

SPRING 2025 VOL 24 NO. 3

School Segregation in the Garden State? *by Robin Roenker*

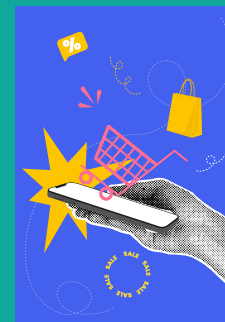
Today, across the country, more than a third of students—approximately 18.5 million—attend a predominantly same-race or same-ethnicity school, according to a 2022 report published by the U.S. Government Accountability Office. The report also indicated that 14% of U.S. students attend schools where nearly all of the student body is of a single race or ethnicity.



A 2017 report titled *New Jersey's Segregated Schools: Trends and Paths Forward*, compiled by the Civil Rights Project at the University of California, Los Angeles, determined that New Jersey's public school system is highly segregated. In fact, the report stated that New Jersey ranked sixth highest among all U.S. states for the segregation of Black students and seventh highest nationally for segregation of Latino students. New Jersey's school system is among the most segregated in the nation—more so than Southern states like Alabama or Mississippi.

CONTINUED ON PAGE FOUR

Today, fast fashion is a business model where mass-market retailers respond to the latest trends by rapidly producing inexpensive clothing. The industry brings in more than \$150 billion per year and is on track to grow to more than \$290 billion by 2032, according to Allied Market Research, a global market research firm. Zara remains a well-known fast fashion retailer, along with other notable brands from around the world such as H&M, a Swedish company; Shein, a popular Chinese brand; and Forever 21, an American fast fashion brand that filed for a second bankruptcy in 2025. All Forever 21 stores in the U.S. have closed; however, its stores outside of the country, in Canada, Europe, and Asia, are still open.



CONTINUED ON PAGE SIX

From Convict Leasing to Today's Prison Labor System *by Sylvia Mendoza*

In January 2025, wildfires devastated the city of Los Angeles. After nearly a month, working in dangerous conditions, firefighters contained the fires. Working side by side with those firefighters—in the same conditions, for the same 24-hour shifts—were more than 1,000 inmates that are part of California's Conservation (Fire) Camp Program.

Identified by orange uniforms, the inmates earn time off their sentences, as well as pay ranging from \$5.80 to \$10.24 per day. The inmates are part of the prison labor system, where the incarcerated work certain jobs in government-run or private industries.

Criminal justice reform advocates, such as the American Civil Liberties Union (ACLU) call the prison labor system a “form of slavery.” You may be thinking, “Didn’t the 13th Amendment abolished slavery?” It did, but it came with a catch.

The 13th Amendment, **ratified** by the

states in December 1865, reads:

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

The clause “except as punishment for a crime” also known as the “criminal-exception loophole” was immediately exploited, allowing prisons to “lease out” inmates to private companies or plantations.

At that time, the system was called “convict leasing,” and it generated revenue not just for the prison that housed the convict but for the state as well. By 1898, convict leasing accounted for 73% of the state of Alabama’s revenue, according to *Texas Tough: The Rise of America’s Prison Empire*, written by Robert Perkinson, a professor of American Studies at the University of Hawaii.

To produce more labor for convict leasing programs, many Southern states, and some Northern ones too, enacted Black Codes, which were laws designed to put limits on the rights of the formerly enslaved. For example, **vagrancy** laws, which essentially criminalize being out of work, were popular Black Codes. A conviction for vagrancy could send Black men to prison where they would be used as unpaid labor, essentially being “re-enslaved.”

Big business

The convict leasing system ended in 1928; however, prison labor still remains big business



in the United States today. According to a 2022 ACLU report, *Captive Labor: Exploitation of Incarcerated Workers*, across the country “incarcerated workers produce more than \$2 billion per year in goods and more than \$9 billion per year in services for the maintenance of prisons.” Some states, according to

the report, pay the inmates nothing, other states pay pennies per hour. The ACLU report revealed that inmates “earn, on average, between 13 cents and 52 cents per hour nationwide.”

In states where inmates earn something for their labor, according to the ACLU, the state government takes up to 80% of the wages for “room and board” and other fees associated with maintaining the prison facility. The ACLU also notes in its report that prison laborers, nationwide, are not covered by workplace safety and labor laws. That means if a prisoner is hurt while working, they have little recourse to file a complaint.

According to a 2025 report published by the Economic Policy Institute (EPI), a nonprofit, **nonpartisan** think tank, “in seven Southern states—Alabama, Arkansas, Florida, Georgia, Mississippi, South Carolina, and Texas—almost all work by prisoners remains unpaid.” The report states there are approximately 1.2 million people incarcerated in state and federal prisons, and “nearly 800,000 are prison laborers,” meaning they work for the prisons that house them.

In addition, the EPI report states that 17% of these prisoners work for government-run



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Prison CONTINUED FROM PAGE TWO

businesses, “where they might staff DMV call centers or wash laundry for public hospitals, or work on public projects, where they might be tasked with hazardous spill cleanup or firefighting duties in state-owned forests.” The other 3%, according to EPI’s report, work for “private-sector employers, where they earn meager wages producing goods and services for industries across the U.S. economy.” Industries that employ inmates on work release programs include the manufacturing and agricultural industries, as well as the service industry, including fast-food establishments. For the employers, it is a cheap form of labor that contributes to their profits.

On the ballot

According to the Abolish Slavery Network, a national coalition fighting to abolish constitutional slavery and involuntary servitude, currently 17 states have identical language to the 13th Amendment, including the criminal-exception loophole, in their state constitutions.

In 2018, Colorado was the first state to remove the criminal-exception loophole from its state constitution. Since then, voters in another seven states—Alabama, Nebraska, Nevada, Oregon, Tennessee, Utah and Vermont—voted to do the same. In November 2024, California voters rejected a ballot measure to amend its state constitution. An effort in Louisiana also failed.

In New Jersey

Incarcerated individuals in New Jersey are required to engage in labor for minimal pay. In 2022, New Jersey Bill ACR125, a proposed amendment to the state constitution, was introduced. The measure would “directly prohibit slavery and involuntary servitude as punishment for a crime.” The amendment would still provide opportunities for individuals who wanted to work voluntarily while incarcerated. In fact, the bill states: “The State recognizes that work can assist in an individual’s rehabilitation, improve practical and interpersonal skills that may be useful upon their integration with

society.” So far, there has been no movement on the effort to amend New Jersey’s Constitution.

Meanwhile, in 2023, on the federal level, Senator Cory Booker of New Jersey, as well as a senator from Oregon and a congresswoman from Georgia, proposed the Abolition Amendment, which would remove the criminal-exception loophole from the 13th Amendment to the U.S. Constitution.

“In 2023, we still have legal slavery in the United States because Congress left this institution in place for ‘punishment for a crime’ when it passed the Thirteenth Amendment. This has allowed our government to exploit individuals who are incarcerated and to profit from their forced labor—perpetuating the oppression of Black Americans, mass incarceration, and systemic racism,” Senator Booker said in a statement at the time. “This loophole is at odds with our nation’s foundational principles of liberty, justice, and equality for all our people.”

The Abolition Amendment would have a long road to passage. It is extremely difficult to amend the U.S. Constitution, as it must pass with a two-thirds vote in both the U.S. Senate and the U.S. House of Representatives. Then, it must be ratified by three-fourths of state legislatures (38 states).

An Alabama case

In 2022, Alabama voters approved a measure to change the wording in its state constitution, eliminating the criminal-exception loophole. Alabama’s state constitution now reads: “That no form of slavery shall exist in this state; and there shall not be any involuntary servitude.”

Unfortunately, Alabama did not take its voters’ wishes into account, which led to a lawsuit. In December 2023, a group of current and former Alabama inmates, along with the Union of Southern Service Workers and the Retail, Wholesale and Department Store Union, Mid-South Council, filed a

federal lawsuit in the Northern District of Alabama, suing the Alabama Department of Corrections (ADOC), Governor Kay Ivey and state Attorney General Steve Marshall. The two unions included as **plaintiffs** in the lawsuit allege that the use of incarcerated labor lowers wages for everyone and is undermining their efforts to unionize fast-food workers.

The lawsuit—*Robert Earl Council aka Kinetik Justice v. Kay Ivey*—alleges that ADOC is denying parole to those involved in its work release program. An investigation by the *Alabama Political Reporter*, which used the state’s parole guidelines, revealed that in 2023 Alabama should have granted parole to more than 80% of parolees. Instead, ADOC paroled 8% of those eligible. In addition, the investigation found that Black men were 25% less likely to be paroled than their white counterparts.

A two-year Associated Press (AP) investigation into Alabama’s prison labor system revealed that since 2018 more than 10,000 inmates have logged a combined 17 million work hours in the state’s work release program. In addition, Alabama generated \$250 million through garnishing prisoners’ paychecks—the state takes 40% of their wages and charges fees for transportation to their jobs, as well as laundry fees, according to the AP.

While the lawsuit alleges that Alabama generates more than \$450 million a year through prisoner labor, the AP found that the state collected \$13 million in fees for prison labor in 2024 from such companies as Wendy’s, McDonalds, Burger King, and Best Western. The AFL-CIO, a national trade union, that backs the plaintiffs in the lawsuit, told the AP that their estimate of \$450 million takes into account the money the state saves in not having



School Segregation CONTINUED FROM PAGE ONE

The report noted that like many states, New Jersey assigns students to a school district based on their home address. As a result of these residency laws, neighborhoods that are mostly white or mostly Black or Latino feed into schools that end up having those same racial makeups, unless intentional steps are taken to **integrate** them.

Lawsuit brought in New Jersey

The Civil Rights Project report prompted a 2018 lawsuit against the state of New Jersey brought by a collection of advocacy groups and parents led by the Latino Action Network and the NAACP. The suit alleges that New Jersey's public school assignment policies lead to **de facto** segregation, which is defined as segregation that is caused by fact or practice, rather than by law. Segregation mandated by law and enforced by the government is referred to as **de jure** segregation, which is the type of segregation that the 1954 *Brown* ruling outlawed.

The New Jersey case, known as *Latino Action Network v. the State of New Jersey*, argues that by requiring school attendance based on residential location, New Jersey is denying students access to a **desegregated** education. The **plaintiffs** in the lawsuit believe that the state's school assignment practices violate the New Jersey State Constitution, which expressly prohibits racially segregated schools. The lawsuit suggests remedies to correct the problem, including the creation of magnet schools that draw from multiple towns, and municipal tax incentives to create more diverse schools.

"What the plaintiffs in this case are seeking is essentially declaring the whole state to be in violation of the New Jersey State Constitution's requirement for a 'thorough and efficient system of public schools' and its equal protection clause," explains David Rubin, a New Jersey lawyer who specializes in education law and works with many school districts in the state. "As a result, they are asking a judge to throw out essentially our entire statewide system of residence-based enrollment."

The lawsuit cites statistics showing the number of New Jersey public school students attending a school that is 99% nonwhite increased from 93,614 students in the 2010-2011 school year to 107,322 in the 2016-2017 school year. The lawsuit states that New Jersey's educational policies disproportionately hurt Black and Latino students, but at the same time, they argue the current policies also negatively impact white students by preventing them from accessing diverse classroom interactions.

"The promise of *Brown* is not being realized in New Jersey," Christian Estevez, one of the plaintiffs in the case, told *The New York Times* when the lawsuit was filed. "If you look at a lot of the issues we are having right now in our society, it has a lot to do with the fact that people don't know each other, and don't interact with each other, and this creates misunderstanding and animosity. And so, it's important as a society, we think, that people be together, and that they learn side by side."

Michael Alves, an educational consultant who helped design integration programs in many school districts, including Maplewood-South Orange and Montclair, told nj.com that the greatest benefit of desegregation is the "social wellbeing of the country."

"I think the breeding ground for racism and prejudice is first isolation; it's when people have no exposure to other people," Alves said. "If the integration of our schools is something that is sustainable, that just becomes the way of life. These kids are able to learn about each other's cultures and make friends that carry over into adulthood."

In his book *Children of the Dream: Why School Integration Works*, Rucker C. Johnson, an economist and professor of public policy at the University of California, Berkeley, presented long-term data that showed "students who attended integrated and well-funded schools were more successful in life than those who did not—this holds true for children of all races."

Lawsuit's long road

After five years of litigation, in October 2023, New Jersey Superior Court

Judge Robert Lougy released a pre-trial decision in the case. Both sides had asked for summary judgment after opening arguments concluded. A summary judgment is a legal process where a judge resolves a case without conducting a full trial.

In this case, the plaintiffs asked for the judge to rule that New Jersey's schools are unconstitutionally segregated statewide, with remedies to be dealt with later. The state of New Jersey asked for the suit to be dismissed. Neither side prevailed.

In his 93-page order, Judge Lougy essentially denied both motions. He agreed that persistent racial imbalance exists in many New Jersey schools. However, he also determined that the plaintiffs in the case failed to prove that this imbalance equated to unconstitutional statewide segregation.

"Segregation is abhorrent to New Jersey public policy; de facto segregation is prevalent and persistent across the State," Judge Lougy wrote in his decision. He also wrote that New Jersey is "obligated and empowered to minimize segregation," but it has "intentionally failed" in its responsibility "to grant public school students the protection of state laws." On the other hand, Judge Lougy also wrote that the plaintiffs in the case "fail to prove that the State's entire educational system is unconstitutionally segregated" and the data they provided "does not demonstrate statewide unconstitutionality, across all districts, across all regions."

Looking for a solution

The New Jersey court challenge has made national headlines, in part because New Jersey has long been seen as a proactive leader in school desegregation.



School Segregation CONTINUED FROM PAGE FOUR

“The New Jersey Constitution has provided greater protections than the federal Constitution when it comes to the remedies courts have available for desegregation,” Rubin explains. “New Jersey has a long history, on a case-by-case basis, of stepping in to say that racial composition of a district is so out of balance that it’s depriving kids of a ‘thorough and efficient education,’ which is guaranteed by the state constitution. In those cases, the state has stepped in and ordered remedies to address that on a district level.”

So, why then, are schools in the Garden State more segregated than Alabama and Mississippi?

“One factor is the way the state has been divided into so many different school districts,” Halley Potter, a senior fellow at the Century Foundation, a think tank that studies school integration, told nj.com.

“For a relatively small state, New Jersey has more than 600 districts. These small units of school decision-making and funding end up creating lines of segregation that divide students by race and by income, which have profound effects on their opportunities. And it’s very hard for students or dollars to cross those district lines.”

New Jersey’s population is approximately 9.5 million people. By comparison, Virginia has a population of nearly 8.7 million people and 129 school districts.



math or the arts—able to draw students outside of their neighborhood schools, as cities like Minneapolis, Boston, Cincinnati and others have done.

In the past, other cities across the U.S. have also tried to ensure greater racial balance within their school systems by adopting school placement lottery systems, altering attendance zones, adding new schools or busing students from one area to another to achieve a more diverse student mix.

Despite both parties asking for extensions to continue negotiations, in February 2025 the closed-door mediation between the two groups failed, clearing the path for the lawsuit to head back to court.

“A court judgment is now the surest way to achieve a remedy for this unacceptable reality, in which hundreds of thousands of the state’s children attend school in segregated settings,” New Jersey plaintiff representative Lawrence Lustberg said in a statement. “This lawsuit seeks to secure the educational future of New Jersey children. They deserve nothing less.”

In a statement, Tyler Jones, a spokesperson for the Governor’s Office said, “While the parties return to litigation, the state remains steadfast in its efforts to provide the most robust educational opportunities possible for all students and continues to be open to reaching a mutual resolution of the matter.” •

Where the case stands now

Following Judge Lougy’s decision, representatives for the plaintiffs and the State of New Jersey entered into more than 15 months of confidential negotiations. Both parties hoped, during these discussions, to come to a mutual agreement regarding steps to improve racial balance within New Jersey schools. This move marked the first time in the 70 years since *Brown* that a state voluntarily explored a statewide remedy to school-based segregation.

Advocates for reform openly called for changes that would allow some students to attend schools outside of their home district. Some proposed the addition of magnet programs with specialized school curricula—like a focus on



1. How does it make you feel to know that New Jersey schools are more segregated than Alabama and Mississippi? Were you surprised? Why or why not?
2. Do you agree or disagree that integrated schools are beneficial to all students no matter what their race is? Explain your answer.

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Fast Fashion CONTINUED FROM PAGE ONE

The high fashion industry, with brands such as Gucci, Chanel and Louis Vuitton, has four seasons—Spring/Summer, Fall/Winter, Resort and Pre-Fall. As Professor Jacqueline Sadashige, who teaches a course titled Fashioning Gender at the University of Pennsylvania, explained in an interview for the university's *Environmental Innovations Initiative*, fast fashion brands produce 52 “micro-seasons” a year or a new “collection” every week.

For example, a South African investigation into Shein revealed that the fast fashion giant added between 2,000 and 10,000 individual styles per day to its app over a six-month period in 2021. Some of those offerings cost as little as \$3. The pressure to keep up with the demand of the fast fashion industry puts a strain on garment workers, who must work harder to keep up with quotas.

History of garment workers

According to the *Encyclopedia of U.S. Labor and Working-Class History*, up until the early 19th century, the lower classes made their own clothes at home. If you were a person of means in the upper class, a tailor or seamstress made your clothes to order. It wasn't until 1831 that the first ready-to-wear garment factory was established in New York City. Today, California and New York dominate garment manufacturing in the United States.

Since its inception, the garment industry has predominantly employed immigrant workers. Mark Anner, a professor and Dean of the Rutgers School of Management and Labor Relations, says that it has been “immigrants, and mostly immigrants of color” that have made the clothes worn by Americans “almost since the sewing machine was invented” in 1829.

“For more than 150 years, most of the garments we wear are made by women of color in very precarious situations and poor working conditions,” says Professor Anner who has been researching and advocating for workers’ rights in the apparel manufacturing industry for more than



30 years. “These women are taken advantage of, and their poor treatment is largely driving the fast fashion industry.”

Violating human rights

How can fast fashion brands offer so many styles at such low prices? Ultimately, it comes down to the supply chain. A supply chain is a network of organizations that are involved in the production of a product. For example, at the top of the supply chain in the fast fashion industry are the retailers, such as Shein and Zara, that design and sell the clothes. Then, there are the manufacturing companies/factories that are contracted to manufacture the clothes. Finally, at the bottom of the chain are the garment workers who are employed by the manufacturers and actually make the clothes.

In 2016, the U.S. Labor Department investigated 77 local garment companies in California, finding labor violations in 85% of them. Retailers with ties to these companies included Ross Dress for Less, Forever 21, and TJ Maxx. The investigation revealed that the companies cheated garment workers out of \$1.1 million, paying some as little as \$4 an hour when California’s minimum wage, at the time, was \$10 an hour. This is called wage theft and is common in the fast fashion industry.

“The retailers are setting the prices,” Ruben Rosalez, an administrator with the U.S. Labor Department, told *The Los Angeles Times*. “They’re saying, ‘Make this shirt for this amount,’ but it’s

the workers at the end of the chain that are getting screwed.”

The California companies were ordered to pay the workers \$1.3 million in lost wages and damages. According to Professor Anner, it is harder to hold companies accountable when retailers outsource the production of their clothes to foreign factories.

“In general, there are significant limitations on the ability through law to hold foreign companies liable,” Professor Anner says. “We’re living in a world with a very global economy, but we don’t have a global government.”

While there are limits to U.S. law overseas, Professor Anner says that in the area of forced labor there are U.S. laws on the books that offer protection, applying to factories in foreign countries.

“U.S. companies abroad found to be violating laws around forced labor could be held liable,” he says. “Those goods could be blocked from coming into the United States.”

Professor Anner also poses the question of joint or shared liability in the supply chain. For example, when a U.S. retailer, like Forever 21, or the Chinese-based Shein, outsources to a factory in Bangladesh or Taiwan, those companies push the factories to come down on the price they pay for the factory to make the garments.

“Retailers say, ‘Make the shirt for me for \$2. No, make the shirt for me for a \$1.90’ and then the factory turns around and squeezes labor, and then workers are exploited,” Professor Anner says. “Who’s to blame? Is it the factory that squeezed the workers? Okay, sure. But what about the brand or the retailer that set this unreasonably low price to produce the garment?”

A 2022 United Kingdom Channel 4 documentary, *Untold: Inside the Shein Machine*, revealed garment workers putting in 18-hour days to make hundreds of items, filling quotas for the retailer. Workers were paid as little as \$20 a day—less if they made mistakes. In addition, most

Fast Fashion CONTINUED FROM PAGE SIX

workers were only allowed one day off a month.

In 2021, Public Eye, a Swiss watchdog group that focuses on human rights, released a report revealing that workers in Shein's manufacturing companies were working in unsafe conditions with no safety protocols. They had no windows, and no emergency exits in the factory.

Garment workers in many foreign factories face poor working conditions. In April 2013, more than 1,100 garment workers were killed in Bangladesh when Rana Plaza, an eight-story building, which housed five garment factories, collapsed. After the tragedy, the Accord on Fire Building Safety was signed in May 2013. The Accord is an agreement between global brands, retailers and trade unions to build in safety protocols by creating an inspection and remediation program.

Protective measures in the U.S.

To protect U.S. garment workers, Senator Kirsten Gillibrand of New York introduced federal **legislation**—the Fashioning Accountability and Building Real Institutional Change Act—also known as the FABRIC Act, in the U.S. Senate.

"For far too long, garment workers in the once-bustling American apparel manufacturing industry have been exploited and overlooked," Senator Gillibrand said in a press statement when the legislation was first introduced in 2022. "The popularization of the fast fashion business model has perpetuated abuse of an already underpaid and overworked workforce, promoting profits over people, overconsumption, and rampant wage theft."

Key provisions of the FABRIC Act, which would update the Fair Labor Standards Act of 1938, include establishing requirements that hold fashion brands and retailers alongside manufacturing partners jointly accountable for workplace violations and setting an hourly pay rate for the garment industry, eliminating the piece-rate pay system. The piece-rate system pays workers according to the number of units they turn out. Professor Anner says that getting rid of the piece-rate system is key to improving working conditions for garment workers.

"The piece-rate system is a big part of what's driving these poor working conditions, and it's linked to fast fashion—the faster the production process is, the quicker the turnaround to get it produced quickly before the fashion trend changes," Professor Anner says.

CONTINUED ON PAGE EIGHT

Environmental Concerns with Fast Fashion

It isn't just garment workers that feel the strain of the rapid fast fashion industry. So does the planet.

According to a 2023 report, *At What Cost: Unraveling the Harms of the Fast Fashion Industry*, published by the Center for Biological Diversity, a nonprofit environmental advocacy organization, the fast fashion industry consumes "79 trillion liters of water per year" and produces "more than 92 million tons of solid waste per year." In addition, the industry contributes up to an estimated 20% of global wastewater and 10% of CO₂ emissions, which is more than the aviation and shipping industries combined, according to the report.

"The whole industry is driven by this idea that we just have to constantly up- upgrade and change the clothing we wear," says Mark Anner, a professor and Dean of the Rutgers School of Management and Labor Relations. "It's not good for the workers because of the pace of production that it puts them through, and it's not good for the environment."

Because fast fashion clothes are so inexpensive, they are easily discarded. Typically, a fast fashion garment is worn six or seven times before

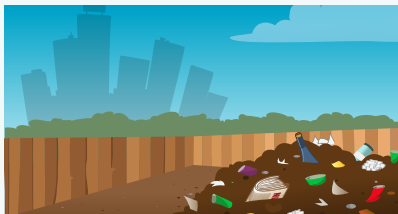
being thrown away, according to McKinsey & Company, a consulting firm that advises corporations and governments.

In an online interview with MakeGood.world, Elizabeth Cline, an expert in the field of sustainability and labor rights in the fashion industry, said that "75% of clothes made are never sold and are often destroyed or landfilled."

Cline, who is the author of *Overdressed—The Shockingly High Cost of Cheap Fashion* and *The Conscious Closet*, said, "Of the

3.8 billion pounds of unwanted clothes that finds its way to charities and donation bins, a little less than half is reusable as clothes. Some of those clothes are sold in thrift stores in the U.S. but the majority is exported to other countries."

While Cline acknowledged that there are companies working on ways to recycle unwanted clothing into something wearable, the technology is not there yet. The unusable half of unwanted clothes, she said, is "sold off to 'downcyclers' who churn it up and turn it into wiping rags, insulation, carpet padding, and a variety of other products."—Jodi L. Miller



CONTINUED ON PAGE EIGHT

Fast Fashion CONTINUED FROM PAGE SEVEN



Senator Gillibrand’s FABRIC Act is based on California’s Garment Worker Protection Act, which was first introduced in the Golden State in December 2020. The measure passed in California in September 2021 and went into effect in January 2022. In January 2024, a similar state effort—the Fashion Sustainability and Social Accountability Act—was introduced in the New York Senate. That measure is still under consideration.

While the federal FABRIC Act would only apply to retailers and manufacturers in the United States, Professor Anner believes if it were to be enacted it

“would provide an important example for countries elsewhere in the world.”

Senator Gillibrand introduced the FABRIC Act again in 2023; however, the legislation has had no movement. •



1. In the article, Professor Anner makes the point that manufacturing companies and retailers are both to blame for exploiting garment workers. Do you agree or disagree? Is one more to blame? Explain your answer.
2. After reading the article, how do you feel about the fast fashion industry? Explain your answer.

Prison CONTINUED FROM PAGE THREE

to hire civilians to maintain the prison.

In June 2024, the plaintiffs’ request for a preliminary **injunction** of the ADOC’s discriminatory parole system, was denied; however, the lawsuit may have put pressure on the parole board. According to news reports, by March 2024, the average monthly parole rate in Alabama had increased to 19%—a significant increase over the 2023 rate.

In March 2025, the United States District Court for the Northern District of Alabama granted the **defendants’** motion to dismiss the counts against them.

The judge did this **without prejudice**, which means that the plaintiffs can refile the case with new evidence or charges. •



1. What do you think of the criminal-exception loophole in the 13th Amendment and the effort of some states to remove it from their state constitution? Would you favor keeping it or removing it? Why?
2. What do you see as the arguments for and against using prison labor? Explain your answer.

DISMISSED

Glossary

de facto — Latin phrase meaning “of fact.” **defendant** — in a legal case, the person accused of civil wrongdoing or a criminal act. **de jure** — Latin phrase meaning “of law.” **desegregate** — to eliminate racial segregation. **injunction** — an order of the court that compels someone to do something or stops them from doing something. **integrate** — bring people or groups into equal participation in an institution (like a school). **legislation** — laws made by a legislative body (i.e., Congress or a state legislature). **nonpartisan** — not adhering to any established political group or party. **plaintiff** — person or persons bringing a civil lawsuit against another person or entity. **precedent** — a legal case that will serve as a model for any future case dealing with the same issues. **ratified** — approved or endorsed. **vagrancy** — legally refers to being without visible means of support. **without prejudice** — in a legal case, when a judge dismisses without prejudice, it means the plaintiff (in a civil case) or the prosecutor (in a criminal case) can potentially refile the claim.