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Navy chaplain found guilty of disobeying order



At a news conference Wednesday night in downtown Norfolk, Gordon Klingenschmitt, with his wife, Mary, and former Alabama Supreme Court Chief Justice Roy Moore, said he would appeal his case to the U.S. Supreme Court if necessary. BILL TIERNAN/THE VIRGINIAN-PILOT

By KATE WILTROUT, The Virginian-Pilot © September 13, 2006

NORFOLK - Gordon Klingenschmitt didn't just switch careers four years ago when he left his job as an Air Force intelligence officer to become a Navy chaplain.

He also took a demotion so he could follow his calling, his wife testified, trading his rank as an Air Force major for the lower position of Navy lieutenant.

Klingenschmitt was convicted Wednesday, the second day of a Navy special court-martial, for disobeying an order not to wear his uniform for media appearances. Lt. Tiffany Hansen, Klingenschmitt's military attorney, asked the jury to consider the chaplain's accomplishments and his vocation before sentencing him.

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The chaplain faces a maximum punishment of a reprimand, restriction to base for two months, and fines or forfeiture of pay not to exceed \$41,916 - two-thirds of his annual salary.

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Klingenschmitt declined to settle the charge administratively, choosing the court-martial instead. The jury, which took an hour and 20 minutes to find him guilty, is expected to decide Klingenschmitt's sentence today.

"A conviction is enough," Hansen told the jury. "There was no financial gain as a result of him doing what he did" March 30.

That day, Klingenschmitt appeared in uniform at a news conference in front of the White House to protest Navy regulations requiring chaplains to offer nondenominational prayers except during religious services.

His civilian attorney argued that the chaplain only said prayers and read Scripture at the event and waited until he was out of uniform to answer reporters' questions.

Prosecutors contended that Klingenschmitt was promoting a personal cause and his presence in uniform at the news conference was enough to convict him.

Hansen mentioned her client's 11-year Air Force career, the mission work he did for a year during college, and the community service projects he organized while assigned to the Anzio, a Norfolk-based cruiser.

She highlighted the testimony of his character witnesses during the sentencing phase: a former Anzio sailor who said Klingenschmitt helped him overcome depression, a retired Air Force colonel who described him as "extremely dedicated" in his work at the North American Aerospace Defense Command, and Mary Klingenschmitt, who described her husband as "passionate and dedicated."

"Chaplain Klingenschmitt is a military man who has a passion for Jesus Christ," Hansen told the jury of five male officers.

Character witnesses testifying for the prosecution painted a different picture of Klingenschmitt, a priest in the Evangelical Episcopal Church.

Capt. Loyd Pyle, the commanding officer of Norfolk Naval Station, said in court that Klingenschmitt's performance as a chaplain is generally overshadowed "by his lack of military bearing and his disdain for military authority."

Pyle sent Klingenschmitt a written order in December directing him "not to wear your uniform for this or for any other media appearance without my express prior permission."

Capt. Norman Holcomb, the head chaplain at the naval base, testified that the

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junior chaplain did "an adequate job" as a counselor and in providing prayers at military ceremonies.

Yet Holcomb said he found the chaplain "to be untruthful, unethical, insubordinate, contemptuous of authority... and a totally frustrating independent operator."

Klingenschmitt was unbowed.

"I will not be broken," he said Wednesday night at a news conference in downtown Norfolk. "I have not yet begun to fight."

Wearing a clerical collar but not his Navy uniform, Klingenschmitt said he would appeal his case to the U.S. Supreme Court if necessary.

He also called on President Bush to take action.

"When I said a prayer in front of the White House, it was a bona fide religious observance," he said. "If this is my crime, then I am guilty of praying in Jesus' name."

Commenting on why his attorneys called no witnesses in his defense Wednesday, Klingenschmitt said he reached that decision after hearing God's voice three times the previous evening.

"In the trial of Jesus Christ, he never opened his mouth in his own defense," the chaplain said.

Staff writer Steve Stone contributed to this report.

• Reach Kate Wiltrout at (757)446-2629 or kate.wiltrout@pilotonline.com.

USER COMMENTS

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Christianity Under Attack (hide comment)

More often than not today, we hear of christianity being under attack. This is no different. I have noticed since my retirement from the U. S. Navy that the chaplain in the military are more and more being muzzled. The scriptures tell us to pray in the name of Jesus Christ. For the chaplain not to obey the scripture would be the same as denying Christ. The CO of the Naval Station, of which I was Administrative Officer a few years back, should be reprimended for issuing such an order and the Yeomen who typed it should have known better. So much for diversity. He, the Chaplain, wasn't Islamic! I praise his stand.

- Art Beatty - Spring Hill

This is not about Jesus. It's about him (hide comment)

Disobeying a direct order is disobeying a direct order. Disobeying a direct order has nothing to do with how someone should or should not pray. Jesus is not on trial here. Klingenschmitt's ability to follow orders is the issue at hand. He's hiding behind Jesus and crying "persecution! persecution!" and sucking others into pitying him instead of admitting that he himself is the sole cause of this train wreck he's made of his career. This man has had problems with his career from the start, but does anyone bring that up? He's disliked by the sailors, and is an embarrassment to his fellow chaplains. I haven't heard of a single one that agrees with him....and you can't tell me that they're all denying Jesus. As for losing his rank to come on active duty from another branch, big deal. He's not the only chaplain to have done that. Others have done it too. What makes me angry is that he's got devout Christians sucked into believing that he's persecuted., when he's caused it himself.

- *Judith D.* - *Virginia Beach*

Not guilty of Praying (hide comment)

The Chaplain is not guilty of praying, he is guilty of disobeying a lawful order of not to wear his uniform to the event. The orders issued by Capt Pyle seem straight forward, "don't wear your uniform...". The good Chaplain seem to have forgotten the part of "I will obey the orders of the President of the United States and the officers appointed over me"

- *Montey E.* - *Norfolk*

When duty calls.... (hide comment)

Kudos to the Chaplain. As a christian, who cares what someone is wearing before your pray. The Chaplain did what he was suppose to do. No one should be punished for praying to Jesus Christ. Last time I checked, we still live in America, right? The policy is stupid, it's needs to be changed. We need to concentrate on were our President is taking our country!

- *Jackie M.* - *Virginia Beach*

A Chaplain's Responsibility (hide comment)

It is the responsibility of any chaplain, military or otherwise, to provide spiritual support for those they serve. Unless they are performing specific religious ceremonies, their support must be non-denominational. This Chaplain is a Christian missionary, using his military uniform to give weight to his ideas and beliefs. The Constitution allows the free exercise of all religions and the freedom from having any particular one as the default. If he wants to be a chaplain, he needs to serve people of all faiths. Otherwise, find a church where he can serve as a pastor and carry out his particular mission in the proper and responsible way.

- *Lillian H.* - *Virginia Beach*

Disobeying direct orders (hide comment)

The chaplain chose his own path. He was given a direct & written order, which he chose to disobey. He is a Naval officer and has an example to set. The military got their point across & the chaplain will make his point. Simply boils down to him disobeying an order.

- *Grace P.* - *VA. Beach*

WHAT IS THIS REALLY ABOUT? [\(hide comment\)](#)

Any US citizen has the right to not only attend, but participate in a protest. Let's talk Constitutional rights here, not the military making a example of this man for wearing a uniform to a media event. Really now, should he have gone in his birthday suit? Perhaps the White House doesn't provide dressing rooms for such events. I mean there are rules about wearing dungarees off base except traveling to and from home, yet I see men and women stopping to eat, grocery shopping (off base) at the convenient store, etc.. Sounds like a scorned power tripper trying to get back at the Chaplain. Does the punishment REALLY fit the supposed crime? It seems a bit harsh. He's not a man without morals. This country has bigger problems. Lets stick to the bigger picture, and not this trivial snapshot.

- Steven A. - Norfolk

convicted for pray or disobeying [\(hide comment\)](#)

I don't agree with the Captain who ordered the chaplain. Even in this short story sounds like he had it out for the chaplain. If the president, media or anyone at the ceremony didn't have a problem with the prayer while in uniform, than what is the problem? Problem is he disobeyed an order, which someone over the captain should have realized was an insane order. But since no one argued the order and the chaplain just disobeyed. The jury was right to convict based on the charges of disobeying and order.

- Karen S. - Virginia Beach

Please, do not stand behind Christ [\(hide comment\)](#)

This chaplain should be ashamed of himself. The event he attended was not a religious service, but a protest. Navy Regs are very clear as to not authorizing the wearing of the uniform at any protest or political rally. His seniors reminded him of that. He should accept his punishment without wasting any more time or effort on appeal - the President has much larger concerns to deal with than to waste time on this malcontent. I am troubled by a man in his profession to compare this situation with the trail of our savior. This is one chaplain to should re-think his stance.

- Thomas Ball - Lexington Park

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