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| **The Ere County Clergy Jail Visiting Project**  Endorsing organizations so far (September 2020):  VOICE – Buffalo • Partnership for the Public Good  Free the People WNY • #HALTsolitary-WNY • Mothers Inside  National Religious Campaign Against Torture • SURJ - Buffalo  National Lawyers Guild – Buffalo NY Chapter  Stephen Hart, Interim Coordinator |  |

Purpose

County jails have high walls, and few holes to see through them. What goes on inside is largely invisible to us, the citizens who fund the jails and in whose name people are confined. The secrecy of jails, plus the powerlessness of incarcerated people, creates risks of abuse and unremedied bad conditions. The kind of citizen and legislative oversight that is possible for most county government operations is currently impossible for our county jails, which means that we often may not know when human rights are violated, and never know the extent and frequency of such violations.

This project is an attempt to poke holes in the walls so that our community can see what is going on in the jails and take responsibility for improving them. The idea is to have local clergy go into the jails, talk with incarcerated people and observe the conditions in which they are confined, then report back to the public about what they find. The goal is to help remedy particular abuses and inhumane conditions, and to broaden community awareness of how broken our correctional system is.

We believe that more citizen visibility into the jails will benefit not just incarcerated people but also jail managers and staff, and the community at large. A community that knows what is going on in its jails will not as readily jump to the conclusion that the jail is at fault when somebody dies. With more trust, more volunteer energy can flow into the jails, allowing richer programming. Incarcerated people will not feel as isolated or hopeless – states of mind that can lead to suicide or misbehavior.

How to get there

The clergy visits required are different from customary pastoral visitation. The customary visits take place in a special visiting room and are primarily focused on counseling and assisting a particular incarcerated person. By contrast, this project envisages visits taking place in jail housing units, where conditions can be observed, and are oriented toward understanding broader patterns of how people are treated while confined by the county (although information on the grievances of individuals will also be collected).

Visits of the required kind are not currently possible for anyone. Occasionally jail authorities allow access to housing units, but only as part of tours conducted as the Sheriff wishes. The State Commission of Correction has the right to visit and inspect the jails, but the nature and methods of its visits are unknown, it provides little useful data to the community or county legislature, and the Commission itself consists entirely of people with a law enforcement background and perspective.

However, Section 500-j of the New York Corrections Law (printed on the back of this sheet) provides for clergy having charge of congregations in the county to have access to county jails. The text of this section of law allows the required kind of visits, although that right has not previously been exercised. We have asked jail administrators to allow entry for such a visit, and since so far they have refused, we will seek a court order enforcing the law. Once we have such an order, we hope to have a continuing series of visits to both Erie County facilities, and to make emergency visits when serious human rights violations have been alleged.

**If you are a clergy person in charge of a congregation in Erie County, and might be willing to be part of a visiting team once a year, please consider joining the team of potential visitors. For further information, contact: *Steve Hart • (716) 903-9090 •*** [***evestay@live.com***](mailto:evestay@live.com)

**Correction (COR) CHAPTER 43, ARTICLE 20**

***SECTION 500-J: Who may visit local correctional facilities***

**§ 500-j. Who may visit local correctional facilities. The following persons may visit at pleasure all local correctional facilities: The governor and lieutenant-governor, secretary of state, comptroller and attorney-general, members of the legislature, judges of the court of appeals, justices of the supreme court and county judges, district attorneys and every clergyman or minister, as such terms are defined in section two of the religious corporations law, having charge of a congregation in the county in which such facility is located. No other person not otherwise authorized by law shall be permitted to enter the rooms of a local correctional facility in which convicts are confined, unless under such regulations as the sheriff of the county, or in counties within the city of New York, the commissioner of correction of such city, or in the county of Westchester, the commissioner of correction of such county shall prescribe.**