

Update: Church/jail Sentencing Program Under Review

BAY MINETTE, Ala. (RNS) An alternative sentencing plan that would give inmates the choice between time in jail or a year in church will be delayed for several weeks while lawyers review it to make sure there are no legal issues.

The American Civil Liberties Union of Alabama sent a letter to city leaders on Monday (Sept. 26) demanding an immediate end to the program, which it says “flagrantly” violates the separation of church and state. The letter also requested public records on the program’s development and creation.

“It’s good to hear they are delaying implementation,” said Alabama ACLU executive director Olivia Turner.

The faith-based Operation Restore Our Community program, the brainchild of area church leaders, offers first-time, nonviolent offenders the option of attending the house of worship of their choice each week for a year instead of receiving jail time or other punishments.

“We are just simply running it back through for final legal review and a final stamp of approval by the city attorney,” Bay Minette Police Chief Mike Rowland said. “If he gives us that, then we’re going to move forward with it on the next court day, which will be Oct. 11. And I believe that’s going to happen.”

The announcement of the program garnered attention from supporters, detractors and national media.

Rowland said because no one will be forced to take part in the program, he believes there is no violation of church-state separation, and is confident it can be begin next month.

Rowland said input from the ACLU, the Wisconsin-based Freedom from Religion Foundation and other agencies has been helpful.

“We appreciate them coming forward with it because it gives us the opportunity to see their side of it and to address the issues that they have concern with,” he said. “I believe we’ve already addressed the issues.”

The alternative program will not be offered to all defendants and will be offered at a judge's discretion, Rowland said. Offenders who try the program and find it's not working for them can go back before the judge for a different sentence, according to Rowland.

He credited area churches for envisioning the program.

"This is their idea," he said. "I just put it together and pitched it."

So far, 56 churches have agreed to help monitor offenders, said Rowland, and 40 congregations have submitted inventories of their community resources, such as parenting, counseling and educational programs.

Rowland said the public has expressed "overwhelming" support, Rowland said.

"It kind of starts to show there's a change in the nation as far as their philosophy about what we need to do about people who commit crimes," he said.

(Kim Lanier writes for The Mobile Press-Register in Mobile, Ala.)