



POLICY AND ADMINISTRATIVE PROCEDURES
Manual of Policies and Procedures

Title
THE DEVELOPMENT AND DELIVERY OF RELIGIOUS SERVICES

| | | |
|--|---|--|
| Legal References (includes but is not limited to) | Related Policies/Procedures (includes but is not limited to) | Other References (includes but is not limited to) |
| IC 7.1-1-2-3(a)(3); 11-8-2-5(a)(8); 11-11-4-1 | 00-02-301; 01-03-102; 01-03-104; 02-01-101, 02-01-103; 02-01-104; 04-01-301 | ACA: ACI: 4-4018; 4-4039; 4-4300; 4-4381; 4-4456; 4-4463 JTS: 5G-02 thru 5G-08 |

I. PURPOSE:

This policy establishes standards for an offender's exercise of religious freedom and the delivery of religious services within the Department of Correction.

II. POLICY STATEMENT:

Offenders are entitled to exercise the right of religious freedom in accordance with all applicable laws. The Department shall not require participation in any religious belief and/or practice.

Offenders' exercise of religion and the provision and delivery of religious services shall be guaranteed, with any restrictions deemed necessary based upon equitable treatment and access and the maintenance of the authentic religious practice of the faith group. Restrictions on the exercise of individual and corporate religious beliefs shall be based upon the least restrictive and burdensome alternative necessary to meet a compelling governmental interest, including security issues, conditions of confinement and departmental resources.

Adequate resources shall be made available by the facilities to support the Department's religious program.

The Department shall provide chaplaincy services at the facilities. The goal of the chaplaincy services is to serve the religious needs of the offenders, to provide professional expertise on religious belief and practice in the correctional environment and to provide impartial leadership in the facility's religious services program.

The Department shall establish a monitoring and evaluation system that ensures compliance with this policy.

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III. DEFINITIONS:

For the purpose of this policy and its administrative procedures, the following definitions are presented:

- A. **ACCREDITED REPRESENTATIVE:** A person authorized by the central or local governing body of a faith group or denomination to perform religious services, rituals or programs.
- B. **CHAPLAIN:** An endorsed religious professional employed by the Department of Correction to provide for the delivery of spiritual care and the management of a facility religious services program.
- C. **CLERGY OF RECORD (CLERGY):** A single spiritual advisor designated by the offender who is an accredited representative or minister of the offender's personally designated religion or another person, not a family member, designated by the offender to provide spiritual advice.
- D. **CONFIDENTIALITY:** Privileged communication between an ordained clergy and a client/confessor not disclosed regardless of the content of the communication, except by permission of client/confessor or by law.
- E. **CONVERSION (RITE OF):** The ceremony associated with the experience of a definite and decisive adoption of a religion.
- F. **CORPORATE RELIGIOUS PRACTICE:** Group religious practice prescribed by the designated religion, and which includes rituals of worship.
- G. **DIRECTOR:** The Director of Religious Services & Community Involvement.
- H. **DOCTRINE:** A principle of faith considered as true and beyond dispute by a specific faith group.
- I. **FAITH GROUP:** A religious body sharing the same or similar beliefs, practices, rites, etc.
- J. **INDIVIDUAL RELIGIOUS PRACTICE:** A religious practice prescribed by a religion and performed individually, (e.g. prayer).

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- K. **IMMEDIATE FAMILY MEMBER:** The immediate family of an offender is his/her father, mother, siblings, spouse, children, grandparents, grandchildren, including those with a “step,” “half” or adoptive relationship and those persons with the same relationship to the offender's spouse.”
- L. **ORDAIN:** To invest with ministerial, priestly or rabbinical authority.
- M. **PROSELYTIZE:** A willful attempt to pressure an individual to convert from his/her religion to another’s religious beliefs or practices.
- N. **RELIGION:** The service and worship of a god or the supernatural; organized system of faith and worship; profession and/or practice of religious beliefs personally or corporately.
- O. **RELIGIOUS ITEMS (ARTICLES):** Items required for, or used in, the practice of religious traditions.
- P. **RELIGIOUS BELIEF:** A principle, dogma, belief or doctrine held by its adherents as true.
- Q. **RELIGIOUS CEREMONY, TRADITIONAL OR SACRAMENTAL RITE:** A formal act or series of acts, often symbolical, prescribed by a religion.
- R. **RELIGIOUS FREEDOM:** The right to choose one’s beliefs, to worship and to live in accordance with those beliefs without external constraint or coercion.
- S. **RELIGIOUS LITERATURE:** Material pertaining to religious belief and/or practice.
- T. **RELIGIOUS PROGRAM:** A group activity conducted by or under the supervision of religious services staff and designed specifically for offender worship, religious study, faith development, spiritual and/or personal growth.
- U. **RELIGIOUS PUBLICATIONS:** Publications of a religious nature printed and issued from a religious or secular press and distributed free of charge or for sale, including, but not limited to, books, periodicals, tracts, newspapers, music/song books, video/audio recordings, or computer software.

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- V. **RELIGIOUS SERVICES ASSOCIATE:** A volunteer recognized by a religious body and recruited by the facility to provide religious services as directed by a facility Chaplain or facility head/designee.
- W. **RELIGIOUS SPECIALIST:** A contractual religious professional employed by the Department of Correction to provide for the delivery of religious worship/study programs and spiritual care for a particular faith group of offenders.
- X. **RELIGIOUS SYMBOLS:** A visible sign representing a belief or an association with a particular religion. (Example: A religious medallion in the form of or on which is imprinted a symbol related to a particular faith, and which may be worn or carried).
- Y. **SPIRITUAL CARE:** Ministry provided or authorized by a Chaplain that develops, supports or enhances the spiritual or personal growth of offenders, without prejudice, regardless of faith preference or lack thereof.
- Z. **VOLUNTEER:** Any person who freely provides a facility with a service with no significant monetary or material gain from the Department.
- AA. **WORSHIP SERVICE:** The exhibition by acts of mind, body or both for honor and reverence that the particular religion deems appropriate.

IV. SCOPE OF RELIGIOUS SERVICES PROGRAM:

The Religious Services Program shall include programming and services related to the support and growth of offenders' spiritual, religious and moral development as well as services to offender families and staff as appropriate.

V. ADMINISTRATION:

The Department shall appoint a Director of Religious Services and Community Involvement to administer the Religious Services Program. This Director shall report to the Executive Director of Programs who reports to the Deputy Commissioner of Re-Entry.

It is the responsibility of the Director:

- A. To determine standards for religious services programs and Chaplaincy staff;

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- B. To determine the programmatic components and procedures for religious programming throughout the Department;
- C. To provide guidance to facilities in the interpretation of and compliance with this policy and its administrative procedures and in the development and management of their religious services programs and staff;
- D. To serve as a consultant on religious belief and practice to the Department; and,
- E. To advise facilities on the structural and working relationship between religious services and community involvement.

The Director shall recommend, in consultation with Facility Heads and Executive Director/Adult Operations, Director of Programs or Executive Director/Juvenile Services, to the Deputy Commissioner of Re-Entry the religious services staffing patterns for each facility.

The Director shall prepare and keep current a Departmental *Handbook of Religious Beliefs and Practices* which shall list the minimum requirements for religious practices related to the various religious faiths claimed by offenders. A copy of the Handbook shall be distributed to appropriate facility staff. A copy shall be placed in the facility Law Library.

The Director and the Division of Staff Development and Training and Emergency Operations shall develop training (video and/or written material) related to religious beliefs and practices in the correctional setting. This training shall be provided at the Correctional Training Institute New Employee Orientation training. It is the responsibility of the Facility Head/designee to ensure that staff having direct offender contact is provided new employee and in-service training in religious practice. Religious services information specific to a facility shall be developed by the Chaplain and Facility Training Officer for this purpose.

The Facility Head shall be responsible for ensuring the development and administration of the operational components of the facility religious services program. The Chaplain(s) shall be responsible for the development, management and supervision of the facility religious services program. If the facility does not have a full or part-time Chaplain, these duties shall be assigned to a designated staff person who, in consultation with the Director, shall act as coordinator of the religious services program. Selection of the religious program coordinator shall be based upon:

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- Related experience in program development, implementation and supervision;
- Ability to communicate well verbally and in writing;
- Adequate time to perform required functions; and,
- Related community experience and/or education.

Communication is encouraged between the Facility Head/designee, the Chaplain and the Director regarding issues and/or concerns related to the delivery of the religious services program and staff. The Facility Head/designee shall notify the Director in a timely manner of any violations of security regarding religious programming and/or volunteers.

The Director shall consult with the Chaplain and/or Facility Head/designee, and other staff as necessary, when responding to complaints or problems concerning facility religious services staff, programming and/or volunteers.

The Facility Head/designee shall consult the Chaplain and/or Director regarding facility questions or concerns about religious beliefs or practices.

VI. RELIGIOUS SERVICES COMMITTEE:

The Facility Head/designee shall appoint a Religious Services Committee. The intent of this committee is to assist in the coordination of the religious services program with other program and operational areas. This Committee shall be composed of the following persons:

- A. Chaplain(s) or Religious Program Coordinator (Chairperson);
- B. Community Involvement Coordinator;
- C. Custody Supervisor or designee;
- D. Program Staff representative;
- E. Assistant Superintendent/Re-Entry;
- F. Other staff, at the discretion of the Facility Head/designee, impacted by or whose operations support the religious services program; and,
- G. Religious Services Volunteer(s).

The Religious Services Committee shall:

- Provide assistance and feedback in the operational, programmatic and volunteer issues related to the religious services program.
- Review progress of religious services performance objectives.
- Make recommendations regarding religious programs and services.

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- Review and recommend action regarding any restriction or limitation of authorized religious practices, items or literature consistent with Procedure XV.

The Religious Services Committee shall meet at least quarterly. Minutes of these meetings shall be prepared. A copy of the minutes shall be provided to the Facility Head and the Director.

VII. RELIGIOUS SERVICES PERSONNEL:

A. Personnel Qualifications:

Staff Chaplains shall meet the minimum qualifications for employment as a Chaplain, as established by the State Personnel Department.

Staff Chaplains shall maintain the endorsement of their religious body as a condition for continuing employment as a Chaplain. In the event an endorsement lapses or the Chaplain wishes to change his/her ecclesiastical endorsement to a different endorsing body, the Chaplain shall provide written notification to his/her supervisor and the Director of the rationale for change and provide documentation of the process of re-endorsement. The endorsement must be obtained within a reasonable amount of time. A copy of the new endorsement shall be retained in the Chaplain's personnel packet, with a copy to the Director.

B. Employment of Personnel:

The Director shall assist the facilities in the recruitment of religious services personnel. The Director and the Facility Head/designee shall work cooperatively to ensure the employment of competent and qualified persons. The Director shall be informed of and, at the discretion of the Director, shall participate in the interview process.

The Facility Head/designee shall inform the Director in a timely manner of any vacancies and/or personnel issues that have an impact on religious services program delivery.

Adequate support staff shall be employed to facilitate the delivery of the religious services program, including clerical services, offender clerks, and/or program supervisory staff (e.g., custody).

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Facilities may use the contractual services of religious specialists to provide leadership of a particular religious faith group; to supplement the Chaplaincy staff; or, when there is no staff Chaplain, to develop and manage the religious services program. The Director shall review all contracts prior to submission to the Fiscal Division for approval. Persons contracted to provide religious services shall be ordained, commissioned, or approved to function as a qualified accredited representative (consistent with the practice of the faith group); authorized to serve in the prison setting by an appropriate religious authority; and, experienced in leadership of a related faith group. Contract religious specialists shall be supervised by the facility Chaplain or, in facilities with no Chaplain, the appropriate program manager.

C. Professional Development:

The professional development of Religious Services program staff shall be encouraged and endorsed. Professional development activities may include conferences, visitations and intra-departmental and inter-facility religious services staff meetings. Religious Services personnel may attend professional development activities with the approval of the Facility Head/designee and in accordance with all applicable state travel rules and regulations.

The Facility Head/designee may consult the Director to verify the effectiveness of the professional development program. All conference attendance requests shall be submitted in accordance with the Department's fiscal procedures.

The Director, in collaboration with the Director of Staff Development and Emergency Operations, shall develop intra-departmental training. Attendance shall be required. Fiscal impact shall be considered in the scheduling of intra-departmental training.

In order to maintain an ecclesiastical endorsement, Chaplains are expected to attend retreats, clergy meetings and judicatory meetings with their respective faith groups. During the course of a year, this paid leave time normally will not exceed ten (10) working days. Attendance of up to five (5) days shall require the approval of the Facility Head/designee and shall be in accordance with applicable state travel rules and regulations. Any additional days may be subject to review by the Director, at the request of the Facility Head/designee. The Director is considered as having Chaplain status, and shall be accorded these days with the approval of the Executive

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Director of Programs in accordance with applicable state travel rules and regulations.

Continuing endorsement also requires Chaplains to maintain a strong link with the local faith community. Chaplain's work schedules shall allow for regular attendance at his/her primary community worship service, except when this conflicts with religiously required times of worship for which the Chaplain provides leadership.

D. Religious Services Staff:

Chaplains are to function as religious professionals within the correctional setting and shall not undertake or be required to undertake roles that are contrary to that of spiritual care provider.

Chaplains exercise their profession in a multi-faith setting, which requires cooperation with representatives of religious expressions different from their own. Chaplains shall provide for the spiritual care of all requesting offenders regardless of faith preference or lack thereof, and with the same commitment and regard shown to members of his/her own faith preference.

Chaplains (or designated staff in the absence of a staff Chaplain) are responsible for the development, coordination, assignment of resources, and management of the religious programming and the community resources necessary to meet the assessed needs of offenders. Duties include but are not limited to:

1. Maintain a visible presence in a facility;
2. Serve as the Religious Services Department Head.
3. Provide for services of worship, study, and spiritual care to the offender population, with the intent to strengthen the participation of offenders in the faith life of their own communities; provides services of worship/study and sacramental rites for his/her own faith group;
4. Coordinate and manage approved religious programs and associated volunteers;
5. Coordinate access to appropriate facility space and equipment, religious publications (print, audio, and audio/visual), and approved religious materials;
6. Submit religious services reports as required or requested by the Director;

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7. Advise the Facility Head/designee on the interpretation of these Administrative Procedures
8. Articulate the spiritual needs and rights of offenders to facility administration and staff.
9. Integrate Chaplaincy services into the life of the facility through routine involvement with other staff and attendance at appropriate staff meetings;
10. Interpret to the community the needs and concerns of incarcerated persons and the community's role in support of ministry to this population.
11. Provide services to offender families as approved by the Facility Head/designee consistent with duties related to these procedures and the State Personnel job description for Chaplain.
12. Act in an advisory capacity to the Facility Head/designee regarding pastoral services to staff, and may perform other services as approved by the Facility Head/designee.
13. Verify a prospective Clergy, or Clergy of Record's status as a spiritual advisor and his/her relationship to the offender, if requested by the Facility Head or designee.
14. Maintain positive, continuous interaction with the facility administration in the areas of spiritual, moral welfare, and ethical concerns.
15. Provide for follow-up spiritual care upon offender request or staff referral within a reasonable time. The Chaplain shall provide training to staff in the appropriate delivery of death/illness notices and the grief process. In the event of an offender death at a facility or hospital, Chaplains shall be notified, and may be requested to notify the offender's family. The Chaplain may provide for follow-up care with offenders and/or staff affected by the offender's death.
16. In the event of the death of an immediate family member of an offender the Chaplain or designated staff receiving notification shall:
 - a. Complete State Form 3810, DEATH NOTICE, and make special note if the request is to visit a seriously ill immediate family member.
 - b. Verify the death or serious illness and relationship to the offender;
 - c. Forward request to facility Chaplain if taken by staff other than the Chaplain.

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- d. Discuss the issue with the affected offender and explain the temporary leave process and the offender's options (e.g., video of the service);
- e. Assist the offender in the completion of State Form 7797, APPLICATION FOR TEMPORARY LEAVE FOR COMMITTED OFFENDER, if the offender is requesting a bedside visit or to go to the funeral;
- f. Receive State Form 7797 from the Offender.
- g. Record the verification on State Form 7797;
- h. Forward the request, with appropriate notification, to the Supervisor of Classification/designee;
- i. In the absence of a facility Chaplain, Procedures a through h shall be performed by a staff member designated by the Facility Head.

17. Provide spiritual care to staff as appropriate.

At those facilities with more than one staff Chaplain, duties shall be shared as directed by the Facility Head/designee.

E. Evaluation

The Facility Head/designee shall notify the Director of the Chaplain's annual performance appraisal. The Director may provide documented input to the Facility Head/designee related to the Chaplain's professional services. The Director shall be provided with a copy of the completed annual performance appraisal for each staff Chaplain.

Evaluation of religious services personnel shall include the observation of staff in the performance of assignments.

The Facility Head/designee shall provide the Director with a copy of any documents detailing disciplinary action taken against a staff Chaplain.

VIII. RELIGIOUS SERVICES INFORMATION:

The Director may prepare a brochure regarding religious programs offered within the Department. This brochure shall be made available to offenders in the intake units and shall address the availability of Chaplains and religious programming and may also be made available to the public. This brochure shall be updated annually or as necessary to maintain current and accurate information.

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In addition, the Chaplain(s) or other designated staff shall prepare a descriptive summary, including time and location, of facility religious programs and the availability of pastoral care. This summary shall be made available to offenders during the facility Admission and Orientation process and shall be posted in each housing unit. This summary shall be updated as often as necessary to maintain current and accurate information.

Chaplains shall be included in the facility orientation of new offenders, to facilitate dissemination of religious information and invite participation in religious programming. When an in-person presentation is not feasible, a written or videotaped orientation may be used.

IX. PROGRAM BUDGET PREPARATION:

In order to facilitate religious program planning and management decisions at the facility level, the Chaplain shall advise the Facility Head/designee of the perceived religious services program needs to be considered in the development of the facility budget. Religious services program needs include:

- A. Personnel services (Chaplaincy staff; clerical, offender clerks/maintenance assistance).
- B. Program curricula, supplies and materials (printed, audio/video, etc.).
- C. Office equipment (computers, printers, copiers, etc.)
- D. Other equipment (audio-visual, musical instruments, sound system, etc.).
- E. In-state and Out-of-state travel (to meetings, conferences, etc.)
- F. Physical Plant maintenance or construction needs.
- G. Items required for group religious practices.

Religious Services funding may be made available from the Recreation Fund, consistent with Policy 04-01-105, "Recreation Fund Administration." Funds allocated in support of faith groups shall be used in an equitable manner.

X. COMMUNITY INVOLVEMENT:

The Director and facility Chaplains shall develop and maintain a relationship with community religious resources for the enhancement of facility religious services programming. This action shall be pursuant to Policy 01-03-104, "The Development and Delivery of Community Involvement Program".

The Facility Head/designee shall ensure that utilization of community volunteers in religious programs is encouraged, is in accordance with all applicable procedures and shall ensure that volunteer religious programs are provided

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adequate resources, supervision and management support. Religious services volunteers and religious programs shall be approved by the Chaplain prior to their submission to the Facility Head/designee for final approval. Chaplains shall participate in the orientation and in-service training of all volunteers participating in religious programs.

State Form 8603, CLERGY AND RELIGIOUS PROFESSIONAL APPLICATION, shall be used to determine the suitability of applicants who apply to lead programs of worship, religious ceremonies, traditional or sacramental rites. Questions regarding an applicant's qualifications may be referred to the Director.

Access to offenders by approved religious volunteers shall be limited to the designated religious services program area(s). Access to offenders in other areas of the facility shall occur only as recommended by the Chaplain and approved by the Facility Head/designee.

Religious services volunteers, lay or professional, may not be on an offender's visiting list at the same facility. Exceptions to this provision may be made upon the recommendation of the Chaplain and with the approval of the Facility Head/designee, in conjunction with a specific religious program, such as the Purposeful Living Units Serve (PLUS) program.

Staff shall not touch personal religious items, such as medicine bags, considered sacred by the wearer and worn as part of the traditional or religious dress of a volunteer or religious specialist. These items may be thoroughly inspected visually, with the volunteer handling the items. When a visual inspection indicates no threat to security, these items may be worn into the facility for the scheduled programming.

In the event there is a security concern about a particular item, the Custody Supervisor/designee and the Chaplain, if present, shall be consulted. The Facility Head/designee shall make the final decision as to whether or not the items may be worn into the facility. This decision shall be documented with a copy provided to the Facility Head/designee and the Chaplain.

Facility search procedures shall reflect these considerations.

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XI. PRIVILEGED COMMUNICATION:

Many religious groups recognize some form of privileged communication for their accredited representatives. This allows freedom for the person being counseled to reveal those sensitive areas of life that are causing problems.

Privileged communication does not apply in the correctional environment when information from an offender pertains to matters which threaten the safety and security of the facility, staff or offenders; if it contains threats to public safety, or, it is specifically addressed by state statute (e.g., child abuse). Failure to divulge such information to the proper facility authorities may result in disciplinary action, up to and including dismissal.

Chaplains, volunteer accredited representatives and religious specialists shall be informed of these limitations regarding privileged communication. State Form 47031, AGREEMENT: CLERGY CONFIDENTIALITY, shall be used for this purpose. Chaplains, clergy and religious specialists who belong to religious orders that require confidentiality under the seal of confession shall be especially sensitive to this issue.

XII. PROSELYTIZING:

Offenders shall be free to practice and adhere to the requirements of a personal religious belief within the limitations of these administrative procedures. No offender shall be required to, or coerced into adopting or participating in any religious belief or practice.

The sharing of information by Chaplains, volunteers and offenders regarding religious belief and practice is acceptable.

Staff and volunteers shall not criticize or ridicule the religious beliefs or practices of others, nor shall they attempt to pressure offenders to change their religious belief or preference.

In those instances in which faith groups holding similar beliefs and practices worship and/or study together, doctrines expressed shall be commonly held or shall be identified as distinct to that faith group.

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XIII. OFFENDER RELIGIOUS PREFERENCE:

Offenders shall be limited to designating one (1) religious preference at a time. The *Handbook of Religious Beliefs and Practices* shall indicate any instance in which an offender may legitimately hold to more than one (1) religious belief.

A. Offenders Committed To Adult Facilities:

Upon admission to an intake unit, offenders may designate a faith preference to be registered in the Offender Information System (OIS). OIS Designations include:

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| A: Native/Indigenous | J: Jewish | T: Islamism (MSTA) |
| B: Buddhist | M: Muslim/Islam | W: Wicca |
| C: Catholic | N: None | X: Decline to Answer |
| E: Eckankar | O: Other | Y: House of Yahweh |
| G: General Christian | R: Rastafarian | Z: Asatru/Odinism |
| I: Hebrew/Israelite | S: Satanism | D: Orthodox Christian |

Offenders wishing to change their religious preference shall provide:

1. Written notification to the Chaplain or other designated staff. State Form 47686, STATEMENT OF OFFENDER'S RELIGIOUS PREFERENCE, shall be used for this purpose; and,
2. A verifiable "letter of commitment" from a non-incarcerated representative which indicates the offender has met the faith group's requirements for membership/inclusion.

If the facility Chaplain or religious specialist or religious services volunteer has performed the required rites of membership/inclusion, this may be noted on State Form 47686 and a "letter of commitment" shall not be required.

Offenders shall be required to supply the "letter of commitment" in order to obtain privileges associated with that faith group, i.e. sacramental rites or traditional ceremonies.

If an offender attempts to and cannot obtain a "letter of commitment", the offender may demonstrate a commitment through evidence of the attempt and a written declaration of commitment. When the completed State Form 47686 and the required "letter of commitment" or approved substitute

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have been received and verified as needed, the offender's religious preference shall be changed in OIS. This information shall be retained in the offender's packet and appropriate staff notified.

If the offender possesses religious items pertaining to the former religious preference, these items shall be sent out of the facility or otherwise disposed of by the offender prior to the receipt of religious items related to the current preference.

Neither race nor national/tribal identity shall be used as criteria for participation in religious programs or verification of religious preference.

Denial of a change of religious preference must be approved by the Facility Head/designee, in consultation with the Chaplain and/or Director. The reason for the denial shall be stated in writing and attached to State Form 47686.

B. Offenders Committed To Juvenile Facilities:

Offenders under the jurisdiction of the Juvenile Division may designate a religious faith preference at intake. This designation shall be changed only with the written permission of the Facility Head/designee, based upon a consultation with the juvenile and/or the juvenile's parent (s) or guardian.

XIV. AUTHORIZATION OF RELIGIOUS GROUP ACTIVITY, OFFENDER POSSESSION OF RELIGIOUS SYMBOLS AND/OR ITEMS ESSENTIAL TO THE PRACTICE OF A RELIGIOUS FAITH:

Religious practice and symbols/items related to a religion not covered in the *Handbook* and for which a request for services or religious symbols/items has been made shall undergo an authorization process. Such requests shall be referred to the Director. State Form 47684, REQUEST FOR AUTHORIZATION shall be utilized.

The Director shall recommend authorization or denial of religious practice and offender possession of religious items and symbols essential to the practice of the religion to the Deputy Commissioner of Re-Entry, Deputy Commissioner of Operations, Executive Director of Adult Facilities, Executive Director of Juvenile Services, Executive Director of Programs, and Director of Legal Services, who shall make the final determination by consensus. This decision shall be subject to the approval of the Commissioner. State Form 47685, AUTHORIZATION OF

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RELIGIOUS GROUP ACTIVITY, OFFENDER POSSESSION OF RELIGIOUS SYMBOLS, LITERATURE AND ITEMS REQUIRED FOR THE PRACTICE OF RELIGION, shall be utilized for the purpose of authorization.

Authorization, restriction or denial of such practices and items shall take into consideration operational and programmatic components; information provided by the religious authority, Facility Head/designee and Chaplains; the recommendation of the Director; the factors listed in Procedure XV and any other relevant information. An acceptable accommodation shall be considered prior to restriction or denial. Restrictions or denials shall be substantiated in writing as indicated in Procedure XV.

The *Handbook of Religious Beliefs and Practices* shall list the authorized minimum requirements regarding corporate or individual religious practice and offender possession of symbols, items and publications essential to the practice of a religion.

XV. FACILITY RESTRICTION OR DENIAL OF AN AUTHORIZED RELIGIOUS PRACTICE OR POSSESSION OF AN AUTHORIZED RELIGIOUS ARTICLE:

When a Facility Head/designee considers that an authorized religious practice, item or symbol should be restricted based upon facility mission, identifiable security and/or management concerns, the Facility Head/designee shall notify the Director of the request for an exemption.

An acceptable method of accommodating an authorized religious item or symbol shall be considered prior to a facility request for a restriction or denial of a religious practice or possession of a religious item or publication listed in the *Handbook of Religious Beliefs and Practices*.

Exemptions shall be justified in a written report and shall include the following:

- A. What is being restricted or denied;
- B. The purpose of the restriction or denial; and,
- C. Whether the restriction or denial places a substantial burden on the offender's right to practice the religion.

If the restriction or denial places a substantial burden on the offender's practice of the religion, the report shall include the following:

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- That a compelling state interest substantiates the restriction or denial (in most cases this interest will be facility security which courts have recognized);
- Substantiation that the restriction or denial is the least restrictive means available for achieving the compelling state interest; or, that there is an acceptable method of accommodating the offender's right to practice the religion in lieu of the restriction or denial; and,
- If there is an acceptable accommodation, the report should specify the method of accommodation.

Authorization or denial of the restriction by a facility shall be on based on the consensus of the Director, the Executive Director of Programs, the Deputy Commissioner of Re-Entry, the Deputy Commissioner of Operations, the Executive Director of Juvenile Services, the Executive Director of Adult Facilities and the Director of Legal Services.

If the Facility Head considers an authorized religious practice/article an immediate threat to safety and security, the practice/article may be temporarily restricted pending resolution of the review process.

XVI. RELIGIOUS DISPUTE PROCEDURE:

Whenever possible, disputes related to religious practice shall be resolved by the facility Chaplain with the concurrence of the Facility Head/designee. The Chaplain shall consult with the Director to ensure uniformity of religious practice throughout the Department. If the facility has no Chaplain, the Facility Head/designee shall refer such matters to the Director.

- A. If assistance is required in resolving a dispute, the Director shall consult with other religious authorities who will be considered appropriate if:
 1. The individual is recognized as having special knowledge or insight within the specific religious tradition;
 2. The individual is an accredited representative of the religion; and,
 3. The individual is not under the jurisdiction of the criminal justice system.
- B. The Director shall advise the Facility Head/designee regarding the relevant information and authoritative outside sources with whom the Director has consulted.
- C. The Facility Head/designee shall determine whether the matter in question involves a threat to security, safety, or orderliness.

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- D. Whenever there is a conflict between a legitimate religious interest and a facility interest relating to facility security, safety, health, or orderliness, the matter shall be resolved consistent with Procedure XV.
- E. An offender may grieve the resolution in accordance with Policy 00-02-301, "The Offender Grievance Process."

XVII. RELIGIOUS PROGRAMS:

A. APPROVAL OF RELIGIOUS PROGRAMS

Religious programs approved by the Facility Head/designee shall be scheduled in an equitable manner and with regard to facility security, order, resources, and manageability. Staff shall be assigned to supervise religious programs as needed to provide adequate security and orderliness. Provisions for approval and/or continuation of programs include, but are not limited to:

1. Authorization as listed in the *Handbook of Religious Beliefs and Practices*;
2. The maintenance of supervision consistent with the facility security level;
3. Facility and volunteer resources;
4. Scheduling and program area availability; and,
5. The maintenance of identification with both outside faith community resources (except for programs led by Chaplains) and common practice.

Facilities shall not deny any faith group that has been authorized for group worship the opportunity for group worship or to otherwise meet the faith group's minimal requirements based solely upon the number of offenders professing membership in that faith group or participating in the faith group's worship service or other minimal requirements.

If the number of faith groups designated by offenders exceeds the resources available, worship and study activities may be consolidated to include all like groups which share reasonably similar beliefs and practices, i.e. General Christians may worship/study as a group. For these consolidated groups, preference shall be given to volunteers who indicate the willingness and ability to worship and teach in a non-sectarian manner.

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B. RESTRICTIONS FROM APPROVED RELIGIOUS PROGRAM:

Conditions for restriction of an offender from an approved and scheduled religious program or activity include, but are not limited to:

1. The offender’s designated religious preference is other than that related to the activity;
2. The offender is not listed in the facility sign-up/count letter for that program; or,
3. Space limitation, when to include offenders designating another religious preference would preclude the attendance of offenders designating the religious faith associated with the program.

A “Report of Conduct” may be written for any offense related to the religious programs consistent with Policy 02-04-101, “The Disciplinary Code for Adult Offenders,” or Policy 03-02-101, “Code of Conduct for Juvenile Offenders.” Offenders may be removed from religious services programs for a reasonable time if found guilty by the Disciplinary Hearing Body.

- Offenders may be removed from a corporate religious worship service for disruptive behavior, behavior deemed inappropriate with the practices of the particular faith group, or for behavior that is inconsistent with safety and security. Any such action shall be documented, but does not require a “Report of Conduct.” Removal for any time period beyond the service in which the offence occurred shall require a “Report of Conduct” and a finding of guilt, although offenders may be suspended from the worship service until resolution of the disciplinary action.
- Offenders may be removed from a non-worship, e.g., study program, for a reasonable time, based on the nature of the offense, for documented disruptive behavior. The offender shall send a written request to the Chaplain/religious program coordinator for return to the program.

Offenders assigned to a protective custody, administrative segregation, administrative hold or disciplinary segregation unit shall be restricted to programs approved specifically for these units.

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C. RELIGIOUS PROGRAM LEADERSHIP:

To protect the integrity and authenticity of belief and practice, Chaplains, religious specialists or qualified volunteers, shall provide leadership of religious programs.

Upon the approval of the Facility Head/designee and when authorized and supervised by the Chaplain, religious specialist or volunteer group leader, an offender(s) may assist with religious programs.

When a staff Chaplain is not empowered to conduct an authorized and approved religious program or ceremony according to the tenants of a particular faith or custom, and there is sufficient offender interest, the Chaplain or the Community Involvement Coordinator may seek to recruit appropriate individual(s) from the community. Offenders may provide names of possible resource persons and/or the Director may be contacted for assistance.

If approved staff or qualified volunteer leadership cannot be obtained, the Facility Head or designee may select an offender to assist with the facilitation of the faith group’s primary worship service provided:

1. The religious program is authorized in the *Handbook of Religious Beliefs and Practices*;
2. There is sufficient offender interest;
4. A recognized authority of that religious belief and the Chaplain have indicated approval for the designated offender to conduct the program;
5. Staff supervision is provided.

An offender selected by the Facility Head to facilitate a primary worship service shall:

- Be free of Class A conduct reports for one (1) year, and Class B for six (6) months;
- Maintain regular communication with a recognized religious authority;
- Not be an identified member of a security threat group;
- Not delegate responsibilities to another offender; and,
- Comply with other requirements as deemed necessary by the Facility Head

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Offenders approved to assist in this matter may be limited to a set term of 12 months. If the Facility Head wishes to extend an offender's facilitation past 12 months, he/she may do so after consultation with the Director. Facilitation may be rotated among a small group of approved offenders.

Religious programs other than worship services require the leadership of a Chaplain, volunteer or religious specialist. Exceptions that allow offenders to provide facilitation of these religious programs shall require the approval of the Facility Head/designee. Criteria for offenders so approved shall be the same as for facilitation of a primary worship service. Study material used by offender facilitated programs shall be published by the particular faith group, approved by the facility accredited representative or religious specialist, and is subject to the approval of the Chaplain/religious program coordinator.

The Facility Head/designee may immediately restrict offender facilitation of worship/study programs if the designated offender(s):

1. Misuses or abuses this privilege;
2. Disparages the beliefs and practices of others;
3. Encourages beliefs or practices inconsistent with the authorized faith group as determined by the Chaplain in consultation with the Director and/or an accredited representative of the faith group;
4. Uses intimidation; or,
5. Gives cause for concern for the safety or security of the facility, staff or other persons.

An offender approved to facilitate a religious program shall not be afforded any authority, special privileges or status related to this activity.

Offenders are not authorized to use titles such as Pastor, Rabbi, Imam or Grand Sheik, etc.

D. WORSHIP SERVICES:

Regularly scheduled worship services shall be open to the general offender population, unless those designating the related religious preference cannot be accommodated due to limited space or numbers in attendance.

An attempt shall be made to provide equipment needed for music appropriate to corporate religious practices and services of worship. An

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offender religious music program, which may include both vocal and instrumental music, may be developed when feasible.

When possible, worship services shall be scheduled so as to not conflict with offender work schedules. When a conflict exists, an attempt shall be made to accommodate an offender's request to attend the designated holy day service.

If the faith group's style of worship is culturally or ethnically diverse, an attempt shall be made to include these expressions as represented within the offender population.

Regularly scheduled worship services may include traditional sacramental rites, i.e. pipe ceremony, Eucharist or rite of conversion.

Special worship services may be approved consistent with resources and common practice within the outside religious community (e.g. Christmas, Passover, Ramadan).

Religious articles used in approved corporate worship shall be considered sacred, and should not be used for other purposes.

E. INSTRUCTION CLASSES:

Instruction classes are designed to provide an introduction to the beliefs and practices of a particular denominational or sectarian group. An instruction class may be approved when there is sufficient offender interest and a qualified instructor is available.

An offender may be limited to attending only one complete cycle of the instruction class.

Unlike general worship services and study groups, instruction classes will often be denominational and sectarian. However, the beliefs and practices of other religious faith groups may not be disparaged.

F. OBSERVANCE OF RELIGIOUS HOLIDAYS, CELEBRATIONS AND FASTS AND FEASTS:

Religious holidays, celebrations and fasts are designated holy days that usually commemorate a special event or discipline within the religion. For those authorized by the *Handbook of Religious Beliefs and Practices*:

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1. Programs related to, manner of and accommodations for observance associated with the religious holiday, celebration or fast, are subject to the approval of the Facility Head/designee consistent with security and facility and volunteer resources. If a holiday/celebration/fast is considered a minimum requirement, Procedure XV shall be followed prior to denial of observance.
2. Participation in programs associated with the observance of religious holidays or celebrations may be restricted to those offenders participating in the related program.
3. Accommodations made for religious fasts/feasts may be limited to those claiming the related religious preference.
4. Depending on facility security level, physical facilities, security and order, guests may be invited to religious holiday celebrations with the approval of the Facility Head/designee.
5. In the event a meal is included in the observance, it may be the same as planned on the master cycle menu, with changes as necessary to satisfy dietary requirements.
6. IDOC Central Office Religious Services Staff, the Executive Director of Contract Compliance or designee, and the Contracted Food Services Provider shall develop a master menu for approved ceremonial meals.

A request for group observance of or special accommodation for a religious holiday, celebration or fast not authorized by the *Handbook of Religious Beliefs and Practices*, shall be referred to the Director.

G. RELIGIOUS CEREMONY, TRADITIONAL OR SACRAMENTAL RITES:

Authorized religious ceremonies and traditional or sacramental rites shall be listed in the *Handbook of Religious Beliefs and Practices*. A request for religious ceremonies and traditional or sacramental rites not included in the Handbook shall be referred to the Director.

Authorized religious ceremonies/rites related to the facility religious programming shall be offered on a regularly scheduled basis, subject to the availability of a religiously authorized official. Notice of these activities shall be included in the facility calendar of religious activities.

If a worship service other than that which is regularly scheduled is needed to accommodate the observance of the ceremony/rite, those attending the

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service (offenders, volunteers or guests) shall be approved by the Facility Head/designee. Criteria for special services to accommodate these practices shall include, but not be limited to:

1. There is no regularly scheduled program related to the designated faith group;
2. An approved religious official is not available during the regularly scheduled program;
3. The facility is not equipped to provide the ceremony/rite during the regularly scheduled program;
4. Security concerns related to the involved offender(s) and/or the area of the regularly scheduled religious program; or,
5. Management concerns related to the practice.

Implements required for the observance of these ceremonies/rites may be acquired and inventoried as facility property, with the approval of the Facility Head/designee, and securely stored; or the person(s) administering the ceremony/rite may provide these items.

Administration of the ceremonies/rites shall be made available to segregated offenders, subject to the approval of the Facility Head/designee and in accordance with the safety and security of the facility.

Sacramental wine shall be utilized for religious faith groups requiring its use for a sacramental rite, as listed in the *Handbook of Religious Beliefs and Practices*, and in compliance with Indiana Code 7.1-1-2-3.

Denial of the observance of an authorized religious ceremony/rite shall be subject the Procedure XV.

H. RITES OF RELIGIOUS CONVERSION:

Religious rites of conversion, as listed in the *Handbook of Religious Beliefs and Practices*, shall be available to offenders in adult facilities on a scheduled or as needed basis, pursuant to any required instruction. An effort shall be made to include such a rite in the related religious program, if available. Facility restrictions on or denial of authorized conversion rites shall be subject to Procedure XV.

Juvenile facilities may provide for such rites when a local religious community of the juvenile's choice is available to provide for any required instruction and the performance of the rite. The Chaplain or a religious services volunteer may assist the juvenile in locating a local religious

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community. The permission of a parent or guardian and/or Facility Head/designee shall be required for the rite to be administered.

Offender facilitators, as discussed in Section XVII, C, **shall not** perform conversion rites.

XVIII. SPECIAL RELIGIOUS PRACTICES:

Offenders may use State Form 48243, FACT SHEET: OFFENDERS REQUEST FOR ASSISTANCE WITH RELIGIOUS PRACTICE, to request assistance with religious matters not covered in the *Handbook of Religious Beliefs and Practices* or these administrative procedures and to obtain authorized items or services. The completed form shall be reviewed by the Chaplain who shall respond consistent with established procedures or refer the request to the Director for review and advisement.

A. RELIGIOUS OILS

Any adult offender may possess up to two (2) ounces of religious oils in his or her personal property, regardless of religious preference, or lack thereof. Religious Oils shall be made available for purchase through the commissary only. The Religious Services Department shall not be responsible for ordering, storing, or dispensing religious oils. An attempt will be made to provide a variety of fragrances. Oils will be free of alcohol and animal by-products.

B. PERSONAL PREFERENCE DIETS

Offenders shall be allowed to request and receive, when feasible, a Personal Preference Diet in accordance with Policy 04-01-301, "The Development and Delivery of Food Service Program." The offender shall specify his/her moral or religious reasons in writing to the Chaplain for approval or denial.

A personal preference diet card granted for religious/moral reasons may be suspended or confiscated if the offender:

1. Demonstrates a repeated pattern of consuming the self-prohibited food item(s);
2. Orders self-prohibited items from the facility commissary; or,
3. Abuses or misuses the diet-card in any manner.

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C. SMOKE PRODUCING SUBSTANCES:

The religious expression of some faith groups includes the burning of smoke and/or aroma-producing substances such as sage, cedar, sweetgrass, and incense. The burning of smoke and/or aroma-producing substances is allowed as authorized in the *Handbook of Religious Beliefs and Practices*, and consistent with facility operational procedures. Facility restrictions on or denial of the use of authorized substances shall be consistent with Procedure XV.

The ceremonial use of tobacco is a legitimate group religious practice for Native American offenders. The most common use is the pipe ceremony in which a small amount is mixed with other herbs. Approved Native American volunteers shall be permitted to bring an appropriate amount of tobacco into the facility for ceremonial use. Individual offenders shall not be allowed personal possession of tobacco.

Facilities that have Native American religious programs shall allow for the ceremonial use of tobacco under the guidance of a Native American accredited representative/religious specialist. Tobacco shall not be smoked, except as part of the pipe ceremony with an authorized Native American representative present.

The religious use of smoke-producing substances shall not be prohibited as a result of the Department's no-smoking requirements, however, the location in which these substances may be used may be restricted.

D. WORK RESTRICTIONS

Offenders who adhere to a work restriction on a prescribed religious holy day (e.g. the Sabbath) must seek a work assignment that does not conflict with this restriction.

Offenders given extra work detail as a result of a conduct report or temporary work assignment schedule change shall not be required to work on a religiously restricted day, as authorized by the *Handbook of Religious Beliefs and Practices* and consistent with the offender's documented religious preference.

Restriction from work due to the observance of a religious holiday listed in the *Handbook of Religious Beliefs and Practices* may be approved if the offender is actively practicing the documented religious preference.

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E. FUNERAL OR MEMORIAL SERVICE:

When an offender is to be buried on facility grounds, a facility Chaplain, other staff or an accredited representative shall conduct a memorial service as approved by the Facility Head/designee. The memorial service shall reflect the practice of the offender's religious preference, if known, consistent with safety and security. If approved, this service shall be conducted for the offender population within an appropriate time and according to facility operational needs.

Those persons attending the funeral or memorial services shall be approved by the Facility Head or designee. No costs shall be incurred by the facility regarding the officiant at an offender funeral/memorial service. An accredited representative acting as officiant shall be approved consistent with Policy 01-03-103, "The Development and Delivery of Community Involvement Program."

The facility Chaplain shall accompany the remains/cremains if they are to be transported to a different facility for burial.

When an offender is to be buried on facility grounds, a facility Chaplain or approved accredited representative shall conduct a committal service at the gravesite. The Facility Head/designee shall approve those in attendance and shall advise the Chaplain of the name, religious preference and other relevant information at least 48 hours prior to the scheduled services.

F. ORDINATION:

No offender shall be granted services of ordination, or shall be invested with ministerial, priestly or rabbinical authority; nor shall an offender be recognized to perform as an accredited representative while incarcerated, (i.e., performing baptisms, administering sacraments, officiating weddings, etc). Religious leadership credentials such as ordination or commissioning as a minister, rabbi, imam, etc. received by offenders prior to incarceration will not be recognized during the incarceration period. In the event an offender is approved to lead a religious study or worship service, as in Procedure XVII, the offender shall not be considered or recognized as having special status or authority related to religious practice.

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Offenders are not authorized to use titles such as Pastor, Rabbi, Imam or Grand Sheik, etc.

XIX. OFFENDER POSSESSION OF RELIGIOUS ITEMS OR SYMBOLS:

Authorization of religious items and symbols shall be consistent with Procedures XIV and XV.

Offenders may wear or have in their assigned living quarters, as appropriate, religious items and symbols related to their designated religious preference and as listed in the *Handbook of Religious Beliefs and Practices*. Possession of these items and/or symbols shall be in accordance with Policy 02-01-101, "Offender Personal Property." The wearing or carrying of a religious item or symbol may be restricted to designated areas of the facility, as determined by the Facility Head. All authorized religious symbols must be worn under the shirt anywhere outside the immediate bed area. If an authorized item/symbol is to be denied, Procedure XV shall be followed.

All approved offender property associated with the exercise of religion shall be:

- A. The responsibility of the offender;
- B. Subject to all possession and search procedures; and,
- C. Identified as sacred or religious and separated from non-religious or sacred items.

All personal religious property, when not in use or in the offender's possession shall be stored in the offender's housing unit. Facilities may provide offenders with a laminated card or memo indicating authorized items the offender may have in his/her possession.

When offenders are transferred from one facility to another, they shall retain their religious property, unless restrictions at the receiving facility specifically prohibit such item(s).

Items related to religious practice may be confiscated if used in a manner other than their intended and authorized purpose or the items threaten the safety and security of the facility or persons. Offenders who use religious practices in a manner that threatens the safety and security of the facility, staff, volunteers or other offenders are subject to disciplinary action.

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Offender possession and use of approved religious property may be restricted or withdrawn if the offender abuses, alters or inappropriately uses the item(s), or the offender gives, loans, sells an item of religious property to another offender.

State Form 47685, REQUEST FOR AUTHORIZATION OF RELIGIOUS GROUP ACTIVITY, OFFENDER POSSESSION OF RELIGIOUS SYMBOLS..., shall be used for the review of an unfamiliar religious item or symbol not presently included in the *Handbook of Religious Beliefs and Practices*, and referred to the Director for consideration.

The originals or copies of the religious records required by the offender's designated religious preference, or those maintained by the religious group and/or an accredited agent of the religious group administering religious rites (e.g., baptism), shall be maintained in the offender's Re-Entry Portfolio. Originals of these documents may be sent out of the facility by the offender to family or friends. If the original is sent out of the facility, a copy shall be placed in the offender's Re-Entry Portfolio.

XX. RELIGIOUS PUBLICATIONS:

Offenders shall have reasonable access to publications related to religious belief and practice. No publication received by an offender shall be denied solely because its content is religious, or because its content is unpopular with or repugnant to other offenders or staff. All religious publications shall be processed in accordance with Policy 02-01-103, "Offender Correspondence" and Policy 02-01-101, "Offender Personal Property".

Religious publications which may pose a threat to security or safety may be denied in accordance with the administrative procedures for Policy 02-01-103, "Offender Correspondence".

Religious publications or literature donated for distribution to offenders may be refused if the material demeans or criticizes another faith group, advocates religious, racial or national hatred or violence or is a threat to safety and/or security.

Authoritative religious texts (e.g., Bible, Koran) and publications donated to or purchased by the facility shall be organized and accessible to the offender population.

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1. These books and publications may be available through the facility or Chapel library services or through other methods approved by the Facility Head/designee.
2. Multiple copies of donated books and publications may be dispensed to housing units or offenders as approved by the Facility Head/designee.
3. Religious study material (e.g., Bible studies) received by correspondence or through approved religious programs may need to be accompanied by a memorandum of approval from the Chaplain or designated staff. Possession of educational/study materials shall be consistent with Policy 02-01-101, "Offender Personal Property".

Religious literature written by offenders, or provided through volunteers or staff, may not be distributed within a facility unless specifically recommended by the Chaplain and approved by the Facility Head/designee.

XXI. INSPECTION/SEARCH PROCEDURES:

Searches of religious items and/or symbols shall be administered in a manner that is respectful. This provision includes equipment, items and/or symbols retained by religious services staff, offenders and religious volunteers and those maintained in the religious services area.

Native American prayer/medicine bags and feathers are religious property that is considered sacred and should not be handled by anyone other than its owner except in an emergency. For routine searches, staff shall direct the offender to display their religious property in such a way that it can be examined without being touched. If contraband is found, then the contraband item shall be confiscated.

An attempt shall be made to conduct non-emergency searches of religious services areas in the presence of the Chaplain.

Within five (5) working days of the search, the Shift Supervisor shall provide the Chaplain an incident report of the search of the religious services area stating what items, if any, were confiscated and of any security breaches that were found.

XXII. SUSPENSION OF REGULARLY SCHEDULED RELIGIOUS PROGRAM:

Suspension of a regularly scheduled group religious program(s) shall be the least restrictive means necessary to protect facility concerns, according to the judgment of the Facility Head/designee. Suspension of the scheduled religious program(s)

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shall be lifted once corrective action has been taken or the facility concerns no longer exist.

XXIII. RELIGIOUS VISITATION:

Staff Chaplains shall routinely have access to all areas of the facility and to all offenders, and shall visit each area of the facility on a regular basis.

Contract religious specialists and religious services volunteers shall have access to areas and offenders as approved by the Facility Head/designee.

Offenders, including those in special facility units (i.e. segregation, detention, death row), may receive visits from an approved accredited representative of their designated religious preference during normal visiting hours, pursuant to Policy 02-01-102, "Offender Visitation", and facility visitation rules and regulations.

A reasonable limit may be placed on the number of offenders visiting the same approved Accredited Representative or Clergy of Record. Clergy of Record shall not visit with more than one offender at a time without written authorization of the Facility Head. Department staff may not serve as Clergy of Record.

Except in cases of emergency and authorized by the Facility Head or designee, State Form 14387, "APPLICATION FOR VISITS," shall be required for Clergy of Record.

The Facility Head may limit the number of offenders selecting the same individual as their Clergy of Record.

XXIV. RELIGIOUS SERVICES ASSOCIATES:

A Religious Services Associates program may be established at a facility, with the approval of the Facility Head/designee. The program shall outline the guidelines, responsibilities and limitations for participating volunteers and a job description shall be developed for each Religious Services Associate approved.

A Religious Services Associate (formerly known as Volunteer Assistant Chaplains) may assist the Chaplain in the provision of religious programming and spiritual care, as appropriate to their education, experience, and the recommendation of their religious authority, consistent with the needs of the facility.

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Potential Religious Services Associates shall complete and submit State Form 8603, CLERGY AND RELIGIOUS PROFESSIONAL APPLICATION.

Approved Religious Services Associates shall be notified of and subject to all applicable facility and Departmental policies and procedures, including but not limited to: Policy 01-03-103, "The Development and Delivery of Community Involvement Program"; Policy 01-03-101, "The Development and Delivery of Religious Services Program"; and, Policy 04-03-103, "Information and Standards of Conduct for Department Staff." Training requirements exceeding those required by the Policy 01-03-103 shall be in accordance with Policy 01-05-101, "Staff Development and Training", and consistent with the facility security level and approved activities

Minimum qualifications for those approved as Religious Services Associates shall include:

- A. Ordained, commissioned, licensed or otherwise designated as an accredited representative by an appropriate religious authority;
- B. Current recommendation from a related religious authority as having good standing within the faith group and appropriate for the position;
- C. Continued maintenance of a supervisory relationship with an outside faith group;
- D. Education and training as specified by the facility and/or religious authority;
- E. Ability to work in an inter-religious setting; and,
- F. Recommendation of the facility Chaplain.

Religious Services Associates shall be directly accountable to the facility Chaplain and under the authority of the Facility Head/designee. Volunteers who do not meet the criteria of Religious Services Associate may be approved according to the administrative procedures for Policy 01-03-103 and assigned tasks by the Chaplain consistent with their training and interest.

At facilities without staff Chaplains, designated staff shall supervise any approved Religious Services Associate.

Staff shall not serve in a volunteer capacity related to the religious services program.

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XXV. DONATIONS:

A facility may designate, in a sub-account of the Recreation Fund, an account to which offenders may voluntarily contribute to provide religious publications and items needed for corporate practice and/or study of their faith. No attempts shall be made by staff, offenders or volunteers to coerce contributions to this fund.

These Recreation Fund sub-accounts shall include the faith groups represented in the religious programming of the facility (e.g., General Christian, Catholic, Islamic, Buddhist) and are subject to Policy 04-01-105, "Recreation Fund Administration." The Chaplain shall consult with offenders and volunteers associated with the faith group in deciding how these funds shall be used. All expenditures are subject to the approval of the Facility Head/designee.

Donations to the religious services program may be received from outside sources, consistent with Policy 04-01-105, Policy 01-03-103 and Policy 04-01-101, "Inventory and Asset Management." Monetary donations to a facility religious services program shall be assigned to the Recreation Fund sub-account as designated by the donor. Expenditure of these funds shall be as designated by the donor, or if not so designated, as recommended by the Chaplain and approved by the Facility head/designee.

Donations from staff or offenders of religious materials shall be made directly to the Chaplain for consideration for distribution to offenders. In-kind donations from staff or outside sources shall be accepted in accordance with Policy 04-01-101. In-kind donations from offenders shall be in accordance with Departmental Administrative Procedures and the facility's operational needs

XXVI. RELIGIOUS SERVICES PROGRAM AREA(S):

Physical facilities and provision for an atmosphere conducive to corporate worship shall be provided. A general activity area may be used in the absence of a designated religious services area. Religious services space shall be clean and, when possible, maintained in keeping with a devotional nature.

Space for other scheduled religious programming and pastoral care services shall be provided within the limitations of supervision and physical facilities, as approved by the Facility Head/designee.

The use of the religious services program areas(s), equipment and furnishings shall be scheduled by the facility Chaplain(s) or as designated in the absence of a Chaplain, and subject to the approval of the Facility Head/designee. An effort

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shall be made to accord all approved corporate religious practices equitable status and protection.

Facilities shall provide the Chaplain(s) with the necessary office, space, equipment, supplies, support services, and program space required to implement a religious services program that serves the assessed religious needs of the offender population. Facilities will attempt to provide individual and group space conducive to confidentiality to accommodate spiritual care and counseling as Chaplains and volunteers are available and qualified to provide.

XXVII. PROVISION FOR GROUP RELIGIOUS ITEMS AND STORAGE:

Items and/or symbols approved for scheduled offender corporate religious practice (i.e. kneeling pillows, sacramental articles) may be purchased as appropriate through general or recreation funds, recreation fund faith group sub-accounts and/or received as donations from the outside religious community.

Items shall be registered with, and maintained by, the Chaplain or as designated. These items are subject to facility inspection, which shall maintain respect for the religious nature of the items. If not registered, these items may be considered prohibited property and subject to confiscation.

As space allows, reasonable, secure, and separate storage space for group religious items/symbols shall be provided and maintained. Access to the storage space shall be determined by facility operational procedures. The facility shall not be responsible for the destruction, damage or loss of stored items.

XXVIII. RELIGIOUS SERVICES REPORTS:

The Director shall receive reports of facility group religious activity and shall annually review facility religious programs.

The Director shall develop standard report forms consistent with information required for program assessment and policy adherence. These forms shall be completed by religious services staff and submitted to the Facility Head or designee for review. Following review the Facility Head or designee shall submit the report to the Director by the date requested.

The Director shall compile an annual religious services report for submission to the Deputy Commissioner of Re-Entry. Subsequent to this review, the annual report shall be submitted to the Executive Staff, Division Directors, and Facility Heads.

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XXIX. RELIGIOUS SERVICES AUDIT:

Religious Services audits shall be consistent with the administrative procedures for Policy 00-02-101, "The Development and Delivery of Program Reviews/ACA Audits and Fiscal Audits."

Supplemental audits for quality assurance purposes may be developed and implemented by the Director as needed and as approved by the Deputy Commissioner of Re-Entry.

XXX. APPLICABILITY:

These administrative procedures are applicable to all facilities in the Department housing offenders or juveniles.

Signature on File

Bruce Lemmon
Commissioner

Date