



September 26, 2002

Mr. Gary Johnson, Executive Director  
Mr. Ed Owens, Deputy Executive Director  
Texas Department of Criminal Justice  
P.O. Box 99  
Huntsville, TX

Dear Mr. Johnson,

I am writing to you and Mr. Ed Owens as a free citizen of this great nation and a proud employee of TDCJ, one of the most important penal systems in the world. I am also writing as a state employed Chaplain who considers his position as one of great trust in the time honored profession of facilitating human history's greatest resource for change—*religion*. Under the auspices of the free-exercise clause of our U.S. Constitution, we serve you and this agency as government employed Chaplains to facilitate that grand resource for those unable to access such resources in the free world.

I come as a subordinate to his superior, believing that you share with me a desire for TDCJ to be the best of the best of the "criminal justice" agencies in the world. It is as a man in the trenches, somewhat representing other men and women in the trenches, to you and Mr. Owens who have been in the trenches, that I come.

Most of all, I come as a man of extreme dedication and loyalty to this agency and with a large degree of pride in my own service to this agency's mission in my own corner of responsibility at the Gib Lewis State Prison. I think it is one of the best units in the system. And likewise, I come representing *some* of the other men and women colleagues and Chaplains who feel just as I do—betrayed by the Programs and Services Division.

Here is the bottom line: in the largest and as Mac Stringfellow just said the best criminal justice system in the world, the Programs and Services Division (PSD) as exhibited *severe prejudice* towards the Chaplaincy Services, even *flirting with criminal behavior* and using tactics of a *prehistoric business model* (almost unseen anywhere in the current world). This has been going on for over a decade, and someone needs to address it. Moreover, that prejudice is bad enough, yet that prejudice is compounded when that prejudice also impedes some of our own honorable and independent legislative efforts.

The 20+ pages below is just summary. Attached is the larger documentation that is in itself the culling of literally several *thousands* of pages. In this and in the attachment are the work of essentially one man that the PSD *should* have done many years ago when the division was created, kept doing in ongoing evaluations and refinements and at a minimum recognize when it is done. But the ignoring of it for over a year now is quite incompatible with good sense, adds another element to the prejudicial indicators below, forces me to do *more of their work* for them, and all of that junk leads to consuming of your valuable time that fair and honest business practices would have prevented.

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### 1. The Request in a Nutshell

**I ask you to use your executive powers to place a moratorium on the rehiring of the Director of Chaplains until your office has investigated the following.** I believe the following needs immediate attention and essentially *disqualifies* the Programs and Services Division (PSD) from further supervision of the Chaplaincy Services. If I can be given 9 months probation for kicking a belligerent racist inciting sex offender out of a volunteer's program, then Debbie Roberts (and some others I do not know) should be given worse for clear prejudicial behavior in documented employment favoritism, employment discrimination, failure to give honest reports, misrepresenting hugely glaring contributions, failure to recognize cost-savings, failure to keep an equitable pay scale in her own division, lying to the House Appropriations Chairman, aiding, abating and/or the sanctioning the withholding of Public Records *for several years* now. That is part of the following summary, and the attachment more fully documents the following summary.

I believe I have a duty to you as one of your many subordinates to *not* sit on this information any longer. This is not proprietary information, but needs immediate action, especially since some of the info has been treated as proprietary by PSD. Some of the other information is just too shameful to ignore any longer. And *because* of the *protracted prejudice*, because of many *high level ethical indiscretions*, and because of the clear *flirting with criminal behavior*, action needs to be taken quickly.

The primary reason immediate action is necessary is not because of imminent danger to TDCJ or to TDCJ's good name. The primary reason is to keep PSD from more unethical actions that hurt more people, and the reason for urgency is that these unethical actions adversely affect the Chaplaincy Department and adversely affect the stated mission of TDCJ. Furthermore, and said in other way, there will be *no loss* to Chaplaincy Department efficiency with a moratorium; but if the PSD is allowed to continue, more prejudicial and discriminating employment practices will needlessly hurt more people that a simple moratorium can prevent.

I plead with you for an **immediate moratorium** at least until your office has had an opportunity to investigate the following. I, like you, am human being. I have endeavored to represent the following in good faith. Since some this is definitely a part of our Chaplain Professional Equity cause, even previously published and disseminated to some of the major players throughout the state, if ANY thing is misrepresented I would very much solicit correction and advice. Some of the below is simply caterpillar fluff that is too shameful for us to carry beyond this letter and to whom copies have been sent—especially as a Chaplain (not even the subject of a good joke). Like the prejudicial postal junk on state letterhead that I shared with you in April. Though that has stopped, gross indiscretions continue, and we fear for our department's integrity.

I am even scared as I write this. As I have an allegiance to my senior warden, I also have an allegiance to my close colleagues and fellow chaplains. I also have an allegiance to the other parties to whom copies have been sent. I trust they too will handle the following with the discretion demanded.

### 2. What This Is All About: the Origin of the Request in a Nutshell

This letter is certainly a corollary to our several years of efforts at Chaplain Professional Equity and a follow-up from our April meeting with you and Art Mosley, though to some extent the letter did not plan to be either. I've been struggling with how to follow-up since April. In

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addition to what we gave you in April, an urgency has developed because of what has happened since April. If there is *any* consistency at all to PSD's agenda, then the PSD's prejudicial tactics

### ***WILL CERTAINLY and NEGATIVELY IMPACT***

our legislative efforts to pursue Chaplain Professional Equity. Such will also continue to slay our professional camaraderie and continue to shame what even a handicapped weasel understands as good and decent business practices.

Without your executive action, this will happen as I understand it. As I seem to be the only one who knows all of the below and have means to articulate it, that means I *have* a duty to tell you about it. Our noble and honorable efforts for simple equality *have been* undercut and *will be* undercut as we go to our honorable legislators this next session if you do not stop the following.

More than just our own efforts and pain we have experienced, the following simply slaps the professionalism of TDCJ in face—and *slaps very hard*. And I myself, way down in the hinterlands of East Texas and *especially* as one of *your* Chaplains, do not want to be the one to do this. But at this time there is *no* other.

Here we go.

### **3. Divisional Level Pleadings: No Indication that Hokey Management and the Prejudicial, Mocking of Credible Business Practices Will Stop— *No Indication Whatsoever.***

Monday night (9-23-02), at the American Correctional Chaplaincy Association (ACCA) in Huntsville, I mentioned to Debbie Roberts that we had a meeting with you in April (of which she was aware). She recalled that she had an e-mail from me still sitting on her desk that she had not had a chance to respond to (several weeks old—I don't remember): the substance of which I said I would be glad to send her what I had given you and Mosley in April and would very much like to meet with her on our Chaplaincy initiatives that we are planning in this up-coming 78<sup>th</sup> Legislature. Since April and even since that e-mail, an urgency has arisen because of Don Kasper's retirement and all of the hokey indiscretions that *just keep coming*. I mentioned to her Monday night that I was drafting a follow-up letter to you with respect to the establishment of a full director's position and very much wanted to talk to her about it. I said "I *very much needed* to speak" to her about the issues we have been pursuing. She said she would like to, but did not see where she could get the time. I stressed the importance of the meeting, for I felt the concerns in this letter are extraordinary.

Whatever.

The Director of Chaplains, Don Kasper, retires at the end of THIS month, September 30, Monday, and there is **EVERY** reason to believe more hokey indiscretions and more prejudicial behavior will follow that *slaps the professionalism* of TDCJ in the face and makes a mockery out of good Chaplaincy Services.

The *extraordinary* work of very good and honorable Chaplains will continue to be demeaned, hidden and misrepresented. Who knows what all damage has already been done? Damage has been done to our honorable cause of Chaplain Professional Equity in the misrepresentation and underreporting for several years. Just what I myself have been able to ascertain in the following, from the hinterlands of East Texas, is bad enough. But the

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implications reach far, far beyond the pages below. For if what is taking place below is being done to Chaplains as one of the most visible and educated employees, then you have to know that that same prejudicial behavior is being exhibited throughout the division towards the weaker and less education and less visible and less powerful persons. So this letter is for the unseen victims as well.

I understand you cannot establish a division of Chaplaincy Services without board approval, and I did not know that in April till I later read that in the TBCJ guidelines on INFOPAC. And a division per se is *not* the important issue.

**The *real* issue is honor, fairness, equal opportunity, simple and decent supervision and the establishment of some semblance of accountability with respect to *how* the Chaplaincy Services have been represented. And of course, the issue is about correcting prejudicial behavior so that the strong like the chaplaincy can continue to contribute and the weak find a reprieve.**

#### 4. Chaplain Contributions MERIT Protection

You know of the contributions of TDCJ's Chaplains first hand. You hardly need any stats at all. You all have been wardens. You KNOW that the best Unit Chaplaincy Departments are in-offensive to the Unit and that the Chaplains contribute in manifold ways that are nearly impossible to measure. Most of the best Chaplains attempt to truly *serve* their wardens, the staff, the inmates, the volunteers and the families of all as well as contribute in their communities as honorable representatives of TDCJ. You and Mr. Owens know these things intuitively, even if you would be hard pressed to articulate the specifics. THE POINT you ask: to articulate the *actual* contribution is the job of the Director of Chaplains and other senior chaplains like myself: that is, it is the "profession's job" to articulate the contribution.

That is part of PSD's failure, a failure they have institutionalized now in the hiring of a NON-Chaplain as THE assistant director responsible for a director who cannot meet minimum national standards. More in this later.

Perhaps the most immeasurable and sometimes most substantial contributions are those that will *never* be recorded: the hearing of the most confidential of personal information from inmates and staff. Of course, that's the heartbeat of chaplaincy. In the most interpersonally hostile environment on earth, the need for someone to hear and guide as a STAFFER to both staff and inmates (even to some wardens) in a confidential manner—therein is as unique and pivotal function to unit camaraderie, safety and inmate management as is the center on a basketball team. In addition to that and the huge statistics we shared with you in April are among the most subtle of areas: how the office of the Unit Warden and the rank regularly refer the borderline inmates to us along with all of the major crises and how the Chaplains interface with *every* person in every department on the unit as well in the religious community at large. There is hardly a more broad profession.

You know how well most of the *best* Chaplains manage *all* of the religious programs and volunteers, working with and under their Unit Wardens on contrary cases, essentially relieving the Warden of *all* concern for the religious programming and relieving 98% of *all* volunteer

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supervision. You and Mr. Ed Owens also know that there are a few bozo chaplains who have *yet* to truly understand what it means to be in government employment.<sup>1</sup>

### 5. The Larger Origin of the Request, Part 1: Undermining of Chaplains' Legislative Efforts

In April of this year, we shared some substantial material with you and Art Mosely. It was substantial and remarkable. We asked you for help: the possibility of a support letter for general Chaplain Professional Equity, even the possibly the establishment of a separate Chaplaincy Division given the stuff we gave you, but mainly to keep you in the loop as we head to the 78<sup>th</sup> Legislature. I now know that a division is by board approval only.

The support letter is still a request for consideration. Since then, several more serious indiscretions have continued, and the indiscretions have continued with a large sense of impunity. The indiscretions have continued *without regard* to clear employee concerns and with every reason to believe that there is a near illegal hostility toward our legislative efforts (but guesses don't count, I know). I ask you for a moratorium on the hiring of a new *pseudo*-director of chaplains (as you will understand below). And I do so *in part* and *on behalf* of several colleagues, a *few* of which are on the copy list.

As of the end September 30, 2002, Don Kasper, the current Director of Chaplains will retire. He will retire with 2 masters degrees and over 40 years experience and at a salary of an *average* Windham School Teacher and *below* the *average* Windham School Unit Education Counselors. That is absurd, and it is offensive that PSD does not recognize that—another element of prejudicial behavior. The responsibilities between these are gargantuan and unthinkable—*unthinkable* and beyond comprehension. That such has been *completely ignored* AFTER it has been brought to light is still *another* act of prejudice.

### 6. Short History—My *Accidental* & *Serendipitous* Discoveries

Mr. Johnson, you *must* know that when I began to look at the Chaplaincy salary issue, I was, *oh*, so innocent and naïve. I noted inequities immediately against TDCJ in particular, including Wayne Scott's own salary (*How* could the Houston School District Superintendent make over a \$100k *more* than the Exec. Dir. of TDCJ?). I noticed how out of kilter even my unit warden's and major's salaries were with respect to other *Texas* agencies. You can see that first open letter to the legislature I personally gave to my State Representative Dan Ellis way back then (see the footnote on where to see it).<sup>2</sup> I have been trained to analyze anomalies, mainly theological anomalies, but that training and research capability proved worthy here too. But in some cases even a 7<sup>th</sup> Grade student could see the anomalies. I was aghast at the disparity, and more so at the hugely growing neglect I began to see that was directed at TDCJ's Chaplaincy Services.

I've been doing research for 20+ years. Since this affected me, mine and my future or lack of a future—I began to research it. I ran into more walls in this than in any other of the hundreds of topics I have researched and many books I have written in 20+ years.

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<sup>1</sup> You can see that too at the web site and how some of those chaplains answered the Chaplaincy Audit Questionnaire: [www.preciousheart.net](http://www.preciousheart.net) and click the Chaplaincy Audit link.

<sup>2</sup> See [www.preciousheart.net](http://www.preciousheart.net) and click on the Chaplaincy Documents section, then scroll down to the subsection "Where Professional Equity Began" and click the link to "First Pay Scale Comparison."

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As it turned out, it was *not neglect* after all. Towards the Chaplaincy Department the PSD has actually been exhibiting clear and unadulterated and documented prejudice: the kind that is illegal to some extent, and even sheer bad and prehistoric business practices. I am going to list them. Sure, all of TDCJ is underpaid, including you, yourself, in comparison to others *in Texas*; but chaplains have been left in the dust in all of Texas' agencies and have been *ignored* within TDCJ itself.

I looked closer and started looking at postings and comparing initial qualifications. The disparity grew. I looked at Texas State Auditor's junk, and the disparity grew even further. Almost every degree bearing profession in the state and many non-degree bearing line workers had some kind of adjustments every couple of years—not Chaplains. The most glaring of all: nearly every significant position had 5-7 levels, as the officers have only four now, and chaplains have remained at 3 levels forever. State classification cannot justify that (certainly TDCJ's Carl Jefferies had a say those discussion in the 77<sup>th</sup> Legislature, and I'll tell you *that* story at another time).

So I initiated one Open Records Act (ORA) request after another, finding out that almost *no one* wanted to share anything. I spent a lot of time on those requests alone, waiting several months on some (though 10 days is the requirement). At first, it was like I was indeed asking for privileged, proprietary info; no one really want to share anything. Even Don Keil in the Chaplaincy and several in HR. Some were actually smart-mouthed at first. Even TDCJ's own general counsel lawyer James Hall was surprised that his own recommendations for release were not followed and kind of amazed that people did *not want* the info we were seeking “published to high heaven” (that made me feel *good*): give him a call (437-6700). He gave me the State's AG's office that deals with that ORA grievances. For almost the last two years now, I have practically become friends with Manny Ruiz who is the OAG's investigator who had to *time and again* pursue CLEAR public records: give him a call (512-481-1992). Both of them will remember me.

A big question is why should they remember? That is another book.

In my reading, you are the public information officer for TDCJ. Did you know that several persons have *not been* following TDCJ's own policy on ORA requests? Not following TDCJ's own general counsel's recommendations? Balking at the Texas' own investigator from State's AG's office? I would think that alone would be enough to raise your ire and become a flag for some *serious* problems. All that because of “Chaplaincy?” requests. And if “Chaplaincy?” requests are balked at—what about the little people?

### 7. The Hardest Item to Obtain: Chaplain Desk Audit Info

One item in particular was the hardest to get to: the first TDCJ Chaplaincy Desk Audit in TDCJ's history. This is an incredible and shameful story. From December of 2001 to June of 2002, Manny Ruiz had to place *sustained* pressure on TDCJ's offices to release that material. I don't remember how many times I ferried my original request from December of 2001 to Ruiz and James Hall. Give Ruiz a call (512-481-1992). Finally, and *solely* because of Ruiz's persistent pressure, I got to review those precious documents in June of this year. What was TDCJ's Programs and Services and/or HR hiding? I am not sure. Did Debbie Roberts know about this obfuscation? Given the below, we will *never* know for sure.

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I spent four vacation days in June at TDCJ's HR HQ in Huntsville collating the data. You can see some of the raw results on the web site.<sup>3</sup> At least, you can see how 150+ prison chaplains view their own job, for the *first time* in state history: the Chaplains are a responsible and conscientious bunch, and that's now documented. But I did not hold back the bozos either; they are up there like the rest.

This we know: it is *illegal* to impede contact with or to use state resources and the authority of one's off to impede contact with the legislative process. The Chaplain's Initiatives in the 2001 77<sup>th</sup> Legislature secured for us Chaplains in all three agencies (TDCJ, TYC & MHMR) the first pay raise in TDCJ's history.<sup>4</sup> However, *our efforts were confused*. Director of Chaplain Don Kasper said to me and several other Chaplains that a good measure of the responsibility for the raise should have gone to the Chaplaincy Audit "research" and the efforts of Wayne Scott. Nope. That's not right at all.

Here is the REAL story *from the records themselves*: the Chaplaincy Audit was initiated sometime in 2000, with the raw data questionnaires going to chaplains in Nov. of 2000. THEN the questionnaires sat for SIX MONTHS+ till in June of 2001 when the audit was cancelled by Carl Jefferies: the reason for canceling was BECAUSE of the 77<sup>th</sup> Legislature's decision to grant a small raise.<sup>5</sup> In the documents, there was nothing conclusive, no analysis, no summaries—just a pile of questionnaires and other bureaucratic memorabilia.

Somebody had lied to someone about our efforts to short circuit our legislative efforts. Of course that is just a deduction on Kasper's hurtful, ignorant and initiative slapping comments: however, the hurtful comments are *not* ignorant if he actually *knew* that the audit had nothing to do with the pay raise. If that is so, then the remarks would be lies to belay or confuse our efforts, and that borders on the illegal misuse of authority to undermine legislative efforts (and I am stretching every ounce I can out of this). It is so very offensive that the Director of Chaplains wished to keep his head in the sand with respect to the huge inequity of his own profession and with respect to what his own Chaplain subordinates had accomplished FOR HIM and each other in professional networking and teamwork. Yet that is relatively minor compared to the following.

Most importantly and one major reason for the ORA request was to discover if any analysis had been done at all and what was concluded. I found out this: NOTHING conclusive, *no analysis*, nothing was analyzed of those 150+ questionnaires from the time of their collection in Nov. 2000 till the time of the audit's cancellation in June of 2001. In other words, in a department recouping its entire operating costs with extraordinary work measures, nothing is analyzed by ANYONE: not HR, NOT even by the non-chaplain ASSISTANT Director of Religious Services or NOT even his subordinate the DIRECTOR of Chaplains. Said in another way, there was not one single document of analysis or evaluation of the **first** full HR chaplaincy audit of one of the world's largest groups of correctional chaplains in the world in one of the largest and most important penal institutions in the world.

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<sup>3</sup> [www.preciousheart.net](http://www.preciousheart.net), a link is on the home page.

<sup>4</sup> Not MHMR, whose Chaplains secured some many years ago, most of which have been as Chaplain III's at a higher pay step than our Director of Chaplains. It was not till that was truly publicized that our Director of Chaplains was moved from a Chaplain III to a Prog. Admin. V. What a way to do things, even though that is NOT what you will hear from PSD.

<sup>5</sup> From the Inter-Memo by Jefferies in the complete Audit Material collection.

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That is hard to imagine. Is this *really* the 21<sup>st</sup> century?

What kind of a business is that? In fact, that is *not* business at all. It is either blatant prejudice against the Chaplaincy Profession as a whole or gross incompetence with respect to *how* the Chaplaincy Services are accomplished. Or maybe someone just *not care* what Chaplains do. At the *very best and most positive perspective we can grasp—the very best is this:* such is a **TOTAL and COMPLETE LACK OF VISION** and total absence of interest in the development of a department that recoups its entire operating costs and affects *every* mission critical function in a manner far and above any other single PSD section.

That total lack of vision and total lack of interest is another element that disqualifies PSD for continued supervision. What about the Assistant Director and Director's job descriptions? Is that just a HR function? If the audit was just a mere HR function, that too needs addressing. There is NO COMPETENT "DIRECTION" by either an Assistant Director or his Director subordinate when such is ignored.

There is no understanding to that. That is clear prejudice and clear dereliction of duty to many persons' job descriptions. It is a betrayal of trust of state stewardship and a betrayal of trust to honorable and contributing Chaplains. It is even a betrayal of your office when Chaplaincy is misrepresented as OK and up-to-par and tittle-ta-da-da and in no need of adjustments while PSD rewards others with greater pay who have less responsibility and who make less contributions.

And on the sly, certainly, Carl Jefferies was *fully* aware of our efforts that began in late 1999 as he came to the first Annual Chaplaincy Meeting of his career after we began our initiatives and spent the whole day at our 2000 annual Chaplaincy Meeting. In November of 2000 the questionnaire audits are sent out (who knows whatever else was being done). Doubtlessly, in the 77<sup>th</sup> Legislature Jefferies has the rhetoric to be able to say in the halls of Austin that "we have initiated a Chaplaincy Desk Audit to assess the situation." An audit with questionnaires that lay dormant from the beginning of the 77<sup>th</sup> Legislature till that Legislature responded to Chaplain Professional Equity, audit questionnaires that lay dormant till the time Jefferies cancels the audit, questionnaires that are *never* even in any process of evaluation during their dormancy as Jefferies comments on an audit in Austin about Chaplaincy Professional Equity. I suspect and have little doubt. I believe this betrays the trust of the legislators into thinking an analysis was going on when none was going on. We will never know for sure.

But if Jefferies said to one single legislature from January to June of 2001 that an audit *was being done*, that comment—as you know—would be enough to derail *some* of our good work in a thoughtful legislator *trusting* the steward of the Programs and Services Division. And that is not flirting with illegality—that IS illegal.

These are heavy and complicated deductions, that by themselves may appear to be stretching the case of prejudice into the realm of a desperate man scratching for attention. But given all of the material together, you should be able to see that Jefferies was somehow *desperate* to keep Chaplaincy away from equity and how that has continued to the present.

### 8. The Larger Origin of the Request, Part 2:

#### A Matter of HONOR and TRUST

This is a matter of honor. It is also a matter of trust, *trust* that the good people of Texas place in those managing Texas' resources. Honor and trust the Chaplains have tried to place in

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their superiors. It is about how the PSD has acted with dishonor and betrayed the trust of your very office and dishonored the very mission of TDCJ.

The Chaplaincy Department is an agency function *under* the Programs and Services Division, but we have *not* been treated fairly or with honor. It is not neglect. Chaplains contribute and have given to this agency in a manner that has *not been fairly rewarded or even recognized*—not properly or proportionately in relation to those contributions. Quite the opposite has taken place. I for one and many of my brother and sister chaplains stand with me.

It is too much to be silent anymore.

I hurt with them, many of which simply will not say much because they do not want to hurt their own programming: that is, some are afraid to say much for fear that their *own contribution* will be further restricted. All the while, PSD appears to be nonchalant in its continued actions of obfuscations, partiality and great prejudice: indeed, they act with the largest sense of impunity I have ever seen.

The TDCJ Chaplaincy Department has been managed in a fashion to *directly* minimize its total contribution to TDCJ and in a fashion that has kept the Chaplains out of the loop with respect to fair compensation and even out of the loop of normal reporting procedures. We need your help now, more than ever. Our ulterior motives are to continue our legislative pursuits without impediment. But mainly, we need your help because of the prejudice against TDCJ's Chaplains from the Programs and Services Division: the prejudice has been pervasive, protracted, constant and contrary to TDCJ's own stated mission.

The more one looks at the Chaplaincy Department, the more one sees a premier program that is cost-effective and making major contributions. Likewise, the more one looks at the *how* they have been treated by the PSD, the more one sees how very *CLEARLY* that cost-effectiveness has been hidden and how those enormous contributions have been ignored.

Sir, let me reiterate and then I will list them *specifically*: the contributions have been **IGNORED**, refused status, hidden and deleted in records retentions schedules so that even the *mere* growth in the last ten years is *cannot* be measured. The contributions have been misreported to give credit to mysterious entities (like in the last *three* Volunteer Reports). This is not neglect anymore. This is *prejudice* and *parochial protectionism*.

Substance Abuse Programs have been funded to the tune of 10x the Chaplaincy Department; they have come and gone based *solely* on the affect on recidivism. Yet the *only* benchmarks for Chaplaincy progress have not even been reported in the PSD's Bi-Monthly Division Reports and are destroyed after three years. In August's PSD's report there were two sentences on Chaplaincy. What the hell is going on here?

Nothing is kept of the tens of thousands hours of counseling, crisis intervention, volunteer facilitation and *thousands* of programs facilitated in at least a hundred different categories. We do have computers, and there is plenty of room for summaries. **THIS ALONE SHOULD DISQUALIFY THE PROGRAMS AND SERVICES DIVISION FROM SUPERVISION.** But that is not all.

Sir, a year or so ago, you yourself in a measure of pride at a Restorative Justice Convention held up a copy of the Restorative Justice News, indicating and complimenting the large number of volunteer organizations. But that was just a smattering. I had to pursue an ORA request to get the sloppy un-up-dated list of 750 separate religious ministries from the Chaplaincy Department (also seen on the web site in a *slightly* cleaned up fashion).

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We showed you how the Volunteer Coordination Committee's Report for FY 2000 and FY 2001 was significantly more fluff and distraction: more fluff *if* the executive summary meant anything. The 60 or so pages meant nothing, because 90+% of the \$8,000,000+ saved was accomplished by *Chaplains* and how the other 9% of that \$8,000,000 is saved is anybody's guess—you *cannot* tell from the report. The executive summary misrepresents to make the Volunteer Committee and look like it and the total accumulation saved \$8,000,000+; that's deceptive fluffing that also discriminates against the Chaplaincy Services good work. If the report has just focused upon the service hours adding up to the \$8,000,000, then the report would have only been 4 pages long instead of 60 pages.

*Proper and Full Reporting and Analysis and Supervision IS THE JOB* of the Programs and Services Division. Sirs, I do not even have an MBA, but my own work experience in the delivery newspapers 20 years ago indicates something is gravely missing here. *That* kind of reporting would disqualify you from keeping a paper route: it is part of the job description that a paper route manager has to be able to know how to add and subtract. That is funny in a very facetious way. The manner in which TDCJ's Chaplaincy Services have been treated is among the poorest business models in the country. I would say lack of representation, but the fact is that there is NO REPRESENTATION AT ALL. Not where it counts anyway.

Sir, I do believe you need a Director of Chaplaincy that can have direct access to your office, not the convoluted and misrepresented path that has been the history of the last ten years.

In fact, please—if you will indulge me for just one moment—if I am mistaken, give me one example in the entire history of the human race. Just one. Where “ONE” person is placed to supervise “ONE” person: and even *there* the titles are bamboozled: the “Assistant Director” for Religious Services is supervising the “Director” of Chaplaincy. And even though InnerChange is technically under the *assistant*, do know that supervision is entirely by the private company of Prison Fellowship (PF). Manny Ruiz (mentioned above) of the State's OAG office has forwarded my ORA requests to the state's AG's lawyers to pursue further, as PF's own out-of-state law firm told InnerChange staffers that they recognize their own self supervision and *unaccountability* to the public on salary levels, staffing and growth statistics. AMAZING. ASTOUNDING. PF uses Texas' prisons to supervise a novel religious program involving inmates in the custody of TDCJ, and PF does NOT want to be accountable to the PUBLIC. Somebody is not opening their eyes here.

Not only that, of the varied and highly sensitive nature of Chaplain's work, how is it that an Assistant Director can be appointed to head a department that has NEVER been in a Chaplain's shoes? That is *not* done in any professional organization on earth, unless there is a subversive or some other ulterior motive *outside* of maximizing that profession's competence or *outside* of TDCJ's written mission. Or unless PSD is protecting the fluff. It is NOT done in the Substance Abuse or in the Sex Offender programs, and both of those programs are *less* complicated, *far* more programmatic and *far less* network intensive than Chaplaincy.<sup>6</sup> Not only a management anomaly, the prejudice in pay scale is blatant: their directors have been *many* pay groups above the Director of Chaplaincy for many years.

This is NOT SIMPLE NEGLECT, not anymore. This and following almost borders on criminal, gets *just as close* to criminal as one can get without crossing the line. This kind of flirting with criminal behavior needs to be stopped, and only your office can stop it.

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<sup>6</sup> You can see the [www.preciousheart.net](http://www.preciousheart.net) for more on the complexity and breadth of the Chaplaincy Services.

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This is indeed a manner of honor and trust. Decades old. Very bold in prejudice, indeed. Sir, even gingerly, I say YOUR office has been betrayed in all of this.

### 9. Only the Office of the Executive Director Can Stop This.

As I understand it, and I do not believe I am wrong, even as I am way down here in the hinterlands of East Texas—most of this should be handled by your office.

I plead for your help as a good and honorable citizen. I plead with and on behalf of few others chaplains who are with me on this. I plead with you on behalf of a good number who cannot articulate their worth, but who are just doing an extraordinary job that neither the current Assistant Director nor the outgoing pseudo-Director nor whoever else that might give illegal favoritism too has, is or will articulate. And I *have* articulated some here and much more elsewhere. That articulation remains to be reckoned with.

If not your office, do you know who else we can go to?

I think of our brand new chaplain at our Gib Lewis High Security facility (HS), Chaplain Rudy Kauntze-Cockburn (Chaplain Rudy for short). He started here as 65+ year old man with worldwide experience, having been born in India, living many years in Europe prior to coming to America and becoming a U.S. citizen, hard working all of his life with a life-time devoted wife. He is a devoted Catholic and credentialed Catholic Deacon. He has ingratiated himself to staff and inmates alike in a few short months. The staff *regularly* call on him to visit a contrary HS inmate. As you well know, the HS inmates are among the most troubled and dangerous in Texas, even the world. Perhaps the GREATEST compliment given to him was informally at our monthly Lewis Unit Senior Warden's meeting, where I heard that Warden Bone had said "he visits the wings more than I do." And Warden Bone is all over that place. The good being done by that staff-respected Chaplain among the harshest criminals in the world cannot be measured. That it goes unreported and unrecognized in TDCJ's major reports is shameful, undercuts Chaplaincy and TDCJ's mission and keeps Chaplains outside of the light of fair compensation review.

There are many Chaplains "doing" the work, doing it with alacrity and doing the work in a manner that cannot be recorded. How is that even what is recorded *never* makes into the PSD bi-monthly reports for the last several years, including this August's report? How is it that the contributions of Chaplain Rudy, his colleagues throughout the TDCJ and the volunteers who do likewise are *fluffed* into are huge volunteer report and completely ignored?

Who thinks for one second that the Assistant Director who has *never* been a Chaplain can even vaguely understand the contributions or deep level intricacies of the multitude of good relations and crisis intervention that just Chaplain Rudy is accomplishing in the single phrase-compliment "he's on the wings more than I am" by the warden of the facility housing the worst of the worst?

Words almost fail me.

Mr. Johnson and Mr. Owens, we plead for your help. Chaplains VALUE relationships, all relationships. Chaplains are state employees too, with a high tolerance, many of which would rather be quiet than risk *any* tremors to their own programming than voice disapproval. In many ways, here are some of your *best* chaplains: those who keep confidential those (non-security

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threatening) offenses to maximize their programs for the sake of not making any conflict that would get even close to causing the warden to doubt their program's integrity.<sup>7</sup>

Another reason it should be handled in-house is because of *your* very own honor, sirs, both you and Mr. Ed Owens. Another characteristic of your *best* employees—as you well know—among the above, is that employee who does NOT shovel a lot doo-doo into your office. That is, the best chaplains are not easily intimidated and are very much like your wardens in that they tell you like it is, even when they disagree, and then afterwards respect the decision you that make. Many times with true respect, understanding that there are many things on your desk that we ourselves do not see.

How has it come this far?

Sir, this is about your honor too. And my coming to you is an effort to respect you, your honor and the honor of Ed Owens and mostly to respect the awesome mission of TDCJ.

Here are some really wacko things have happened over the last decade. Note Chaplain Professional Equity is shortened to “CPE” below.

1. 35+ years without a single pay raise, some chaplains 17-20 years without a single raise.
2. 20+ years Director of Chaplains at B-10 schedule and *no ability* to discipline the chaplains below him: there is no “director” of anything in the entire country that cannot discipline except in TDCJ until very recently, right after my own disciplinary.
3. 1993 Director of Chaplaincy job description was *lowered* to accommodate Jerry Groom whose wife was a TDCJ Exec., obvious favoritism, that also discriminated against many Senior Chaplains with qualifications *exceeding* the old description. Signed off by Cathy McVey. Already below national standards for simple accredited staff chaplains, to say nothing of the Director's position.
4. In the last 4-5 years, many positions newly created in Programs & Services Division (PSD) at B-13 with qualifications BELOW staff unit Chaplains, to say nothing of the Director of Chaplains position. Many other disparities were coming to light and highlighted by the CPE Chaplains in their initiatives, even to their legislators.<sup>8</sup>
5. circa 1995, lateral transfers have always been given precedence; Estelle Unit has need of deaf inmate interpreters; Chaplain Tom Cole desires to transfer; unprecedented preference given to new hire Don Kaspar. After he transfers to Holiday Unit, Cole is able to go the Estelle Unit.
6. At the height of TDCJ's *growth*, all unit chaplaincy secretaries were cut. I don't remember the year (1996?).
7. October 1999 Director of Chaplains (DOC) Jerry Groom resigns because of appointment over him of new position of Assistant Director of Religious Services established by appointment of Don Keil who has *never* been a Chaplain or pursued the normal

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<sup>7</sup> And that is the simple story. For just how complex, see the Chaplaincy Documents section [www.preciousheart.net](http://www.preciousheart.net) for the article the published article on the Complexity of Correctional Chaplaincy.

<sup>8</sup> Data on this is still forthcoming. The ORA request would cost over a \$1,000 dollars, so we have been asking a legislator to get it for us. I don't know where we stand on that yet, as it was not my legislator, but it is over six months old. If the legislator did ask for that info back then, then here is another story. Tied in with that request was a request for the number of Chaplaincy overtime hours. Just to be complete. But I think we have enough to make our case.

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requirements; there is no interview. Keil is *one* person over Director of Chaplains at the time, unprecedented, but position in a few years develops other responsibilities so it *no longer* appears to be *over* one person. Keil's thumb over Groom is too heavy and causes him to resign. Chaplain Richard Lopez is placed as interim.

8. Between October-March 2000, several postings for Director of Chaplains are posted and removed. ***The qualifications are lowered again***, which clearly accommodates Kaspar's small correctional chaplaincy resume, which is favoritism and discrimination against those who met the unaltered and previously lowered job description. Kasper was the pastor of many high profile TDCJ's executives. Regardless, this is favoritism and discriminates ***again*** against those with longer tenure and full credentials.

In fact, it cannot get much lower. The two national bodies that endorse professional unit chaplains *could not endorse* our New Director of Chaplains for TDCJ, including ACCA. And Kaspar retires with *never* have pursued even simple membership in ACA or ACCA or in anything during his entire 6 year career with TDCJ. What professional or business rational or business model exists anywhere on the planet in the 21<sup>st</sup> century that CONTINUES TO LOWER qualifications?

The DOC is a B-10 position, well below the directors of the Substance Abuse (B-15), the Sex Abuse (B-14) programs and the Victim Services Division (B-15). It has been below them for a long time.

9. In July 12, 2000 -- I am investigated by internal affairs for allegedly harassing an inmate (the "harassing" was removal of the inmate from several programs for his persistent belligerence, disrespect and racist allegations of me and several very esteemed volunteers in response to the inmate's grievance)
10. July-August 2000 – at my own expense, I travel the state to meet with all of our Chaplain Professional Equity (CPE) regional coordinators, to meet with the chaplains they have networked in their region in order to fully explain CPE to the Chaplains—all five regions. I give out a tightly organized FACT SHEET and other legislative aids.<sup>9</sup>

Essentially, we pursue equity based upon our "Contribution to mission critical functions, our experience and credentials." We want to be positive.

11. (2000 or 2001, cannot remember) At the combined regional meeting for Region I and III chaplains, we meet in Houston at a Catholic Church. We are not allowed per diem, and eat with the church's regular feeding of the indigent in the area: Not Debbie Roberts, or Don Keil or Don Kasper, who go out to eat, on per diem, of course. Not real informative in itself.

Except that the Chaplaincy DOES IT's SHARE to cut costs. Excuse me, the "CHAPLAINS" cut costs. What is very noteworthy is that Psych. Retreats are all expenses paid to motels in Corpus Christi. And Carl Jefferies meets with Windham administrators at the Adam's Mark Hotel (in Austin if I remember right). We have

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<sup>9</sup> These can be seen at [www.preciousheart.net](http://www.preciousheart.net) under the chaplaincy docs section.

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NEVER utilized a hotel in 10 years. Just who has more responsibilities to TDCJ's mission *critical* functions? There is no comparison. Just prejudice against Chaplaincy.

12. Sept. 6, 2000 in an Official Memorandum to all Chaplains and in answer to questions by several Chaplains relevant to change in salaries and structure—the answer is that: the answer is NONE. This was a summary of all Regional Chaplaincy Meetings held above.
13. We plan CPE meetings with Chaplains on our own time at the close of each the 2000 and 2001 conferences. Our meeting times are *never* announced, forgotten. This affects attendance, of course.
14. Open Records Act requests are muddled throughout 2000 and 2001. Obviously, some of the muddle was innocent of any maliciousness as apparently no one had ever asked before. Yet some was referred to James Hall, others had to be pursued through the State's AG's office for quite sometime (perhaps a ten).
15. Sept 19-20, 2000, Annual Chaplains Meeting, much of this information is on the web site, and we attempt to meet with all of the chaplains in after hours. I disseminate a Chaplain Equity Fact Sheet and legislative aids.
16. Disciplinary: Dec. 4-8, 2000, I am notified by Don Keil of disciplinary for the July incident. It is referred to him by my Senior Warden under dual supervision guidelines. It is scheduled for 12-28-00, in spite of my request that it be handled BEFORE Christmas. Apparently, Internal Affairs found me guilty of harassment for removing an inmate out of several programs for the inmate's filing of a grievance.
17. 12-28-00 I prepare a lengthy response, of course, including support for my decision from our assistant warden, and statements from several about that particular inmate's long standing reputation for belligerence and racial accusations *throughout* the unit: he is a small Hispanic sex offender with a handicap and a big mouth. The documents include statements of support from the law library officer, the law library supervisor, the education officer, the craft shop supervisor (all places he frequents), and statements from three inmates who were in three different classes and craft shop (two Black, one Anglo), and of course the two long time volunteers from whose class I removed him (one of which received governor's award for volunteers).

I receive 9 months probation. For removing a belligerent inmate from programs for years in programs he volunteered for—in spite of evidence from nearly the entire unit staff. From someone who has never been a chaplain.

18. Jan. 11, 2001, I have to grieve this to Debbie Roberts and then Carl Jefferies. The grievance is questionable at best. THE POINT: most important thing, there was *no one* to arbitrate it who had an inkling of what true pastoral care is or the actual dynamics of a long term Unit Chaplaincy Department. Of course, the most amazing thing is this: how could the unit wide support against this nutty sex offender's racist's accusations—how could the Unit Support not be recognized as mitigating factors?
19. Later in the year, (perhaps Sept 01?), Kasper is promoted to B-13.  
Now for the first time in TDCJ history we have a Chaplain who can run a disciplinary

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hearing. I and others like me don't know whether to laugh or not.

And the promotion comes as PSD continues to remove responsibilities from the Chaplaincy Department: I don't remember when, but the Chapel Construction Project monitoring is placed under someone else *outside* of Chaplaincy (even the Capitol Improvement Review committee has to be multi-staffed), even though ALL of the Chapel Projects are by volunteers of Chaplains on the units, many times not soliciting but very much supportive, cheerleading—leading the way. Not a big deal in itself, but certainly big when piecemeal nothing is reported or is misreported about chaplaincy contributions.

This removes responsibility from Chaplaincy HQ and ADDS one more person to whom the Unit Chaplains are responsible.

20. In May 2001, when CPE's H.B. 2460 came up for review up in the 77<sup>th</sup> Legislature's House Appropriation Committee. Three of us testified for the bill. House Chairman Rob Junell asked the State Auditor's representative if they needed "pass a law to make them review our proposal"; she answered no, and Rob Junell then asked if she and representatives of TDCJ could meet with the Chaplains and their representatives to discuss it. Carl Jefferies and Debbie Roberts were there, apparently agreeing to meet with us and our representatives.

But no one from TDCJ shows up for the meeting, not even the State Auditor's people where we agreed to meet (lobby of Auditor's building); we had to find out where the Auditor's Representative's office was in the building and only then did they meet with us. When asked whether the Auditor's Representative Juliet Torres would report to the House Appropriations Chair's office that *no one* from the TDCJ showed up, she said no.

So how about that. There is no sense of obligation to the House Chair's direction?

Later in the year, Rob Junell asked me and us to work with you, the Executive Director, on some of these inequities. Here I am again. Would you like his number? Just a little joke there, but I do have it ☺.

21. Sept. 2001 – State Chaplains receive their first raise in TDCJ's history, even though according to the State Auditor's office is it the responsibility of Divisions/Departments see that equitable balances are maintained.<sup>10</sup>
22. Sept.-Oct. 2001 Annual Chaplaincy Meeting: **NOTHING** is mentioned about how we got the raise. Our CPE meeting scheduled later that night was forgotten to be mentioned.

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<sup>10</sup> In the Appendix of the Attachment, part of the data recovered on State Classification, where it says explicitly that the LAW requires the Divisions and Agencies to make proper recommendations and assessments (I can't remember it all). Also seen in the Old Proposal given to the 77<sup>th</sup> Legislature seen on the web site, [www.preciousheart.net](http://www.preciousheart.net).

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Later the next day Kaspar reflects on our CPE meeting to me and several chaplains: we did not give credit to the Chaplain Audit Research that nobody had analyzed.

23. Dec. 2001 ORA Request is initiated to recover the "Research." Like so much, it is not made available till well in till June 2002.

The sad sack story here is this: someone is not paying attention to TDCJ's OWN General Counsel James Hall; nor is anyone paying attention to Texas own AG's office's investigator Manny Ruiz. For over SIX MONTHS. Mr. Ruiz reflected to me later how unethical that was.

24. June 2002: I spend 4 days vacation at TDCJ HR HQ collecting raw data from the Chaplaincy Desk Audit, doing something that should have been done by others over a year earlier and doing it before those documents are destroyed. You can see the raw and selected collection at the web site. There is a lot there.

How could it remain without analysis? That is not the only problem. How could it be *properly* analyzed by someone who is not a true expert in chaplaincy functions, theory and practice? See the Texas Auditor's own manual for audits where it indicates the prudence of including experts in the analysis of specialized professions. Even so, the bare bones questions still yielded a substantial amount of data supporting the complexity and breadth of the TDCJ Chaplain's position.

25. June 2002 (about—don't remember) a couple of Chaplaincy HQ office staff confide: Now everyone has to LEAVE the Chaplaincy HQ offices by 5 PM each day. Kaspar informs it is fire or safety reasons (apparently someone has ordered such), even though others stay in the building.

This is still the case. What a joke this is? It has almost become laughable. Here I am on a 24/7 schedule as a Unit Chaplain, required by Audit Stipulations to be there at least one night a week (I am two nights a week), and member of Post Trauma Treatment Team, and if I am on the phone with my supervisory chaplain at 5 PM—***HE has to leave the building!*** One regional chaplaincy coordinator has gotten some kind of discipline for *not* leaving promptly at 5 PM.

Now TOO MUCH WORK is being penalized. What kind of rationale or business model *exists anywhere* in the entire world that ***Disciplines SUPERVISORS FOR WORKING LATE?*** This is another form of prejudicial behavior, if not outright harassment and patronizing and sheer childish doo-doo.

26. Late this Monday night (9-23-02), Dr. Vance Drum and I share free lodging as we attended the ACCA Conference. Drum is the secretary for ACCA. He laments how he had felt about Director of Chaplains Don Kaspar's refusal to share the availability of "FREE" lodging for TDCJ Chaplains to attend the ACCA conference on a mainframe e-mail to all chaplains. That refusal he could not understand.

Maybe Kaspar did not want Chaplains to hear Ed Owens, Carol Vance, Don Jones and other experts in from Sam Houston State University on criminal justice issues.

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The above 26 items are only a sampling. I have become a confidant to many over these last years. Some things have to remain confidant. Sir, you and Mr. Owens will never know the full story **BECAUSE** of the nature of Chaplaincy to be demure and protective of relationships. We did not run to this level of exposure, but I in particular have been driven to it. The above 26 items are most of the serious facts. They are not the only ones, and a large number could be added. You would not believe, and the current anti-leadership of the Chaplaincy has not the ear or the confidence to hear what a good number of us senior chaplains have been told.

### **10. Highest Reason to Act Now to Place a Moratorium & Initiate a Quiet Investigation: *Quality Pastoral Care***

This last piece needs belaboring. I tell you, sirs, here is the real reason for #26 (and a few others): the retiring Director of Chaplains Don Kaspar is the *largest* piece of protected fluff I have ever seen. His many professional indiscretions cannot be listed—period. He is an honorable man, with a sterling reputation, with many pastoral connections. But his professional “Chaplaincy” savoir faire is almost identical to this: imagine how *your* senior wardens would feel if a recent graduate from Sam Houston’s master’s program was just appointed as Executive Director to TDCJ simply because he or she was the governor’s son or daughter. You KNOW what the senior wardens would feel, what you yourself would feel, and that is exactly how *every* senior Chaplain in TDCJ feels. That Kaspar is oblivious to the favoritism exhibited to him is all the more odious: I just know he does not know that the qualifications were lowered for him.

An outsider may *never* see it. But each time the political appointee stands up and talks, every senior takes a breath. Unbelievable. That is the manner of each senior Chaplain. Kaspar had many years as a pastor, but he has never really developed a correctional chaplain identity as we would say in the profession. He was a nice soft honorable man with a very clear obligation and heartfelt duty to serve.

Here is the kicker. And another reason to handle with CARE. Gary and Ed, here are *your* Chaplains speaking: all of us. Mindful as we are of the favoritism and the incredible junk above, DO PLEASE **NOTE THE POWER OF PASTORAL CARE**. Most ALL of the above, and especially KASPAR, was initiated and accomplished **FOR KASPAR** because he is such a warm hearted and caring person. That care causes people to act. That *moves* people to play favorites. Kaspar’s degree of care for the soul in times past, that Kaspar delivered to McVey and the uncounted numbers of other TDCJ **STAFF** for **35+** years **IN** Huntsville—who knows how many TDCJ Executives he saw born raised.

If I or any of us truly publicize the above or publicly force this or forthright pursue this—we end up hurting Kaspar, the mentor and trusted pastor of so many good TDCJ folks. It is **NOT** Kaspar’s fault that he is correctional chaplaincy naïve. Nor is it HIS fault that he has frustrated so many Chaplains. As one wise old chaplain said, we should nurture him along. But you and I *know* that you cannot nurture “experience.”

The point is that in handling this with discretion, and protecting Kaspar’s good name, the good reputation of Chaplaincy among Kaspar’s TDCJ protégés is preserved. Likewise, in fully addressing this issue to many in a broadband manner, Chaplaincy’s own reputation will suffer.

Lastly, let me point out that the favoritism to Groom *and* Kaspar and the subsequent discrimination has been *because* of the quality pastoral care that they cultivated. And that is all the more reason to support a **FULLY** credentialed Chaplain as a **REAL** “Director” of Chaplains with direct access to your office. The subtly of *real* pastoral care causes people to do things. It

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does on the unit and system wide. More than that though, only someone who has been there can **TRULY KNOW** the good work of those below and foster the further development of the profession itself.

Plus, it is just fair and equal treatment to the profession and good business.

### Conclusive Indiscretions

Chaplains and their department have been given verbal support for many decades, but the chiefs of Chaplains were unable to persuade for up-grades for decades. And the retiring Director never actually understood the inequity in the first place, much less the national standards.

The Programs and Services Division (PSD) has not supported Chaplaincy fairly like others entities it supervises: where other departments with lower statistical impact, viewer numbers of required responsibilities and without even a claim to cost recovery are granted department heads at higher pay groups. And this has been done in spite of the larger contribution of the Chaplaincy Department for many years. **MANY YEARS. MANY YEARS.**

Furthermore, in the process, the clearly reported statistics of unit chaplains have not been reported to the board (not one) along side of others less impactful to the mission critical functions (*not* less important to the mission as a whole).

Furthermore, there have been assertive moves to obfuscate and minimize the contributions and effectiveness of chaplaincy and chaplains:

- < the low salary impacts the quality of applicants, and the lack of a career ladder for such a diverse profession is unfair;
- < the hiding of contributions prevents fair analysis by the board;
- < the restrictions and impediments to professional interaction impedes professional development;
- < misrepresentation of the value of chaplaincy's volunteer facilitation undermines the large quality of service of Chaplains and falsely credits others with the work of Chaplains;
- < the bogus childlike supervision at Chaplaincy HQ undermines initiative, slays morale and generally fosters bad relations with the department whose **very life** is about good relations;
- < the continued lowering of the Chaplains' and Director's job descriptions prevents quality development, brings in incompetence, isolates from national standards, slaps all good business sense in the face—eventually making a straight path to discrimination and gross prejudice;
- < the hiring of people who have **not dedicated** themselves to the profession insures stagnation and fragmentation;
- < the failure or lack of support for Chaplains to professionally associate, to communicate with one another and in the process to become isolated from each other removes the Chaplains further from the national and international scene and away from professional development, fosters fragmentation and in the long run further minimizes the Chaplains already extraordinary contributions to the mission of the agency;

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- < the failure to discern valuable information from trash, maintain the valuable info, fine tune tracking and competently analyze data is a prescription for the *demise of any* program—but most especially with profession with so many intractable variables, the *widest* scope of connections and the largest of number of programs available (unlimited): especially historically significant documents like desk audits and aggregate service statistics (a profession with so many intractable variable should guard and preserve what it *can* measure);
- < the agreeing to the Chairman of House Appropriations Committee's direction to meet with us side by side with the State Auditor's Representatives, Carl Jefferies and Debbie Roberts, and then NOT DOING so is no small affair: I do not think it is wise for a high level TDCJ agency official in Austin representing their division to be so two-faced with the Chairman of anything, *much less* the funding arm of TDCJ (did you know that?);
- < the ignoring of TDCJ's own general counsel's advice complicates many persons' lives, costs TDCJ more money and is no small affair with respect to numerous ORA requests (I'm sure the general counsel's attaché has better things to do);
- < the forcing of the intervention of Texas's own AG's office to release "Chaplaincy" audit material and then making the AG's investigator fight for six months—what is that all about?;
- < the refusal to *even attempt* to address professional employee's concerns about Professional Equity breeds discontent forcing them to go to great lengths;
- < the establishment of a non-chaplain as the actual head of chaplains confuses the public, patronizes an esteemed profession and prevents quality integration and teamwork;
- < Oh, yes, there is more, but are you sick of it all.

What could be done if a semblance of a marketing budget was allocated and Chaplaincy was able to do just a little catering *for* the volunteers in the manner in which the so many good organizations do it for Chaplaincy? Why does this sentence even need to be asked?

When the above is combined with favoritism that discriminates, with obfuscation that hides contribution and steals away credit for the fluffing of (almost) mission critically inert entities (like the bureaucracy drawing up the fluffed volunteer report and PSD's refusal for at least the last two years in it's own bi-monthly accounting)—such anti-mission guided, EEO violating and personal agenda setting modus operandi actually slaps the professional of TDCJ in face. How much slapping will be tolerated. The failure to control the above and even misrepresent the above to TDCJ's Executive Office undermines the Executive Office's ability to guide the overall operation of the agency.

### Worst of All: One Hell of a Dilemma of Trust

*Worse still*—that the above has happened for so many decades and has gotten progressively worse—documented now for the first time—then your office has an incredibly difficult dilemma. If the above is happening to **THE MOST PUBLIC**, to the *most* connected, the *most* cost-saving department in the agency and to the department whose Unit Staffers (Chaplains) are often the most visible on the unit, the most visible in the community, often are the most educated with most experience—well then, such favoritism, discrimination, fluffing, anti-mission guided, EEO violating and personal agenda setting modus operandi *must be*

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*running rife throughout the entire division. It must be.* That is not all, the dilemma is worse than that. If all of the above is taking place at the *same time* that the Chaplains have the largest degree of legislative support than they have ever had in their entire history of the agency and if all of the above has gone on *while* the Chaplains themselves have been very public and straightforward in their efforts to influence the legislature towards equity—pointing out inequity as they go, publishing it piece by piece on an international web site—then the degree of impunity must be right near God-like and the hardness of callousness to human fairness must be immeasurably gargantuan. Furthermore, such cavalier boldness is not just slap, such audacity is actually a punch straight into the nose of TDCJ's mission.

### **Conclusion: One Pastoral Remedy**

One grand remedy would be for you and Ed Owens to send out a system wide e-mail, excluding most of the top leadership in the Programs and Services Division, and ask who would claim to have a substantial relationship with Don Kaspar. It may sound corny, and I don't believe you would do this (your office just does not do that). Yet if . . . just if, if, if, you could have a private meeting with them. That meeting could validate the power of the pastoral touch I mentioned earlier and keep you two from doing what might actually hurt the Chaplaincy Department's influence on the total mission of this agency: it might keep you from lopping off heads (or firing me for spreading dangerous propaganda) and validate further the subtle nature of the entire Chaplaincy Services. All you would need would be a half hour or so. Your own human understanding would do the rest.

The preservation of the Chaplaincy Department's integrity is one thing, even the easier thing to do. You two have excelled in administrating one of the most complex ventures on the planet, which translates into "human value" into the annual retention and supervision of 140,000 years of human life, year by year, every year. The harder part, for those leading Chaplaincy, is to maximize effectiveness within and under TDCJ's mission, the mission that you articulate and administrate.

Then of course, you will want to see Debbie Roberts and her senior staff. You'll give them a time to answer this.

I do not have a really good solution. I do know that Chaplaincy needs and deserves EQUALITY.

*Minimally*, for the sake of the good work of Chaplaincy Services, *I firmly believe* that FAIRNESS to the profession and its contributions means the establishment of a Director, like a director III or IV position, around a B-17 or B-18 position, even on the mid-range of the pay scale, somewhere slap between Roberts and Kazan (and Sub. Abuse). That is the true place of the Chaplaincy Department in TDCJ.

*Ideally*, and truly to make the adjustment, allow another positions for the new and *real* **Director** of Chaplaincy to appoint like a B-15 Deputy Director (like others), retaining all of the current Chaplaincy staff for the new real director to guide into the 21<sup>st</sup> century. Don Keil would still be an asset in helping the new director with some of the minor learning curve stuff and handle some of the manager duties like he is already doing.

Perhaps you will want all of us around a table. Your new Director of Chaplains and others as you spell out again the Agency's mission and the place the Chaplaincy Services have in that mission. How you feel about all of the above. Certainly how you feel about having to read all this junk and the time it takes to address. How you will not do this again.

## Chaplain Professional Equity

Help Texas Chaplains Facilitate Human History's Greatest Resource for Change

I do not know.

**Funding:** as a disciplinary matter (or whatever you want to call it), part of the funding can come with a reduction of Robert's salary or pay grade and perhaps the reduction of a few others, especially if the Board wishes to move Chaplaincy into full division status. But the above has to stop.

### In Closing.

I have been most ambitious and am just now reaching the age and state of affairs in my personal life that some things are very set. And I am so tired of facing this stuff that I had no plan to face at the beginning. Sometimes I wish I had not started it all. Only God knows for sure all the hours spent. It took about 20 hours to put this together.

I would love to apply and be considered for the new Director of Chaplains position within this agency, if that is what you would allow. But the current pseudo-Director of Chaplains position is no real position at all. You must see that. Nor will I apply or avail my services to such a fluffed two-faced position.

Gary and Ed, *truly*, may God be your guide as you consider the above and the future of Chaplaincy. I like several would be willing to compete to allow our services to you and to TDCJ as real Director. In fact, they would come out of the woodwork like termites, some more clueless than Kaspar and many far less pastoral.

As for me, personally, unless such a directorship was established at a truly equitable pay scale, my own pride will keep me in Woodville. I could only consider a position if I knew that my rather low standard of living will not depreciate further. The above is equality given the scope of responsibilities the Director of Chaplains and given that far cry that the standard offered above is from the national standard and even Texas' own standard.<sup>11</sup>

What I do here is also note the huge contribution that I have already given, even in this document. Attached is the larger Revised Draft of the New Proposal (though rough cut, not at all finished). It documents more fully all of the above, including the cost-savings, the *real* national market and the greater contributions of TDCJ's Chaplaincy as well as some of TYC's and MHMR's state of affairs.

The talent and leadership I have exhibited—I give to you here one more time. I give it with all of my heart. It is the last time. Should you not act on it, I do not suspect you will ever hear from me again. My own conscience is clear in my duty to you, to TDCJ's mission as I understand it and to my fellow Chaplains. I have done my best, and I will trust God that you will be doing your best. I do believe you and Ed are honorable men, and I certainly understand there are things I am unaware of.

We will be pursuing the 78<sup>th</sup> Legislature one more time this year. Whatever you choose to do about the above, can you find it in your heart to give us a letter that endorses Chaplain Professional Equity if such does not radically impact TDCJ's own already strict budget?

Sincerely yours,

copy—original sent by mail

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<sup>11</sup> Let me note, that the UTMB Galveston Director of Pastoral Care is at \$72,000, and he supervises two full time Chaplains. You can the full story on the CD document.

## Chaplain Professional Equity

Help Texas Chaplains Facilitate Human History's Greatest Resource for Change

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cc:

Mr. Ed Owens

Honorable Rob Junell

Honorable Dan Ellis

Mr. Don Jones

Dr. Timothy Simmons

Rev. Susan Densman

Mr. Mac Stringfellow

Dr. Vance Drum

Imam Omar Shakir

Mr. Carol Vance

Attorney James Hall (of TDCJ's general counsel

Rev. Emmett Solomon

Mrs. Suzii Paynter (of BGCT's lobbying agent in Austin

Enclosure: CD for each of the near final draft of our next legislative proposal, highlighting the cost-savings and market data for those I could not e-mail it to.

PS:

I do solemnly believe and have told many this in so many words. We need to *change the perception* of prison in the public eye. I believe the Unit Officers are every bit a part of the Law Enforcement community, though some have trouble understanding that (people like Ms. Torres in the auditor's office). In a way, one *could* look at the Corrections Profession<sup>12</sup> as the *heartbeat* of law enforcement. It is rather simple, like Ed Owens' sewer analogy. I believe we need to exchange the adage of prison being "the end of the line for the offender" (which it is and should be) with the adage that prison is "the last line of Law Enforcement" (which it certainly is, and just has not been articulated very well as such). Simply, when prisoners exit, they have another chance: either they will contribute or return. There should *not* be a large distinction between the Law Enforcement communities as exists today. "Prison" is *integral* in a very real way, a *sympiotic* part of the Law Enforcement community that the State and Local Law officers *cannot* do without (and vice versa). We cannot separate them (even if we do in pay and perception). So I am thankful for the correctional community that keeps me and mine safe from some of *the most dangerous* persons in the world.

Suffice it to be said, we Chaplains are an asset to you and the agency in more ways than even their own extraordinary contributions to the mission critical functions of TDCJ. A good Unit Chaplain is also a good public relations person in the most influential areas of most the local communities where they reside: the churches, synagogues and mosques, ever defending the honor of the Law Enforcement Officers behind the fence as hard working and unseen keepers of the peace (they are not mere guards). That contribution is also intractable, though very substantial indeed. The Chaplains help you define this agency in a manner that even the rest of the PSD together does not. Fair treatment will only help us to do it better.

God bless you both.

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<sup>12</sup> Not at the misnomer of "corrections industry" as some would have us believe.