



Written by [Raven Clabough](#) on August 7, 2012

Pastor Jailed for Hosting Church Services in Home

Phoenix pastor Michael Salman is currently serving a 60-day sentence in a Maricopa County, Arizona, jail for [violating](#) his probation by holding religious services on his property, which is said to be in violation of zoning and building codes.

Salman, a husband and father of six, is an ordained pastor at the Church of God in Christ and a founder of Harvest Christian Fellowship. In 2010, Salman was found guilty of nearly 70 Class 1 misdemeanors involving code violations in his home where he held church services, including not having lighted emergency exits, fire doors, or sprinklers. He appealed his convictions but the court upheld them.



On July 9, Salman began his jail term after being charged with hosting Bible sessions for as many as 80 people on his four-acre property, which he attempted to claim as a tax-exempt church. The city contends that as a church, Salman's building was in violation of several codes.

Salman argues that he and his family should have a right to worship in his home and that his home was not used for public services and therefore should not be required to meet code requirements.

"The only people who came to our home were family and friends," Salman said in a video posted online before he reported to jail this week. "Our home was not open to the public; it was private. We've never advertised. We've never had signage."

The city claims to have evidence to the contrary, however, including photos of signage as well as pamphlets advertising services at the Salmans' home. Likewise, the Maricopa County Assessor's Office classified the Salmans' home as a church in 2008, and the Salman family has not had to pay property taxes on their home as a result.

Deputy city prosecutor John Tutelman asserted that the conviction is not focused on the Bible studies but on the building where they were held.

"The real issue isn't the content of what goes on in the building," Tutelman explained. "It's the assembly itself. And he told us with all the evidence that it was a church."

"The real issue is an assembly of a number of people in a structure that was not designed to comply with the city codes," Tutelman continued. "If he set up a sign for a movie theater, we'd be prosecuting him for holding an assembly if it didn't comply with the city codes."

John W. Whitehead, a civil liberties lawyer who is also the founder of the [Rutherford Institute](#), is now handling Salman's [case](#).

[In a statement posted on the institute's website](#) on Monday, Whitehead said,

What happened to Michael Salman — the fact that his home was raided by police and that he is now



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in jail in Tent City — illustrates the absurdity of government officials prosecuting individuals for engaging in religious activity on their private property.

That Michael Salman and his family and friends are not allowed to gather in private to study the Bible goes against every founding principle of the United States of America.

But the problem with Salman involves more than just the Bible services, and more than just the city. Some believe that because Salman was a former gang member arrested for a drive-by shooting and for impersonating a police officer, his neighbors are intimidated by him. Additionally, a neighbor was angered when he learned that Salman would be building a 4,200-square-foot structure just feet away from the neighbor's property line.

Phoenix New Times [reported](#) in 2008:

Salman announced that he was planning to build a church right there in his backyard. He talked about not just Sunday services, but weeknight Bible studies, a workout room and basketball court, even a Christian day care center.

The plans generated lots of talk in the neighborhood. These houses aren't cheap — Salman paid \$707,000, according to county records — and everyone was used to a certain bucolic feeling. Nobody liked the idea of church basketball games, loud Christian pop music, and a long line of cars coming in and out.

Salman reportedly grew visibly angry at the meeting, making a bad impression with the neighborhood. To make matters worse, when neighbors reportedly complained that Salman's church would hurt their own property values, Salman dismissed their concerns.

Neighbor Tom Woods recalled,

He gave us a lecture on the fact that all of us were going to make money on our property, and if we were true Christians, we ought to be willing to sacrifice a little bit. You can imagine, a few guys in the audience were all over him for that.

Salman's wife Suzanne contends that her husband's constitutional rights have been violated.

"Christians deserve the right to gather at their homes privately just like every other American has the right to gather for their reasons," she told FoxNews.com.

According to Salman's lawyer, the facility where Salman is being held is unlivable. It is a Tent City jail, added to the county jail in 1993 to handle the growing number of inmates.

"It's like a Guantanamo facility," Whitehead said. "It can get up to 140 degrees out there ... putting someone in Tent City for violating zoning laws is insane."

Ironically, the jail term has done little to quell Salman's pastoral spirit. Fox News reports:

Salman has assembled a Bible study group on site that has been attended by as many as 30 inmates, according to Whitehead. On Thursday, he was chosen to lead inmates in prayer for the anniversary of the Tent City jail, just before they dined on moon pies, according to a report.

Meanwhile, Salman and his family have received a great deal of support on social media sites. A ChipIn fund created by the Christian Defense Fund has raised \$900, while a Change.org petition started by Salman currently has 8,000 signatures.

Tutelman stated that in his nearly three decades at the prosecutor's office, he's "never seen a case that



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had this much notoriety before.”



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