

FREEDOM FROM RELIGION *foundation*

P.O. BOX 750 • MADISON, WI 53701 • (608) 256-8900 • WWW.FFRF.ORG

October 11, 2018

**SENT VIA FAX AND U.S. MAIL:
(608)267-2779**

Brad Schimel
Attorney General
P.O. Box 7857
Madison, WI 53707-7857

Re: Unnecessary and inappropriate DOJ chaplain program; open records request attached

Dear Attorney General Schimel:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) and our Wisconsin membership to object to the Wisconsin Department of Justice's chaplain program. FFRF is a Wisconsin-based national nonprofit organization with more than 32,000 members across the country, including more than 1,400 members in Wisconsin. FFRF's purposes are to protect the constitutional principle of separation between state and church, and to educate the public on matters relating to nontheism.

It is our understanding that the DOJ has trained Christian ministers to serve as volunteer chaplains. The DOJ website lists six chaplains, all of whom appear to be white, Christian men.¹ Earlier this year, you announced that the chaplain program was aimed at addressing the physical and mental well-being of Wisconsin police officers, noting that they are more likely to die of suicide than a line-of-duty death. FFRF applauds you for seeking to address this problem, but we are deeply disappointed that you took the opportunity to promote religion rather than providing actual care to officers.

Religion cannot and will not fix this problem. Officers deserve professional aid from qualified counselors, not ministers whose real expertise is theology.

The DOJ chaplain program's shocking lack of diversity additionally leaves non-Christian officers out of luck, as well as female officers who might prefer to work with a female counselor. We urge the Attorney General's office to instead provide counselors with secular training, who have a diversity of backgrounds and perspectives.

It is inappropriate and unconstitutional for the government to insert a religious minister into situations where grieving, seriously injured, or mentally ill officers and community members need real-world help. The fact that the chaplains are exclusively Christian further has the appearance of taking advantage of governmental employees' most vulnerable moments to promote the majority religion.

¹ www.doj.state.wi.us/dles/chaplain-program.

Government chaplains may only exist as an accommodation of a public employee's religious beliefs when the government makes it difficult or impossible to seek out private ministries. For instance, it may be difficult for military service members to find a place of worship while on mission in a foreign country or for an inmate in a prison to find a way to worship. Chaplains are meant to lighten the government-imposed "burden" on religious exercise. The DOJ does not place any burden on employees or the public, so there is no need or justification for the state to provide chaplains for them. Police officers and community members are free to privately choose if and when to receive religious counseling, as well as who to receive it from. They must also feel free in expressing and exercising secular views. Chaplains' employment, even if voluntary, demonstrates an endorsement of religion which violates the Constitution. There is the further problem that the DOJ is providing training to chaplains using taxpayer-funded resources through its Law Enforcement Chaplains Certification Program. As you point out, this has now made Wisconsin the "first state Attorney General's office in the United States to do so" — an indication of how very questionable such training is.

It is simply not true that chaplains can meet the needs of nonbelievers and believers of all faiths. There is no reason to think a nonbelieving or Jewish police officer, for example, would be comfortable dealing with a person who provides comfort from a religious or Christian viewpoint. These chaplains view the world and its problems through the lens of religion and a god, a view inapposite to nonbelievers. Christian ministers are not equipped to meet the needs of nonbelievers or believers of minority faiths. Common religious platitudes such as "she is in a better place" are meaningless and even hurtful to grieving nonbelievers.

Nonbelievers make up a significant portion of the U.S. population; 24 percent of Americans overall and 38 percent of Americans under 30 are not religious.² The DOJ chaplain program needlessly discriminates against nonreligious officers by providing chaplains equipped to handle the needs of some employees while alienating and discriminating against others.

The DOJ should discontinue the chaplain program. The Department hire qualified professional counselors to handle the secular work of assisting officers with work-related stress and mental illness. Officers who desire spiritual counseling can easily pursue it themselves, from the church of their choice, rather than the government providing them with the DOJ's favored ministers from the DOJ's favored religion. Please inform us in writing of the steps taken to remedy this matter.

Very truly,



Annie Laurie Gaylor
Co-President

² Robert P. Jones & Daniel Cox, *America's Changing Religious Identity*, PUBLIC RELIGION RESEARCH INSTITUTE (Sept. 6, 2017), available at www.ppri.org/wp-content/uploads/2017/09/PRRI-Religion-Report.pdf.

Request for Public Records

Pursuant to Wis. Stat. §§19.31–19.39, FFRF requests a copy of the following:

- 1) All contracts or other agreements between the State of Wisconsin (including the Wisconsin Department of Justice) and any of the following individuals:
 - a. John D. Putnam
 - b. Bob Goodsell
 - c. Frank O’Laughlin
 - d. Mark Clements
 - e. George Papachristou
 - f. Steve Rogers
- 2) Any records indicating payments associated with the Law Enforcement Chaplains Certification Program, including but not limited to invoices and receipts;
- 3) Any records of the curriculum presented at the Law Enforcement Chaplains Certification Program, including but not limited to written materials, Powerpoint presentations, or speaker notes;
- 4) Any records indicating payments associated with the upcoming chaplain training event on October 15–17, including but not limited to invoices and receipts; and
- 5) All emails to or from the following individuals since January 1, 2018 that include the search terms “God,” “Christ,” “Jesus,” or “Bible”:
 - a. John D. Putnam
 - b. Bob Goodsell
 - c. Frank O’Laughlin
 - d. Mark Clements
 - e. George Papachristou
 - f. Steve Rogers

The law requires you to respond to this request “as soon as practicable and without delay.” Any records available in electronic format (preferred) may be emailed to ryan@ffrf.org. If you choose to deny this request, please respond with a written explanation of the denial including any references to statutory exemptions or other case law upon which you rely.

If your agency does not maintain these public records, please let me know the names and addresses of the proper custodians. If I can provide any clarification that will help expedite your attention to this request, please contact me at 608-256-8900. Thank you for your time and attention to this matter.