

Navy Officials Violate Federal Law Refusing Christian Chaplains Rights

This week, a Navy official denied Chaplain Wes Modder's request for religious accommodation. Although Chaplain Modder's Marine and Navy SEAL commanders have called him "a national asset" and "the best of the best" the Navy is threatening Chaplain Modder with career-ending punishment because he expressed faith-based beliefs in private counseling sessions with sailors.

Liberty Institute attorneys assert that the Navy's action is a violation of federal law and Department of Defense (DoD) regulations. The Navy based its denial of Chaplain Modder's rights on old, outdated regulations, which were superseded by updated DoD policies in 2014.

Liberty Institute highlights the following sections from military regulations:

Navy chaplains are never required to compromise the standards of their Religious Organization

Delivery of care is informed, guided and shaped by the chaplain's unique pastoral identity and insight

Liberty Institute states that by requiring Chaplain Modder to compromise the standards of his endorsing denomination, the Assemblies of God, the Navy is violating the Constitution, federal law and Department of Defense regulations. This constitutes unlawful censorship of Chaplain Modder's free exercise of religion. Liberty Institute plans to file an appeal.

"The Navy is trying to use outdated, obsolete policies to deny

a chaplain his rights,” said Mike Berry, Liberty Institute Senior Counsel and Director of Military Affairs. “The Navy appears to be rebelling against the new DoD regulations and thumbing its nose at Congress and the Secretary of Defense. That is totally unacceptable.”

Liberty Institute President and CEO Kelly Shackelford said, “We will not sit by while the Navy completely disregards federal law on religious freedom. The stakes are far too high. The future religious liberty of every soldier, sailor and chaplain in the U.S. military hangs in the balance.”

Political, military and religious leaders have offered unwavering support for Chaplain Modder. Senator Ted Cruz called Modder “the latest target in a series of assaults on religious liberty in the military.” Lt. Gen. (RET) William G. “Jerry” Boykin called the Navy’s actions “unacceptable,” while Franklin Graham, CEO of Billy Graham Evangelistic Association said, “[As] a highly decorated 19-year military veteran, Modder doesn’t deserve this—nor does anyone.” Former presidential candidates Governor Mike Huckabee and Senator Rick Santorum, President of Family Research Council Tony Perkins, Congressman Doug Collins, and Modder’s denominational endorser, the Assemblies of God have also rallied to Chaplain Modder’s defense.