

Private Prisons & Convict Leasing

While the 13th Amendment is widely believed to have ended slavery, there was an exemption that was used to create a prison convict leasing system of involuntary servitude to fill the labor supply shortage in the southern states after the Civil War.³

Black, formerly-enslaved individuals, especially, were often charged and convicted of petty crimes, like walking on the grass, stealing food, or not stepping off the sidewalk to allow white people to pass, as a part of what is known as [Jim Crow Laws](#)⁴. Arrests were often made by professional crime hunters who were paid for each “criminal” arrested, and apprehensions often escalated during times of increased labor needs.

Even those who were declared innocent in the courts were often placed in this system when they could not pay their court fees. Companies and individuals paid leasing fees to state, county, and local governments in exchange for the labor of prisoners in farms, mines, lumber yards, brick yards, manufacturing facilities, factories, railroads, and road construction.³

Today, mass incarceration continues to be incentivized by for-profit, private prisons that make money based on occupied beds within their prison systems. These practices are still disproportionately affecting Black, Brown, and Indigenous people all across our nation including such practices as prosecutors, District Attorney, and even judges participating in judicial kick-back schemes and sentencing defendants to prison for monetary gain.

There are many more complexities of for-profit [private prisons](#)⁵, [convict leasing](#)⁶, and the impacts on marginalized communities. We invite you to explore these links to learn more.

Endnotes

³ Terrell, E. (2021, June 17). The Convict Leasing System: Slavery in its Worst Aspects | Inside Adams: Science, Technology & Business. Retrieved from https://blogs.loc.gov/inside_adams/2021/06/convict-leasing-system/

⁴ Jim Crow Laws - <https://www.crf-usa.org/black-history-month/a-brief-history-of-jim-crow>

⁵ Private Prisons - <https://www.sentencingproject.org/publications/private-prisons-united-states/>

⁶ Convict Leasing - <https://eji.org/news/history-racial-injustice-convict-leasing/>