

## Judge Bars Tax-Funded Religious Jail Project

By Alan Cooperman  
Washington Post Staff Writer  
Saturday, June 3, 2006; A02

A federal judge ruled yesterday that Charles Colson's Prison Fellowship Ministries and the state of Iowa violated the Constitution by setting up a government-funded program to rehabilitate prison inmates by immersing them in Christianity.

The case, brought by the Washington-based advocacy group Americans United for Separation of Church and State, has been widely viewed as a major challenge to President Bush's faith-based initiative, the White House's effort to deliver more government funding to religious groups that provide social services, particularly in prisons.

In a 140-page decision, U.S. District Judge Robert W. Pratt ruled that the InnerChange Freedom Initiative program at Iowa's Newton Correctional Facility violated the constitutional ban on government establishment of religion because it was state-funded, pervasively sectarian and aimed at religious conversion.

"The overtly religious atmosphere of the InnerChange program is not simply an overlay or secondary effect of the program -- it is the program," Pratt wrote. Based on testimony at a two-week trial last fall, he concluded that inmates who voluntarily entered the program received significant benefits, including better living conditions, and that the prison did not offer any alternative secular or non-Christian program.

"Though an inmate could, theoretically, graduate from InnerChange without converting to Christianity, the coercive nature of the program demands obedience to its dogmas and doctrine," the decision said.

The judge ordered Iowa's Department of Corrections to disband the religious program within 60 days, and he directed Prison Fellowship Ministries to pay back at least \$1.5 million that it has received from the state since the program began in 1999. But he also stayed both rulings pending the outcome of an expected appeal.

Although the ruling does not set a precedent for courts in other jurisdictions, lawyers on both sides agreed that the judge's logic, if applied nationwide, would invalidate many similar prison programs and deal a sharp blow to elements of the president's faith-based initiative.

"If the reasoning of this decision is held to apply in future cases, there is no way you can use government funds for so-called 'transformational' programs that are really saying, 'To deal with your sins you have to embrace Jesus,'" said the Rev. Barry W. Lynn, executive

director of Americans United. "In the distance, one can hear the bells tolling deep trouble for the faith-based initiative."

White House officials did not immediately return calls seeking comment last night.

Former Virginia attorney general Mark Earley, who is now president of Prison Fellowship Ministries, said he was still evaluating the ruling, issued at 5:45 p.m.

"Not only is it a disappointing decision, but at first blush it's an extreme and bizarre decision," he said. "He seems to be saying that our program could not occur within prison walls even if it were entirely privately funded, and if that's the case, it calls into question a lot of the religious programs in prisons today."

© 2006 The Washington Post Company