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### Chaplain sues to stay in the Navy

By [Chris Amos](#)

Staff writer

A Navy chaplain who was convicted in September of disobeying a lawful order has sued Navy Secretary Donald C. Winter in U.S. District Court in Washington, D.C., demanding that he be allowed to stay in the Navy, that the negative evaluations on his record be expunged and that the Navy stop monitoring the prayers of its evangelical chaplains.

Lt. Gordon J. Klingenschmitt was convicted at special court-martial after he wore his uniform to a March press conference outside the White House, something Navy officials said he was repeatedly instructed not to do.

Jury members recommended that Klingenschmitt pay a \$3,000 fine and receive a letter of reprimand, but said the fine should be suspended.

An officer convicted by court-martial can be ordered to appear before a board of inquiry and show cause why he should be allowed to stay in the Navy, according to Eugene Fidell, president of the National Institute of Military Justice.

But lawyers representing Klingenschmitt said that the Navy has begun separation proceedings against him for a different reason — because Klingenschmitt lost his religious endorsement when he resigned from the Evangelical Episcopal Church shortly after he was convicted.

John Whitehead, president of the Rutherford Institute, whose lawyers are representing Klingenschmitt in the lawsuit, said the chaplain had already secured a nomination from another evangelical organization, the Full Gospel Church, when he resigned from the first group, and that there was no lapse between the two endorsements.

Klingenschmitt alleges that separation proceedings and negative evaluations in his records are the result of a witch hunt because he resisted senior chaplains' discouragements against praying in Jesus' name.

Navy officials refused to comment about the specifics of Klingenschmitt's case, but have repeatedly said they discourage sectarian prayers at mandatory Navy events as a way of keeping order and discipline in a religiously diverse Navy.

Whitehead questioned how mandating nonsectarian prayers, though constitutional, would strengthen the Navy.

"I would like to see evidence of how this would cause a breach of the peace," he said.

The Navy has 60 days to respond to Klingenschmitt's lawsuit. No trial date has been set.

**Also see:**

- [Chaplain: Change prayer policy \(Sept. 19\)](#)
- [Chaplain guilty of disobeying order \(Sept. 25 issue\)](#)
- [Navy chaplain ends 19-day hunger strike \(Jan. 23 issue\)](#)
- [Chaplain protests prayer policy with hunger strike at Bush's door \(Jan. 2 issue\)](#)

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