



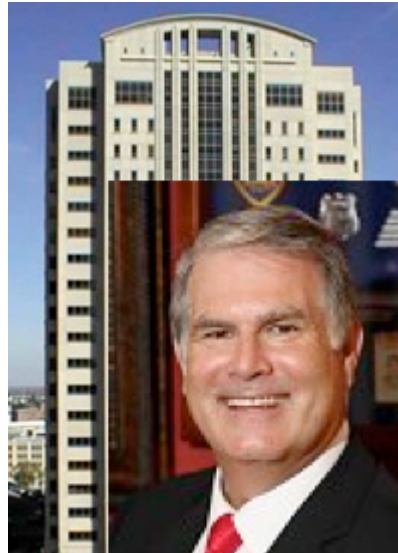
Written by [Raven Clabough](#) on March 30, 2011

Texas Judge Under Fire for Offering Convicts Christian Alternatives

A newly elected Houston judge has come under harsh criticism for "thinking outside the box." After Judge John Clinton proposed that convicts in his court read a Christian book and write a book report on it as an alternative to community service, critics such as the American Civil Liberties Union censured the idea, forcing the judge to retract his proposal.

Fox News [explains](#):

Judge John Clinton, a former police officer who was elected in January to preside over Harris County Criminal Court No. 4, offered nine people the chance to avoid community service last week by instead reading *The Heart of the Problem*, a Bible study book by Henry Brandt and Kerry L. Skinner that "proselytizes Christianity and advocates turning to God to solve problems," according to a March 29 letter from officials at the Texas branch of the American Civil Liberties Union.



KHOU.com describes the Christian book as a Bible study that touts itself as a workbook that provides insights for victorious Christian living.

The judge's proposal was particularly geared for those charged with misdemeanors ranging from domestic assault to drug possession. The offenders were asked to return in a few months to discuss the book with the judge.

Clinton explained his philosophy: I felt it as a calling. Im just trying to think outside the box. Trying to mold the punishment to help these individuals, instead of set them up to fail.

Not everyone viewed the recommendation in the same way as the judge.

Houston criminal defense attorney Dan Gerson asserted:

That is illegal, unconstitutional, and unfair. We are offended, as far as preaching from the bench, especially by requiring people, or asking people that they perform religious study in lieu of serving their sentence.

Houston criminal defense attorney Brett Podolsky does not regard Clintons intentions as malicious, but concludes that the judge has an apparent misunderstanding of the First Amendment.



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The ACLU targeted the judges actions, commending him for thinking outside of the box but labeling his proposal inappropriate and unconstitutional.

Though Judge Clinton believed his recommendation could potentially have helped put the defendants in his court on the right track, the criticism has since caused him to revise his plan: "I have stopped the book," he indicated, "and [am] looking for something similar that I can offer to everyone."

Clinton has also adamantly denied accusations that he is attempting to impose his religious beliefs on anyone, explaining,

All I was trying to do was help. I was told about the book. I received the book. I read the book. I thought, "Hey, this is a great book." Again, me thinking based on my faith, not thinking in general.

While the ACLU is delighted that Judge Clinton has since stopped the practice of offering the alternative option to community service, Lisa Graybill, legal director for the Texas ACLU affiliate, contends that it never should have been posed as an option in the first place:

It is inexplicable to me how anyone with a law degree could think that what this judge was doing was constitutional. Thinking with his faith is not what hes elected to do. When he dons the robe and takes the bench, his obligation is to think as a judge.

Graybill asserts that an investigation should still be conducted by the presiding judge of the countys criminal courts, Judge Sherman Ross, adding:

It takes a lot to surprise me and this surprised even me. Its the most egregious case Im aware of, assuming the facts are as reported to us.

Ross, however, has indicated that he will not conduct an investigation, but has since discussed Clintons inappropriate behavior. Technically, Graybill is correct, he commented. In Clintons defense, being on the bench for less than four months, hes been experimenting with a number of things that help in the rehabilitation process. That said, I did have a chat with him and we both agreed that although not unethical, it was inappropriate and he understands completely.

Judge Ross added that he believes Clinton never intended to impose his religious beliefs on anyone and contends that Clinton was simply trying to do the right thing.

Closing the discussion, Ross declared, Were here to enforce mans law.

Not everyone was displeased with Clintons proposal. For example, Houston criminal defense attorney Stanley Schneider asserts that Clinton should be praised for the idea:

I think this is a man that we really need to get behind. Anyone who wants to take the initiative, and trying to do something to help people in his courtroom to succeed in life, hes someone we need to applaud.

As far those offenders already working on the Christian reading and book report, Clinton indicates that they may choose something else if they prefer.

Photo: Harris County Court Bldg.; Judge John Clinton (inset)



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