

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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UNITED STATES,

Plaintiff,

v.

ERIE COUNTY, NEW YORK, et al.,

Defendants.  
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:  
:  
: 09-Civ.-0849

: **AFFIDAVIT OF**  
: **KARIMA AMIN IN SUPPORT**  
: **OF NON-PARTIES' MOTION**  
: **TO QUASH SUBPOENAS**

I, Karima Amin, in accordance with the provisions of 28 U.S.C. § 1746, state as follows:

1. I am the co-chair, along with Charles "Chuck" Culhane, of the Erie County Prisoners' Rights Coalition ("the Coalition"). The Coalition came into being in August 2009 and it was initially called the Buffalo Prison Abuse Project. I am also Founder and Director of Prisoners Are People Too, Inc. (PRP2), which is the lead member of the Coalition.

2. Since 2005, PRP2 has been conducting a monthly documentary film and speakers' series to enhance the general public's awareness of prison issues. This program has grown into a more comprehensive advocacy effort around prisoner issues, especially with the establishment of the Coalition in 2009. Our work includes networking, referrals, community building, action organizing, and camaraderie as well as community education. Through films, guest speakers and follow-up discussions, the program promotes the growth of the community's knowledge and understanding of the prison industrial complex, the plight of prisoners and prison families, and the challenges of re-entry. We have explored various topics, including reentry, juvenile justice, parole, gerrymandering, the yellow press, women in prison, drug court, the plight of the prison family and more.

3. Although PRP2 is interested in a variety of local, state, and national prisoners' rights issues, the Coalition is mostly focused on what is happening at our local jails, i.e., the Erie County Holding Center and the Erie County Correctional Facility. It was founded following the news of the Department of Justice's intention to investigate wrongdoing at the Erie County Holding Center.

4. Our advocacy largely exists in the form of community education. Information has been shared through radio/TV interviews, regular newspaper articles and editorials, meetings, and weekly informational protests in front of the Erie County



Holding Center. Complaints and grievances regarding our local jails have come to us from inmates and from their family members and friends on the outside.

5. The Coalition is loosely organized. There is a core group of approximately 25 volunteers who do the work of making protest signs and flyers and talking to groups and individuals who may desire to partner with us. PRP2 has been incorporated since April of 2011. Approximately 250 people nationwide receive monthly messages via e-mail to be kept abreast of the organization's various campaigns. A core group of about 50 volunteers regularly attend monthly meetings.

6. Neither the Coalition nor PRP2 has a staff. Volunteers do all work. Money for ink, paper, food, and travel are personal, out-of-pocket expenses. People make small donations at monthly meetings. There are no membership dues.

7. The Coalition and its members, including PRP2, do not have the time nor the financial resources to respond to the Erie County's subpoena. Our volunteers have full-time and part-time jobs, family and religious obligations, and civic and fraternal obligations that would prevent them from helping us respond to the subpoena. We have neither staff nor interns who could do the work for us.

8. The work that we do as community servants is very important. People rely on us for information and some times simply for a listening ear. We are dedicated to being an organization that is ready to make referrals, show support, and demand respect when these responses are needed. The community has come to know us as the group that demands humane and professional treatment for those who are confined in our local jails. We have neither the time nor the personnel to do what the county's attorneys have demanded.

9. We have made every effort to work cooperatively with Erie County on prisoner issues but we have not always been successful. For example, for several months in late 2009 and early 2010, the Coalition made every effort to meet with the County Legislature's Public Safety Committee. We were rebuffed at every turn, until, after several suicides at the jail, we were granted a meeting. We expressed our desire for a relationship that would be cooperative and collaborative. We reiterated our desire for the re-establishment of an advisory board that would give the community a window into jail management. The County Legislature's Public Safety Committee then attempted to establish an advisory board with little to no community input. Although, as of January 2011, we finally have an Erie County Community Corrections Advisory Board, we have made it known that we are less than satisfied with its composition and impact.

10. We are afraid that producing the documents requested by this subpoena to Erie County would disclose our advocacy strategies and thereby reduce the effectiveness of our advocacy work. For example, documents we have received from third parties regarding the jails would include documents received from coalition partners and fellow advocates that might reflect strategic communications we never intended to expose to the



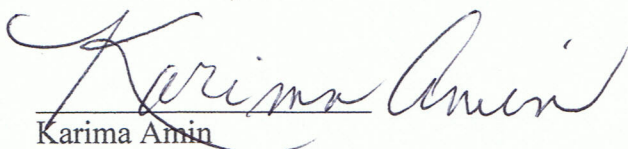
County's scrutiny. Even documents we might have shared with the Department of Justice were documents we never expected to be shared with Erie County.

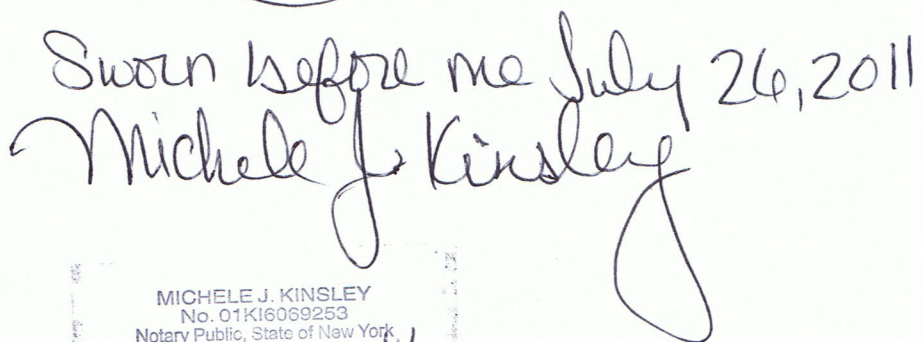
11. We are also afraid that having to disclose certain communications and documents would reveal the identities of members and people associated with our work who wish to remain anonymous, or at least anonymous to the County and to people in our community who might react poorly to their work on behalf of people accused or convicted of crimes. Indeed, we are concerned that having to expose our records to the County under this subpoena may cause people who might otherwise have become members or volunteers for our organization to refrain from doing so.

12. We are concerned that if documents we received from third parties regarding the jails must be exposed to the County it will chill open communication between us and our political allies as well as the people in the jail whom we serve. Inmates who complain to us will be less likely to do so – or to do so openly and honestly – if they know that documents they share with us may be turned over to the County. People and organizations who share with us documents about the jail may be less willing to do so if they knew that we might have to give them to the County. If our communications and documents we exchange are exposed in this way, it will significantly hamper our ability to do our work.

13. Finally, if we are required to respond to this subpoena it will chill our right to petition the federal government. If we know that our communications with DOJ must be shared with the County, we will be less likely to engage in such communications. At a very minimum, we will have to restrict the content of our communications to protect ourselves, the people we work with, and the inmates who complain to us.

Dated: July 26, 2011  
Buffalo, New York

  
Karima Amin

Sworn before me July 26, 2011  
  
Michele J. Kinsley

MICHELE J. KINSLEY  
No. 01K16069253  
Notary Public, State of New York  
Qualified in Erie County  
My Commission Expires 1/28/2014