



Testimony of Craig L. Berkman before the  
Oregon State Senate Judiciary Committee  
March 10, 2021

Good morning.

Mr. Chair and members of the Judiciary Committee, my name is Craig Berkman.

Thank you for affording me the opportunity of speaking to you about one of the most significant and least understood civil rights issues in Oregon and the United States. With the passage of the 13<sup>th</sup> Amendment to the United States Constitution, most people believed that the legal justification of slavery and involuntary servitude ended throughout America. However, this amendment contained an 'exception clause' that would be used to justify the 'black codes', and the Jim Crow laws. In 2021 the stain of the 'exception clause' continues to enslave millions of incarcerated Americans.

Unfortunately, many States, including Oregon, added the 'prisoner exception clause' to their State Constitutions. While many public officials condemn the use of slave labor in China and other countries throughout the world, the basic governing documents of America and twenty-one States continue to provide the legal justification for slavery.

The people of ancient Israel were slaves in Egypt for approximately 400 hundred years. Over 400 years ago, the first slaves were brought to Jamestown, Virginia. The time has come to bring an end to America's original sin. It is time for our generation to help bring healing and reconciliation to Oregon and our nation.

As the founder and chief executive officer of the non-partisan Free at Last Coalition, I am honored to join with OASIS to urge you to remove the scandalous support of slavery from the Oregon Constitution.

As you know, the legislatures of Colorado, Nebraska and Utah without one dissenting vote, removed the 'slavery clause' from their respective State Constitutions. Just as importantly, the citizens of these States overwhelmingly voted to ratify these constitutional amendments.

As one who spent most of my life as an Oregonian; who was an active participant in Oregon politics, as Chair of the Oregon Republican Party; and as one who provided leadership to protect the civil rights of Oregonians in the 1970s and 1990s; I am confident that Oregon voters will overwhelmingly vote to end slavery in Oregon if you give them the opportunity.

The recent failures of the American justice system have captured the attention of most Americans just as civil rights issues were at the forefront of public opinion in the 1960s.

President Lincoln defined slavery in these terms: '....it is a person, (or government) stealing the value of another person's work'. Its time to end this dehumanizing practice!

My Free at Last Coalition colleagues and I congratulate you for your leadership in trying to reform Oregon's Constitution. Your cause is morally, culturally, and politically just. Hopefully other members of the Oregon Legislature and thousands of Oregonians will support and esteem your efforts.

To paraphrase the British abolitionist, William Wilberforce, Oregonians and Americans, can choose to look the other way, but we can never say again that we did not know. For in the final analysis our choice is binary: if we choose to look the other way, we are continuing to embrace slavery.

Thank you for working to make America a 'more perfect union'.

I urge the Committee to schedule a SJR10 Work Session before the coming deadline.