

# **Texas ends ban on spiritual advisers in execution chamber**

May 3, 2021

HUNTSVILLE—The Texas Department of Criminal Justice recently reversed course, announcing it will permit death row inmates to be accompanied in the execution chamber by the minister or spiritual adviser of their choice.

The agency's new policy permits a prisoner facing execution to have a personal spiritual adviser present in the death chamber, subject to verification and a background check.

"The inmate's spiritual advisor must be included on the inmate's visitation list and have previously established an ongoing spiritual relationship with the inmate demonstrated by regular communications or in-person visits with the inmate before the inmate's scheduled execution date," the revised execution protocol states.

The spiritual adviser also is required to complete a two-hour in-person orientation with a staff member of the TDCJ Rehabilitation Programs Division at least 10 days before the scheduled execution.

## **Response to court in 'the exact wrong direction'**

In March 2019, the U.S. Supreme Court halted the execution of an inmate who argued his First Amendment rights were violated because his Buddhist spiritual adviser was not permitted in the execution chamber. At the time, TDCJ only permitted its own employees in the death chamber, and the state only employed Christian and Muslim chaplains.



Amanda Tyler

The TDCJ Correctional Institutions Division responded to the court ruling by adopting a policy barring all spiritual advisers from the death chamber—an action that prompted an outcry by the faith community.

Amanda Tyler, executive director of the [Baptist Joint Committee for Religious Liberty](#), said the state responded to the court ruling in “the exact wrong direction.” First, the prisoner had “his religious freedom denied when his request was refused,” she noted. But rather than seeking to accommodate the inmate’s religious beliefs, the state chose to deny any executed prisoner the right to a spiritual adviser in the death chamber.

In July 2019, more than 180 faith leaders from a dozen religious traditions—including at least 10 Baptists—[signed a letter](#) asking the TDCJ to permit spiritual advisers of all faiths into the death chamber at the request of condemned inmates.

“The physical companionship of a chaplain in the execution chamber is a small but vital form of human compassion in an otherwise dehumanizing process. The presence of a chaplain or spiritual adviser in the viewing room is no substitute for this direct ministry,” the letter from religious leaders stated.