

Until Justice Rains Down

by Rodney J. Sumler

Marriage, the Federal Bureau of Prisons and Conjugal Visits

While complaining about a decline in family values, presidential administrations of the past 18 years have initiated policies and rules that have torn many families apart. The Federal Bureau of Prisons' policy concerning married inmates violate basic God-given rights and freedom of religion guaranteed by the Constitution of the United States, and supported by the Holy Bible, the Torah, and the Quran. Our Declaration of Independence declares in part, "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness."

Our Constitution continues in part... "The citizens of each State shall be entitled to all privileges and immunities of citizens in the several states." Ten states permit conjugal visits at their penal institutions. The depotism over marital relations of inmates violates the civil and religious rights of inmates guaranteed by our Constitution and sanctioned by sacred and holy matrimony. Each of our

50 states requires licenses to marry. The federal government has numerous laws, policies and rules governing married couples - tax laws, civil laws, divorce, wills, education, health, birth, death, labor, etc. Voting rights are the only rights taken away from inmates, which is later restored. Some inmates after release are allowed to bear arms. Even the former American slave and those in involuntary servitude were not denied total access to a wife or husband.

The denial of conjugal visits for married inmates is a usurpation of the civil and moral rights of marriage; an attack on venerable religious beliefs; and is excessive, cruel, inhumane and unnecessary punishment.

This policy of no conjugal visits by the Federal Bureau of Prisons works to break down marriages and families, even though marriage and family can make an inmate willing to do better when released. Healthy marriages nurture and encourage inmates. The spouses of inmates should not be punished and denied access to their husbands or wives. To some inmates, their marriage is their last chance of hope to effect positive changes in their lives. Neither God, nor our constitution, gives the Federal Bureau of Prisons the right to abridge marriage privileges.

The Federal Bureau of Prisons should change its policy on conjugal visits and provide administrative remedy for the tens of thousands of married inmates in prisons. If not, legal remedies should be pursued by spouses and/or inmates to get courts to rule that the conjugal visits are a right of all Americans whose spouses are inmates. There are administrative problems inherent in implementing conjugal visits. These problems would be less if implemented by the B.O.P. before being ordered to do so by the courts. The present patient suffering by inmates and their spouses should be terminated.

The Federal Bureau of Prisons "rule of thumb" is to always punish the majority in order to correct and control the minority - being those inmates that violate policies or rules of conduct. Corrective punishment should be created by rewarding the inmates who are model prisoners, isolate the minority inmates who cause problems and punish them more. The Federal Bureau of Prisons establishes conjugal visits as incentives to change attitudes and behavior. Conjugal visits could be used as part of the mental and spiritual rehabilitation of inmates.

CONJUGAL VISITS WOULD:

1. Enhance marriages and decrease

the number of divorces among inmates.

2. Promote family values and morality.

3. Assist in the war on AIDS inside and outside of prison.

4. Be a positive incentive for better conduct among inmates.

5. Improve productivity among inmates with their jobs.

6. Encourage single inmates to marry.

7. Guarantee the God-given right of a woman to have access to her husband who is an inmate, or a man to have access to his wife who is an inmate.

8. Assist in eliminating sexual abuse, harassment and unwanted pregnancy where women are housed in federal penal institutions.

9. Assist in eliminating some marital problems that mushroom immediately after inmates are released from prison.

10. Assist in enhancing more respect and love by inmates for their spouses.

There are over 110,000 inmates administered by the Federal Bureau of Prisons. Denial of these married inmates limited and controlled access to their marriage partners is a sin against the

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