

An Erosion of Trust in Open and Fair Government

Dear Editor:

Several weeks ago I was asked to join the Coalition in support of a fair and qualified election of a Public Defender. Later, Bishop McKelvey of the Episcopal Diocese of Rochester asked that I represent him in this public effort to influence the legislature. It all seemed like a reasonable issue at the time.

For thirty years a process had been in place that included both community, legal, and political leaders in the selection of a person for this office. When the leadership of the Legislature proposed undoing this process it seemed appropriate and right to try and counter this effort by public protest and presentations at legislative hearings. But all of this was to no avail-the legislators were locked into a partisan stand off. At one of the hearings, when efforts were made to speak to the leadership of the Republican majority, three of our leaders were arrested. They have been charged with disrupting the business of the legislature, and in fact they were.

But there are two sides to this story. What I witnessed were three community leaders who encourage everyone in the public gallery to act peaceably by obeying the law while they, in the face of systemic frustration and continuous refusal to a reasonable request for a hearing did what is classically an American way of exercising our political voice: they did an act of civil disobedience. Anyone who has been following the matter of the Public Defender selection process must be deeply troubled by the politicization of a procedure that for thirty years has served us well. The shame is not on the part of those who disrupted the meeting of the Public Safety Committee; the shame is on those who have hijacked a process that wisely sought community input in choosing a public defender based solely on merit.

But worse was to come. On Saturday, February 16, when members of the public went to again speak to the legislators we were faced with what appeared to be a "police state" as the public were denied the right to attend a public meeting on a matter that was of vital importance to the well being and welfare of a significant section of our community. In the course of "keeping the peace" those who called for this massive demonstration of police force effectively eroded our trust in there being an open and fair government in this county. Surely, in our democracy, government is charged with the responsibility of promoting good will in the citizen body and one of the ways it does this is by ensuring the all of the voices of the body politic feel that they are being heard; but this is especially true when those voices happen to be the voices of those most at risk in our criminal justice system.

In a nation that now houses 1 in 9 young black men in prison it is vital that they receive quality legal advice and defense. By taking the community's input out of the selection process the legislature has eroded public confidence in this office. This is in no way intended to disparage the ability or dedication of the now Public Defender, but to express

regret that such mistrust and political highhandedness means that it will take a long time for this trust to be re-established.

Rev. Peter W. Peters