

Press release: Navy JAG won't assign Chaplain a dedicated lawyer

Norfolk, Virginia -- The Navy JAG defense attorneys at Naval Station Norfolk declined to assign a dedicated lawyer to help a Navy Chaplain alleging he suffered religious discrimination by his Commanding Officer.

“We only assign dedicated lawyers to Sailors if they’ve been in jail for 10 days,” the Lieutenant JAG officer at the defense legal office told the Chaplain. “Your case isn’t that important.”

Chaplain Gordon James Klingenschmitt faces termination of his 14-year active duty military career without retirement, after his ship’s commanding officer Captain James M. Carr relieved the chaplain of duty and transferred him ashore, for quoting Bible verses John 3:3 and John 3:36 during an optionally attended memorial service in the base chapel. Documents on his web-site (www.persuade.tv) suggest he was also disciplined for ending his prayers with the phrase “in Jesus name,” for declining to support mandatory attendance quotas to a pro-gay church, and for requesting Kosher meals to feed a hungry Jewish Sailor who later lost 17 pounds. The Navy is investigating.

Declining to represent the chaplain, the Navy defense lawyer instead gave the Chaplain a copy of the JAG manual, directing him to write his own UCMJ Article 138 equal opportunity ‘complaint of wrong’ against his former CO.

“You can bring it back to whatever lawyer’s on call for walk-ins,” he said, “but we won’t review it for legal content or legal merit, we’ll just check to see if it’s in the right format.”

When the Chaplain asked the walk-in lawyer why he wouldn’t review the complaint for legal merit, the young lawyer disclosed his personal fear of retribution by the Navy.

“My fitness reports are written by senior Navy lawyers who work for the opposing team,” the JAG Lieutenant with 3-years experience told the Chaplain. “I’d be crazy to help you file a complaint against a senior Naval officer. They’d end my career if I actually tried to help you win. I can’t get personally involved.”

The Chaplain double-checked with the lawyer's supervisor. "We're not going to help you write it," the department-head confirmed. A third JAG defense lawyer was more helpful, checking the format of the Chaplain's complaint, but she conceded the Navy's legal malpractice insurance wouldn't cover her, unless her superiors changed the local policy preventing her from establishing an ongoing attorney-client relationship with the Chaplain. "If you want somebody to actually represent you, you'll have to pay several thousand dollars to hire a private attorney in town."

"My family can't afford a private attorney," said Klingenschmitt, "since I volunteered for a demotion in rank and a pay-cut to become a Navy Chaplain."

Meanwhile Captain Carr and his boss Rear Admiral J.W. Stevenson Jr. employ a full-time, 10-year experienced JAG lawyer on their staff, fully handling the command's defense free of charge. Staff Judge Advocate LCDR Keith Gibel already wrote the Chaplain on their behalf, acknowledging receipt of the Chaplain's written request for an apology, but instead directing him to file formal charges with a court-martial convening authority.

"I offered to drop legal charges forever, in exchange for an apology," said the Chaplain, "but they refused to apologize. Instead they're daring me to challenge them in military court, without giving me a dedicated attorney, when the religious discriminators have a full-time professional JAG lawyer funded by our tax-dollars. And the Judge is my CO's boss, the same One-Star Admiral who personally directed my CO to remove me from the ship, without ever interviewing me. This is Navy justice?"

The non-profit 501c3 corporation Persuade The World Ministries has established a legal defense fund to help save the Chaplain's career. Sympathetic citizens can give a tax-deductible donation to the Chaplain's legal defense fund, by VISA or MASTERCARD online at www.persuade.tv, or designate a gift by Paypal.com to savechaps@hotmail.com, or mail a check or money order to:

PTWM "Save The Chaplains," PO Box 9226, Norfolk VA 23505