitutionally authorized to compel their labor, surveil their bodies, restrict their movement, and return them to custody without bail if they fail to comply with any condition of supervision. The plea form that should inform them of these consequences is silent.

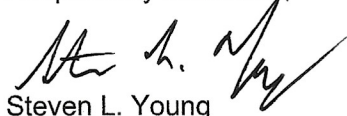
The National Action Network has spent decades demanding that America's legal institutions treat Black lives with the same constitutional dignity they afford everyone else. This petition does not ask for more than dignity. It asks for disclosure. It asks that a defendant standing in a New Jersey courtroom, about to waive constitutional rights and accept a guilty plea, be told the truth about what that plea will do to their constitutional standing. It asks that the words the Thirteenth Amendment abolished slavery but permits it as punishment for crime after conviction appear on the plea form alongside all the other consequences a defendant is required to acknowledge. It asks that the question Do you understand that upon conviction you will lose your Thirteenth Amendment protection against slavery and involuntary servitude appear in the record so that the answer can also appear in the record.

That is not a radical request. It is a due process requirement under *Boykin v. Alabama* and *Padilla v. Kentucky*. *Boykin* holds that a plea must be known, voluntary, and intelligent and that the record must affirmatively show the defendant's understanding of the consequences of the plea. *Padilla* holds that when a consequence is severe, certain, and intimately connected to the criminal process, disclosure is required. The loss of Thirteenth Amendment protection is more severe and more certain than the deportation consequence that *Padilla* held requires disclosure. If immigration status consequences require disclosure, constitutional status consequences require disclosure.

The National Action Network, South New Jersey Chapter, stands with the Coalition to End Slavery in New Jersey, the Abolish Slavery National Network, and all organizations supporting this petition. We urge the Criminal Practice Committee to recommend adoption of the proposed amendment to the Supreme Court of New Jersey. The communities we serve have waited long enough to have the truth told to them at the moment it matters most.

We are available to provide testimony, additional information, or community perspective at the Committee's request.

Respectfully submitted,



Steven L. Young

President

National Action Network South New Jersey Chapter

National Action Network, South New Jersey Chapter

Letter of Support • Petition to Amend NJ Criminal Plea Form CN 10079 • April 1, 2026



April 1, 2026

Criminal Practice Committee
Administrative Office of the Courts
Supreme Court of New Jersey
Hughes Justice Complex
25 Market Street
Trenton, New Jersey 08625

Re: Letter of Support for Petition to Amend the New Jersey Criminal Plea Form to Require Disclosure of Loss of Constitutional Protection from Slavery and Involuntary Servitude Upon Conviction

Dear Members of the Criminal Practice Committee:

The Returning Citizens Support Group, Inc. respectfully submits this letter in strong support of the petition to amend the New Jersey Criminal Plea Form (CN 10079) to require that defendants be informed, prior to entering a guilty plea, that a conviction removes their constitutional protection against slavery and involuntary servitude.

I write not only as Executive Director of our organization, but as someone who served 30 years in New Jersey's prison system. I know firsthand what a conviction authorizes the State to do—because I lived it.

I was told I was going to prison. I was told the length of my sentence. But I was never told that the Thirteenth Amendment contains an exception permitting slavery and involuntary servitude as punishment for crime. I was never told that my conviction would fundamentally alter my constitutional status. I was not told that the State would be authorized to compel my labor under threat of punishment, place me in solitary confinement, control every condition of my existence, extend my incarceration through disciplinary sanctions, and subject me to supervision long after my release.

None of that was explained. None of it appeared on the plea form.

What did exist—for 30 years—was the lived reality of that constitutional authorization. Refusing to work carried consequences. Solitary confinement was used as a management tool. Time was not yours. Your body was not yours. The conditions of your survival were not yours.

When I was released in September 2016, those conditions did not simply end. I experienced more than a year of housing instability, including couch surfing, and faced the full weight of collateral consequences that were never disclosed at the time of my plea. My criminal record followed me everywhere—closing doors to employment, denying access to housing, and limiting opportunity at every turn. The constitutional status change that began at conviction did not end at the prison gate. It continued to produce consequences long after my sentence was complete.

The Returning Citizens Support Group was born from that experience. We are a grassroots organization based in Newark, founded by individuals who served decades in New Jersey's prison system and returned home determined to support others navigating reentry. Our work spans housing, employment, reentry support, and community development. Every day, we witness the full arc of conviction—what it does inside prison walls and what it continues to do long after release.

Not one person who has come through our organization has ever said they understood, at the time of their plea, that they were accepting a loss of constitutional protection under the Thirteenth Amendment. Not one. They knew they were going to prison. They did not know they were being stripped of protection against slavery and involuntary servitude. The plea form did not tell them. Their attorneys did not tell them. The court did not tell them.

The system imposed this reality without ever naming it.

The petition before this Committee proposes a single, straightforward addition to the plea form:

“Do you understand that upon conviction, you will lose your Thirteenth Amendment protection against slavery and involuntary servitude?”

This question does not change the law. It does not alter sentencing. It does not interfere with the plea process. It simply ensures that defendants are told the truth at the moment that truth matters most.

That this disclosure has been absent from plea proceedings for more than 160 years since the ratification of the Thirteenth Amendment is not merely an oversight—it reflects a structural failure to fully inform individuals of the rights they are relinquishing.

New Jersey has the opportunity to correct that failure.

The person standing in that courtroom deserves to understand the full legal and constitutional consequences of their plea. Based on my experience and nearly a decade of working with returning citizens, I can say with certainty: they do not.

This petition ensures that they will.

The Returning Citizens Support Group stands firmly in support of this amendment and respectfully urges the Committee to adopt it.

We are available to provide testimony, community-based documentation, and the perspectives of directly impacted individuals at the Committee's request.

Respectfully submitted,

A handwritten signature in black ink, consisting of a stylized 'e' followed by a circle.

Edwin Ortiz, Executive Director
Returning Citizens Support Group
32 Prince Street
Newark, NJ 07108
(973)642-4646 Ext. 6 (Office)
(973)4180458 (Cell)

Returning Citizens Support Group, Inc. • 32 Prince Street, Newark, New Jersey

Letter of Support • Petition to Amend NJ Criminal Plea Form CN 10079 • April 1, 2026



GUAZABARA INSIGHTS, LLC

"Raising Social Consciousness and Uplifting Community"

35 Journal Square Plaza, Suite 928 • Jersey City, New Jersey 07306

April 1, 2026

Criminal Practice Committee
Administrative Office of the Courts
Supreme Court of New Jersey
Hughes Justice Complex
25 Market Street
Trenton, New Jersey 08625

Re: Letter of Support for Petition to Amend the New Jersey Criminal Plea Form to Require Disclosure of Loss of Constitutional Protection from Slavery and Involuntary Servitude Upon Conviction

Dear Members of the Criminal Practice Committee:

Guazabara Insights, LLC submits this letter in support of the petition submitted by the Coalition to End Slavery in New Jersey and the Abolish Slavery National Network requesting amendment of the standardized New Jersey Criminal Plea Form, CN 10079, to require disclosure that a criminal conviction results in the loss of constitutional protection from slavery and involuntary servitude under the Thirteenth Amendment to the United States Constitution.

Guazabara Insights is a research and consulting organization focused on constitutional accountability, institutional reform, and the development of evidence-based frameworks for measuring legal compliance with human rights and civil rights commitments. Our work sits at the intersection of law, data, and structural analysis. We bring that analytical perspective to this letter and to the underlying question the petition raises: whether the current plea process provides defendants with accurate information about the constitutional consequences of conviction.

The answer, based on our analysis of New Jersey's plea process and its correctional and supervisory systems, is clearly no. The New Jersey Criminal Plea Form, CN 10079, requires



defendants to acknowledge numerous consequences of conviction, including incarceration, financial obligations, parole exposure, and immigration consequences. It does not require defendants to acknowledge the foundational constitutional consequence from which all of those conditions derive their legal authority: that conviction under the Thirteenth Amendment's punishment exception removes the defendant from constitutional protection against slavery and involuntary servitude.

That omission is not a minor procedural gap. It is a structural deficiency in the plea process's information architecture. The conditions that conviction authorizes in New Jersey are documented, specific, and operating at scale. The New Jersey State Parole Board's FY2024 Annual Report records 1,130 physical parole revocations, 566 GPS monitoring conditions requiring persons to maintain tracking devices on their bodies, and 452 restrictive curfew conditions in a single fiscal year. The New Jersey Administrative Code at Title 10A designates refusing to work as a Category B sanctionable offense carrying up to 120 days in restrictive housing and loss of sentence credits up to 180 days. The New Jersey Prison Justice Watch Isolated Confinement Restriction Act report documents a median of seven months of restrictive housing isolation in conditions including cells without functioning lights or water. These are the operational outputs of a system whose constitutional authorization begins at the moment of conviction. That moment of conviction is the plea. The plea form does not say any of this.

Our analysis of the legal framework confirms that the proposed disclosure satisfies the requirements established by the Supreme Court in *Boykin v. Alabama* and extended in *Padilla v. Kentucky*. *Boykin* requires that a plea be knowing, voluntary, and intelligent and that the record affirmatively demonstrate the defendant's understanding of the consequences of the plea. *Padilla* holds that when a consequence is severe, certain, and intimately connected to the criminal process, disclosure is required regardless of whether it is formally classified as direct or collateral. The loss of Thirteenth Amendment protection is automatic upon conviction, applies in every case without individual determination, extends through the full period of sentence and supervision, and is more severe and more certain than the deportation consequence that *Padilla* held requires disclosure. The legal case for the proposed amendment is not closed.

From an institutional design perspective, the proposed amendment is both administrable and low-cost. It requires adding a single advisement item to an existing form. It does not alter the



sentence, change the law, create new rights, or impose new obligations on the court beyond reading one additional question to the defendant on the record. The court's operational burden is minimal. The constitutional benefit to the defendant is significant. When our analysis identifies a reform with that profile, the case for adoption is strong.

New Jersey is at a specific constitutional moment on this question. Senate Concurrent Resolution 16 proposes to remove the punishment exception from the New Jersey Constitution. Senate Resolution 91 urges Congress to eliminate it from the federal Thirteenth Amendment. Both reflect growing legislative recognition that the punishment exception is an active constitutional authorization for conditions that New Jersey is now examining whether to permit at all. The proposed plea form amendment is the procedurally immediate action available now, before those larger constitutional questions are resolved, to ensure that every defendant who enters a plea under the current framework does so with full information about what that framework authorizes.

Guazabara Insights respectfully urges the Criminal Practice Committee to recommend adoption of the proposed amendment. The evidentiary record supporting the petition is strong, the legal basis is well established, and the reform is administrable. We are available to provide additional analytical support, documentation, or testimony at the Committee's request.

Respectfully submitted,

Ambiorix Ramirez

Chief Operating Officer - Guazabara Insights, LLC

35 Journal Square Plaza, Suite 928

Jersey City, New Jersey 07306



**American Friends
Service Committee**

89 Market Street, 6th Floor • Newark, NJ 07102 • 973-643-1924 *main* • 973-643-8924 *fax* • afsc.org

New Jersey Area Office

Prison Watch Program

Founded 1917 • Quaker Values • Dignity • Justice • Peace

Newark, New Jersey • afsc.org

April 15, 2026

Criminal Practice Committee
Administrative Office of the Courts
Supreme Court of New Jersey
Hughes Justice Complex
25 Market Street
Trenton, New Jersey 08625

Re: Letter of Support for Petition to Amend the New Jersey Criminal Plea Form to Require Disclosure of Loss of Constitutional Protection from Slavery and Involuntary Servitude Upon Conviction

Dear Members of the Criminal Practice Committee:

I write on behalf of the American Friends Service Committee's New Jersey Prison Watch Program in support of the petition submitted by the Coalition to End Slavery in New Jersey and the Abolish Slavery National Network requesting amendment of the standardized New Jersey Criminal Plea Form, CN 10079, to require that defendants be informed before entering a guilty plea that conviction removes their constitutional protection against slavery and involuntary servitude under the Thirteenth Amendment.

The American Friends Service Committee was founded in 1917 on the Quaker conviction that the presence of God is in every person. That conviction has carried us for more than a century into the most difficult spaces of American life, including its prisons, its jails, and its courtrooms. The Prison Watch Program has spent decades documenting the conditions of confinement in New Jersey's correctional facilities, receiving correspondence from incarcerated individuals, and building an evidentiary record of what those conditions look like from the inside. That record is the foundation from which I write this letter.

What I have witnessed and documented over decades of Prison Watch correspondence does not match what defendants are told when they enter their pleas. I have received letters describing solitary confinement lasting months and years in conditions that strip a person of every dimension of human contact. I have received accounts of compelled labor under threat of punishment, of GPS devices that must be charged and maintained on the body as a condition of leaving prison, of parole revocations that return people to custody without bail for violations that would not constitute crimes in any other context. I have read the New Jersey Administrative Code provision that designates refusing to work as a sanctionable offense carrying up to 120 days in isolation and loss of sentence credits. I have read the New Jersey Prison Justice Watch reports documenting a median of seven months of restrictive housing isolation in cells without functioning lights or water. These conditions are real. They are systematic. And they flow from a constitutional authorization that no defendant in New Jersey is ever told they are accepting at the moment of plea.

The Thirteenth Amendment abolished slavery. Every American child learns that. What they are not taught, and what defendants standing in New Jersey courtrooms are not told, is that the same amendment contains an exception. Slavery and involuntary servitude remain constitutionally permitted as punishment for crime after conviction. That exception is not a legal abstraction. It is the authority under which the conditions I have documented for decades are exercised. When a defendant pleads guilty in a New Jersey court, that exception becomes the constitutional basis for everything that follows. The GPS device on the ankle. The refusal to work that results in solitary confinement. The parole warrant that carries no bail. The seven months in a cell without light. None of that is disclosed. The plea form lists financial penalties, incarceration exposure, immigration consequences. It does not list the constitutional status change that makes all of the above possible.

The Quaker tradition from which the American Friends Service Committee draws its values holds that truth-telling is not optional. It is not a courtesy that institutions extend when convenient. It is the foundation on which any just relationship between a person and a system of power must rest. A plea process in which a defendant waives constitutional rights without being told what those rights actually protect is not a just proceeding. It is a proceeding in which the state holds every relevant fact and the defendant holds almost none. The proposed amendment would correct one piece of that imbalance. It would require the plea form to say, in plain language accessible to defendants of varying literacy levels: the Thirteenth Amendment abolished slavery but permits it as punishment for crime after conviction. Do you understand that upon conviction you will lose your Thirteenth Amendment protection against slavery and involuntary servitude?

I want to be precise about what that disclosure does and does not do. It does not change the law. It does not alter the sentence. It does not give defendants new rights they did not previously have. It tells them the truth about the rights they are waiving. That is what *Boykin v. Alabama* requires and what *Padilla v. Kentucky* confirms. The Supreme Court held in *Padilla* that when a consequence is severe and certain and fundamentally affects legal status, disclosure is required. The loss of Thirteenth Amendment protection satisfies every element of that standard. It is more severe than deportation. It is more certain than any collateral consequence the Court has previously addressed. It applies in every case, without exception, automatically, upon conviction.

After decades of receiving the correspondence of persons living inside the conditions this petition addresses, I can say with certainty that no one writes to tell me they understood at the moment of their plea that this is what conviction would authorize. They knew they were going to prison. They did not know they were accepting a constitutional status change. The Prison Watch correspondence is itself an evidentiary record of the consequences of that silence. This petition asks the Criminal Practice Committee to end it.

The American Friends Service Committee's New Jersey Prison Watch Program respectfully and strongly urges the Committee to recommend adoption of the proposed amendment. We are available to provide testimony, documentary records, and additional perspective from our decades of prison monitoring work at the Committee's request.

In the spirit of truth and justice,

A handwritten signature in black ink, appearing to read "Bonnie Kerness", written over a horizontal line.

Bonnie Kerness

Coordinator, Prison Watch Program

American Friends Service Committee, New Jersey Area Office

Dated: April 15, 2026