

 State of Indiana Indiana Department of Correction	Effective Date	Page 1 of	Number
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Title <b>RELIGIOUS SERVICES</b>
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Legal 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	Related Policies/Procedures (includes but is not limited to)  00-02-301; 01-03-102; 01-03-103; 01-03-104; 02-01-101, 02-01-103; 02-01-104; 04-01-301	Replaces:  01-03-101 (9-1-2020 / ED # 20-39)
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I. PURPOSE:

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

II. POLICY STATEMENT:

Incarcerated individuals 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.

Incarcerated individuals' exercise of religion and the provision and delivery of religious services shall be guaranteed, consistent with current law.

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 incarcerated individuals, to provide professional expertise on religious belief and practice in the correctional environment, and to assure equal status and protections for all religions.

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

III. DEFINITIONS:

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

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- 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. BUSINESS DAY: Mondays through Fridays, excluding weekends and State holidays.
- C. CHAPLAIN: An endorsed religious professional employed by the Department to provide for the delivery of spiritual care and the management of a facility religious services program.
- D. CLERGY: A single spiritual advisor designated by the incarcerated individual who is an accredited representative or minister of the incarcerated individual's personally designated religion or another person, not a family member, designated by the incarcerated individual to provide spiritual advice.
- E. 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.
- F. CONVERSION (RITE OF): The ceremony associated with the experience of a definite and decisive adoption of a religion.
- G. CORPORATE RELIGIOUS PRACTICE: Group religious practice prescribed by the designated religion, and which includes rituals of worship.
- H. DIRECTOR: The Director of Religious Services.
- I. DOCTRINE: A principle of faith considered as true and beyond dispute by a specific faith group.
- K. FAITH GROUP: A religious body sharing the same or similar beliefs, practices, rites, etc.
- L. INCARCERATED INDIVIDUAL: An adult or juvenile person committed to a department of correction (federal, state, or local) and housed or supervised in a facility either operated by the department of correction or with which the department of correction has a contract, including an adult under parole supervision; under probation supervision following a commitment to a department of correction; in a minimum security assignment, including an assignment to a community transition program.

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- M. INDIVIDUAL RELIGIOUS PRACTICE: A religious practice prescribed by a religion and performed individually (e.g., prayer).
- N. IMMEDIATE FAMILY MEMBER: The immediate family of an incarcerated individual is their father, mother, siblings, spouse, children, grandparents, grandchildren, and legal guardians including those with a “step”, “half”, or adoptive relationship and those persons with the same relationship to the incarcerated individual’s spouse.
- O. ORDAIN: To invest with ministerial, priestly, or rabbinical authority.
- P. PROSELYTIZE: A willful attempt to pressure an individual to convert from their religion to another’s religious beliefs or practices.
- Q. RELIGION: The service and worship of a deity or the supernatural; an organized system of faith and worship; a profession and/or practice of religious beliefs personally or corporately.
- R. RELIGIOUS ITEMS (ARTICLES): Items required for, or used in, the practice of religious traditions.
- S. RELIGIOUS BELIEF: A principle, dogma, belief, or doctrine held by its adherents as true.
- T. RELIGIOUS CEREMONY, TRADITIONAL or SACRAMENTAL RITE: A formal act or series of acts, often symbolic, prescribed by a religion.
- U. RELIGIOUS FREEDOM: The right to choose one’s beliefs, to worship, and to live in accordance with those beliefs without external constraint or coercion.
- V. RELIGIOUS LITERATURE: Material pertaining to religious belief and/or practice.
- X. RELIGIOUS PROGRAM: A group activity conducted by or under the supervision of Religious Services staff and designed specifically for incarcerated individual worship, religious study, faith development, spiritual and/or personal growth.
- Y. 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,

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newspapers, music/song books, video/audio recordings, or computer software.

- Z. 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 Warden/designee.
  - AA. RELIGIOUS SPECIALIST: A contractual religious professional employed by the Department to provide for the delivery of religious worship/study programs and spiritual care for a particular faith group of incarcerated individuals.
  - BB. 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).
  - CC. SPIRITUAL CARE: Ministry provided or authorized by a Chaplain that develops, supports, or enhances the spiritual or personal growth of incarcerated individuals, without prejudice, regardless of faith preference or lack thereof.
  - DD. VOLUNTEER: An individual who has completed all the requirements for becoming a volunteer, is approved for, and engaged in, a specified service or regularly scheduled program, and has agreed to serve without compensation by the Department.
  - EE. 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 incarcerated individuals' spiritual, religious, and moral development as well as services to incarcerated individuals' families and staff as appropriate.
- V. ADMINISTRATION:
- The Commissioner shall appoint a Director of Religious Services to administer the Religious Services Program. The Director shall report to the Deputy Commissioner of Re-Entry. It is the responsibility of the Director:

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

The Director shall obtain religious policies and information from other systems, including the Federal Bureau of Prisons when possible. These are available to Department staff, but not to the incarcerated population.

The Director and the Division of Staff Development and Training shall develop training (video and/or written material) related to religious beliefs and practices in the correctional setting. This training shall be provided in accordance with Policy and Administrative Procedure 01-05-101, “Staff Development and Training.” It is the responsibility of the Warden/designee to ensure that employees having direct incarcerated individual contact are 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 staff for this purpose.

The Warden shall be responsible for ensuring the development and administration of the operational components of the facility religious services program. The Chaplain(s), in consultation with the Warden, shall be responsible for the planning, direction, and coordination of the facility religious services program, including approval of both lay and clergy volunteers from faiths represented by the incarcerated population. If the facility does not have a full or part-time Chaplain, these duties shall be assigned to a designated employee 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:

- 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 Warden/designee, the Chaplain, and the Director regarding issues and/or concerns related to the delivery of the Religious

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Services program and staff. The Warden/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 Warden/designee, and other staff as necessary, when responding to complaints or problems concerning facility Religious Services staff, programming, and/or volunteers.

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

VI. RELIGIOUS SERVICES COMMITTEE:

The Warden/designee may 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 Engagement Coordinator;
- C. Custody Supervisor or designee;
- D. Program Staff representative;
- E. Deputy Warden of Re-Entry;
- F. Other staff, at the discretion of the Warden/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.
- Review and recommend action regarding any restriction or limitation of authorized religious practices, items, or literature consistent with Procedure XV.

VII. RELIGIOUS SERVICES PERSONNEL:

- A. Personnel Qualifications:

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

The Staff Chaplain 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 their ecclesiastical endorsement to a different endorsing body, the Chaplain shall provide written notification to their 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 Warden/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 Warden/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, incarcerated individual clerks, and/or program supervisory staff, while maintain security for confidential material.

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.

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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 Warden/designee and in accordance with all applicable State travel rules and regulations.

The Warden/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 Executive Director of Staff Development and Training, 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 calendar year, this paid leave shall not exceed seventy-five (75) hours and shall not be used for less than one-half day (3.75 hours) at any time. Attendance of up to 37.5 hours shall require the approval of the Warden/designee and shall be in accordance with applicable State travel rule and regulations. Any additional days may be subject to review by the Director, at the request of the Warden/designee.

The Director is considered as having Chaplain status and shall be accorded these days with the approval of the Deputy Commissioner of Re-Entry in accordance with applicable State travel rules and regulations.

Continuing endorsement also requires Chaplains to maintain a strong link with the local faith community.

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



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their own. The Chaplain shall provide for the spiritual care of all requesting incarcerated individuals regardless of faith preference or lack thereof, and with the same commitment and regard shown to members of their 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 incarcerated individuals. 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 incarcerated population, with the intent to strengthen the participation of incarcerated individuals in the faith life of their own communities; provides services of worship/study and sacramental rites for their 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;
7. Advise the Warden/designee on the interpretation of this policy and administrative procedure;
8. Articulate the spiritual needs and rights of incarcerated individuals 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 the incarcerated and the community's role in support of ministry to this population;

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11. Provide services to incarcerated individuals' families as approved by the Warden/designee consistent with duties related to this policy and administrative procedure and the SPD job description for Chaplain;
12. Act in an advisory capacity to the Warden/designee regarding pastoral services to staff, and may perform other services as approved by the Warden/designee;
13. Verify a prospective clergy as a spiritual advisor and their relationship to the incarcerated individual, if requested by the Warden 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 an incarcerated individual's 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 incarcerated individual's death at a facility or hospital, Chaplains shall be notified, and may be requested to notify the incarcerated individual's family. The Chaplain may provide for follow-up care with incarcerated individuals and/or staff affected by the incarcerated individual's death;
16. Provide spiritual care to staff as appropriate.

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

E. Evaluation

The Director may provide documented input to the Warden/designee related to the Chaplain's professional services. Evaluation of Religious Services personnel shall include the observation of staff in the performance of assignments.

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

VIII. RELIGIOUS SERVICES INFORMATION:

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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 incarcerated individuals 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 incarcerated individuals, 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. 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 and Administrative Procedure 01-03-103, “Community Engagement.”

The Warden/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 adequate resources, supervision, and management support. Religious services volunteers and religious programs shall be approved by the Chaplain prior to their submission to the Warden/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 incarcerated individuals by approved religious volunteers shall be limited to the designated religious services program area(s). Access to incarcerated individuals in other areas of the facility shall occur only as recommended by the Chaplain and approved by the Warden/designee.

Religious services volunteers, lay or professional, may not be on an incarcerated individual’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 Warden/designee, in conjunction with a specific religious program, such as the Purposeful Living Units Serve (PLUS) program.

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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 Warden/designee shall make the final decision as to whether or not the items may enter the facility. This decision shall be documented with a copy provided to the Warden/designee and the Chaplain.

Facility search procedures and post orders shall reflect these considerations.

X. PRIVILEGED COMMUNICATION:

As a doctrine of some faiths, clergy must maintain the confidentiality of pastoral communications. Face to face, private spiritual conversations, such as the sacrament of confession between clergy and an incarcerated individual shall generally be considered confidential.

However, there are significant restrictions in a correctional setting. Clergy confidentiality does not apply when:

- Reporting is required by State or federal law (e.g., child abuse)
- An incarcerated individual has disclosed information to clergy that reasonably identifies a serious threat to the safety and security of facility, staff, incarcerated individuals, or the general public.
- Communication is made outside of clergy's professional role
- Communication is made by mail, telephone, email. or other means.

Clergy with concerns about these restrictions are encouraged to contact the facility chaplain or their own leadership for guidance.

XI. PROSELYTIZING:

Incarcerated individuals shall be free to practice and adhere to the requirements of a personal religious belief within the limitations of this policy and administrative procedure. No incarcerated individual shall be required to, or coerced into, adopting or participating in any religious belief or practice.

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The sharing of information by Chaplains, volunteers, and incarcerated individuals 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 incarcerated individuals 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.

**XII. INCARCERATED INDIVIDUAL RELIGIOUS PREFERENCE:**

Incarcerated individuals shall be limited to designating one (1) religious preference at a time.

**A. Incarcerated Individuals Committed To Adult Facilities:**

Upon admission to an Intake Unit, incarcerated individuals may report a faith preference to be registered in the information system. The current information system designations include:

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

The Department does not approve or authorize particular religions. Lack of inclusion in the information system does not imply that a religion does not exist or should not be accommodated.

The Department does not verify or confirm that an individual is a member of a religious organization or is sincere in their beliefs. The Department simply records the preference as reported by the individual.

If “Other” is designated, a note describing the incarcerated individual’s religious identity shall be entered into the Offender Case Management System (OCMS) and forwarded to the Director. The Director may classify the incarcerated individual in an existing category and/or make a note in the OCMS.

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An incarcerated individual may change their religious preference in writing, once every six (6) months.

Incarcerated individuals wishing to change their religious preference shall provide written notification to the Chaplain or other designated staff. State Form 47686, “Statement of Offender’s Religious Preference,” shall be used for this purpose.

When the completed State Form 47686 has been received the incarcerated individual’s religious preference shall be changed in the information system provided the individual is eligible to change their preference. This information shall be retained in the incarcerated individual’s packet and appropriate staff notified.

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

Denial of a change of religious preference must be approved by the Warden/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. Youth Committed To Division of Youth Services Facilities:

Incarcerated individuals/Youth under the jurisdiction of the Division of Youth Services may designate a religious faith preference at Intake. A youth may request to change their religious preference in writing, once every six (6) months. The youth’s religious preference designation shall be changed only with the written permission of the Warden/designee, based upon a consultation with the youth and/or the youth’s parent(s) or legal guardian.

XIII. RELIGIOUS GROUP ACTIVITY, INCARCERATED INDIVIDUAL POSSESSION OF RELIGIOUS SYMBOLS AND/OR ITEMS ESSENTIAL TO THE PRACTICE OF A RELIGIOUS FAITH:

A. Religious practice and symbols/items related to a religion unfamiliar to the Department and for which a request for services or religious symbols/items has been made shall undergo a review process. Such requests shall be referred to the Director. State Form 48243, “Offender Request for Assistance with Religious practice,” shall be used.

The Director shall consult with other Department staff as needed.

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During leisure or recreation periods, incarcerated individuals may gather for religious discussion and/or prayer, provided the gathering is not disruptive to the area or operation of the unit or facility. No incarcerated individual shall be coerced into participating. No extra movement lines shall be authorized to facilitate a gathering.

Incarcerated individuals may possess literature for any faith in accordance with Policy and Administrative Procedure 02-01-101, “Offender Personal Property,” and Policy and Administrative Procedure 02-01-103, “Offender Correspondence.”

A facility may limit the quantity of religious property in accordance with its operational procedure for Policy and Administrative Procedure 02-01-101.

**XIV. FACILITY RESTRICTION OR DENIAL OF A RELIGIOUS PRACTICE OR POSSESSION OF A RELIGIOUS ARTICLE:**

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

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 incarcerated individual’s right to practice the religion.

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

- 1. That a compelling State interest substantiates the restriction or denial;
- 2. 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 incarcerated individual’s right to practice the religion in lieu of the restriction or denial; and,
- 3. If there is an acceptable accommodation, the report should specify the method of accommodation.

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Approval or denial of the restriction by a facility shall be determined by the Director, in consultation with appropriate staff.

If the Warden/designee 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.

**XV. RELIGIOUS DISPUTE PROCEDURE:**

Whenever possible, disputes related to religious practice shall be resolved by the facility Chaplain with the concurrence of the Warden/designee. The Chaplain shall consult with the Director to ensure uniformity of religious practice throughout the Department. If the facility has no Chaplain, the Warden/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;
  - 3. The individual is a representative of another correctional department; and,
  - 4. The individual is not under the jurisdiction of the criminal justice system.
- B. The Director shall advise the Warden/designee regarding the relevant information and authoritative outside sources with whom the Director has consulted.
- C. The Warden/designee shall determine whether the matter in question involves a threat to security, safety, or orderliness.
- 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 Section XIV.
- E. An incarcerated individual may grieve the resolution in accordance with Policy and Administrative Procedure 00-02-301, "The Offender Grievance Process."



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XVI. RELIGIOUS PROGRAMS (See Facility Directive):

Most, if not all, faiths encourage followers to meet in groups. The Department has an obligation to ensure both fair access to the chapel and responsible use of limited space and time.

Faith groups shall each be given a comparable amount of time to meet on a weekly basis. This time may vary according to facility needs but should generally be two hours. This time may be used for sermons, teaching, study, worship, or other appropriate activities.

Existing groups must have average attendance of at least five individuals to meet on a weekly basis.

Incarcerated individuals on a count letter shall be considered excused for medical and legal visits, lockdowns, or other approved absences.

Groups not maintaining an average of five attendants shall be notified and after 2 successive months may be suspended.

C. New Groups

Requests for group meetings of faiths currently listed in the information system or similar require written requests from at least five individuals within a 90-day period. Individuals must have the appropriate incarcerated individual information system designation.

Requests for group meetings of faiths not currently listed in the information systems also require written requests from at least five individuals within a 90-day period. Individuals must be willing to change their religious preference to "Other," on State Form 47686, "Statement of Offender's Religious Preference."

Requests shall be reviewed for inclusion in the chapel schedule. Possible reasons for denial include:

1. No significant distinction from an existing group; and,
2. Some evidence the request is rooted in Security Threat Group or criminal activity.

If there is not sufficient demand for group services, an incarcerated individual may:

1. Request to attend a similar existing service; or,

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2. Attend an open chapel time for those without groups.

B. Restrictions from Approved Religious Program:

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

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

Incarcerated individuals 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." The incarcerated individual shall submit a written request to the Chaplain/Religious Program coordinator for return to the program.

Sanctions should be progressive. However, serious violations may justify a longer period of restrictions.

1. First occurrence: Fifteen (15) day restriction;
2. Second occurrence: Thirty (30) day restriction; and,
3. Third occurrence: Six (6) month restriction.

The Warden may restrict attendance by particular housing units or individuals if they believe it is necessary to ensure safety and security. In such situations, attendance may be rotated to ensure reasonable access to services.

Incarcerated individuals assigned to a protective custody, administrative restrictive status housing, administrative hold, special management, or disciplinary restrictive status housing shall be restricted to programs approved specifically for these units.

C. Religious Program Leadership:

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

Upon approval of the Warden/designee and when authorized and supervised by the Chaplain or other staff, an incarcerated individual(s) may assist with religious programs.

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

If approved staff or qualified volunteer leadership is not available, the Warden or designee may select an incarcerated individual to assist with the facilitation of the faith group's service provided:

1. Similar services do not already exist at the facility;
2. There is sufficient incarcerated individual interest; and,
3. Staff supervision is provided.

An incarcerated individual selected by the Warden/designee to facilitate a services shall:

1. Be free of findings of guilty of Class A conduct reports for one (1) year and Class B for six (6) months;
2. Be approved by the facility Security Threat Group Coordinator;
3. Not delegate responsibilities to another incarcerated individual; and,
4. Comply with other requirements as deemed necessary by the Warden.

Incarcerated individuals approved to assist in this matter may be limited to a set term of twelve (12) months. If the Warden wishes to extend an incarcerated individual's facilitation past twelve (12) months, they may do so after consultation with the Director. Facilitation may be rotated among a small group of approved incarcerated individuals.

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When possible, facilities shall consult with outside authorities before selecting incarcerated individual facilitators.

Study material used by incarcerated individual facilitated programs shall be published by the particular faith group and is subject to the approval of the Chaplain/Religious Program coordinator.

The Warden/designee may immediately restrict incarcerated individual facilitation of worship/study programs if the designated incarcerated individual(s):

1. Misuses or abuses this privilege;
2. Disparages the beliefs and practices of others;
3. Uses intimidation; or,
4. Gives cause for concern for the safety or security of the facility, staff or other persons, or the public.

**An incarcerated individual approved to facilitate a religious program shall not be afforded any authority, special privileges, or status related to this activity. Incarcerated individuals are not authorized to use titles such as Pastor, Rabbi, Imam or Grand Sheik, etc.**

D. Worship Services:

Each facility shall develop a facility directive guiding attendance at worship services. The procedures shall be the same for all faiths. Options include, but are not limited to:

1. At-will attendance at services;
2. Attendance by count letter;
3. Attendance, with or without a count letter; restricted to those with the appropriate information system religious preference; and,
4. Other procedures consistent with the security and operational needs of the facility.

Each facility which restricts attendance shall also develop a facility directive to allow an incarcerated individual to temporarily attend worship services of a faith other than that recorded in the information system.

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An incarcerated individual religious music program may be developed when feasible. Instruments and other equipment may be purchased or received as donations and shall be for the general use of chapel programs.

When possible, worship services shall be scheduled so as not to conflict with incarcerated individual work schedules. If a schedule conflict exists, the incarcerated individual is responsible for making arrangements with other assignments. In some cases, an incarcerated individual may have to choose between attending services and holding a particular assignment.

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 incarcerated population.

Regularly scheduled worship services may include traditional sacramental rites (e.g., 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).

Some religious articles used in approved corporate worship are sacred and shall not be used for other purposes.

E. Observance of Religious Holidays, Celebrations, Fasts, and Feasts:

Religious holidays, celebrations and fasts usually commemorate a special event or discipline within a religion.

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 Warden/designee consistent with security, facility, and volunteer resources;
2. Participation in programs associated with the observance of religious holidays or celebrations may be restricted to those incarcerated individuals participating in the related program;
3. Religious communities may gather for meals for fellowship or to mark specific holidays or occurrences in the chapel or other approved location twice per year. Any food served at the gathering shall be provided by the Department or the Department's contracted food service provider, and be identical to that served in the dining hall for that meal;

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4. Symbolic or ritual items such as bread and juice for communion, or the Seder plate are not considered a meal, and may be provided by the Department; and,
5. Incarcerated individuals wishing to observe a recognized fast may be accommodated with four weeks' written advance notice. Fasts must be recognized as part of a religious tradition and either last for more than twenty-four (24) hours or extend over several days (e.g., Ramadan).

The Department has established a program of enhanced meals for certain national or State holidays to include:

1. New Year's Day;
2. Good Friday;
3. Memorial Day;
4. Independence Day;
5. Labor Day;
6. Thanksgiving; and,
7. Christmas

A request for group observance of or special accommodation for a religious holiday, celebration or fast shall be referred to the Director.

F. Religious Ceremony, Traditional or Sacramental Rites:

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 service (incarcerated individuals, volunteers, or guests) shall be approved by the Warden/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;

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3. The facility is not equipped to provide the ceremony/rite during the regularly scheduled program;
4. Security concerns related to the involved incarcerated individual(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 Warden/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 incarcerated individuals in restrictive status housing, protective custody, and special management subject to the approval of the Warden/designee and in accordance with the safety and security of the facility.

A reasonable amount of alcohol or tobacco, such as communion wine, may be used for religious faith groups requiring its use for a sacramental rite in compliance with Indiana Code 7.1-1-2-3. A facility directive shall be developed to provide guidelines for bringing in, or storing, alcohol, or tobacco for religious use.

Denial of the observance of an authorized religious ceremony/rite shall be subject to the procedure in Section XIV.

G. Rites of Religious Conversion:

Religious rites of conversion, such as baptism, shall be available to incarcerated individuals 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 the procedures in Section XIV.

Division of Youth Services facilities may provide for such rites when a local religious community of the youth'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 youth in locating a local religious community. The permission of a parent or guardian and/or Warden/designee shall be required for the rite to be administered.

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**Incarcerated individual facilitators, as discussed in Section XVI, C, shall not perform conversion rites.**

H. Monitoring of Religious Services and Programs:

All religious services are subject to monitoring by Department staff. This may include staff presence, covert/overt audio and/or video surveillance, and any other approved methods.

Any attempt to block staff from entering or monitoring a service shall result in disciplinary action and may result in suspension of the service.

XVII. SPECIAL RELIGIOUS PRACTICES:

Incarcerated individuals may use State Form 48243, "Fact Sheet: Offender Request for Assistance with Religious Practice," to request assistance with religious matters not covered in this policy and administrative procedure and to obtain authorized items or services. The completed State Form 48243 shall be reviewed by the Chaplain who shall provide a response consistent with established procedures or refer the request to the Director for review and advisement.

A. Religious Oils:

Any incarcerated adult individual may possess up to two (2) ounces of religious oils in their 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 shall be made to provide a variety of fragrances. Oils shall be free of alcohol and animal by-products.

B. Kosher Diets

An incarcerated individual requesting a kosher diet must submit a completed State Form 56144, "Application for Religious Diet-Kosher through the facility Chaplain. At facilities without a Chaplain, the Warden shall designate a staff person to complete this duty.

A traditional kosher diet is one that has been certified as such by rabbinic or other recognized Jewish authority that complies with traditional Jewish requirements concerning food preparation and foods that are allowed to be eaten.



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Applicants with an information system preference of J, I, or Y do not need to explain their need for a kosher diet. Incarcerated individuals with any other religious preference must explain how their sincerely held religious beliefs require them to follow a kosher diet.

Applications are normally processed within sixty (60) days of submission to the Chaplain’s office. Applicants shall be notified in writing of the approval or denial of their request.

The incarcerated individual’s commissary purchase history and other sources for the sixty (60) days prior to their application submission shall be reviewed. Purchases of non-kosher items may result in denial of the application.

Incarcerated individuals receiving kosher diet trays shall be given one (1) warning if found to be purchasing/consuming non-kosher food products from commissary or other sources.

Incarcerated individuals approved for a kosher diet are to eat only their approved diet trays. Taking any other tray, whether from the kitchen or by trade, may result in revocation of the diet.

A religious diet may be revoked if an incarcerated individual fails to pick up at least fifty percent (50%) of their diet trays.

An incarcerated individual may not submit a new application for kosher diet until ninety (90) days from the date of denial or removal.

C. Vegan and Lacto-Ovo Diets

An incarcerated individual seeking a meat-free diet must submit a completed State Form 56094, “Application for Religious Diet,” through the facility Chaplain. At facilities without a Chaplain, the Warden shall designate a staff person to fulfill this duty.

A lacto-ovo diet contains no meat products, but may contain eggs, and/or dairy items. A vegan diet contains no meat, eggs, dairy, or other animal products.

Applications are normally processed within sixty (60) days of submission to the Chaplain’s office. Applicants shall be notified in writing of the approval or denial of their request.

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The incarcerated individual’s commissary purchase history and other sources for the sixty (60) days prior to their application submission shall be reviewed. Purchases of meat items may result in denial of the application. For the purpose of this policy and administrative procedure, fish is not considered meat.

Incarcerated individuals approved for a lacto-ovo diet are to eat only their approved diet trays. Taking any other tray, whether from the kitchen or by trade, may result in revocation of the diet.

A religious diet may be revoked if an incarcerated individual fails to pick up at least fifty percent (50%) of their diet trays.

An incarcerated individual may not submit a new application for a vegan or lacto / ovo diet until ninety (90) days from the date of denial or removal.

**D. Smoke Producing Substances:**

The religious expression of some faith groups includes the burning of smoke and/or aroma-producing substances such as sage, cedar, sweet grass, and incense. The burning of smoke and/or aroma-producing substances is allowed, consistent with facility operational procedures. Facility restrictions on, or denial of the use of, authorized substances shall be consistent with Procedure XIV.

The ceremonial use of tobacco is a legitimate group religious practice for Native American. 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.

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.

**E. Work Restrictions:**

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Incarcerated individuals who adhere to a work restriction on a prescribed religious holy day must seek a work assignment that does not conflict with this restriction.

Incarcerated individuals 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 consistent with the incarcerated individual's documented religious preference.

Restriction from work due to the observance of a religious holiday may be approved upon written request by the incarcerated individual to their work supervisor. Requests should be made no less than two weeks in advance of the holiday.

F. Family Deaths and Funerals:

In the event of the death of an immediate family member of an incarcerated individual, the Chaplain or designated staff receiving notification shall:

1. Complete State Form 3810, "Death Notice," and make special note if the request is to visit a seriously ill immediate family member;
2. Verify the death or serious illness and relationship to the incarcerated individual;
3. Forward the request to the facility Chaplain, if taken by staff other than the Chaplain;
4. Discuss the issue with the affected incarcerated individual and explain the temporary leave process and the incarcerated individual's options (e.g., video of the service);
5. Assist the incarcerated individual in the completion of State Form 7797, "Application for Temporary Leave for a Committed Offender," if the incarcerated individual is requesting a bedside visit or funeral attendance;
6. Receive State Form 7797 from the incarcerated individual;
7. Record the verification on State Form 7797;
8. Forward the request, with appropriate notification, to the Supervisor of Classification/designee; and,

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9. In the absence of a facility Chaplain, procedures 1-8 shall be performed by an employee designated by the Warden.

G. Death of an Incarcerated Individual

1. Notification Procedures

Procedures following the death of an incarcerated individual are covered in Policy and Administrative Procedure 01-02-101, “Health Services,” through Health Care Services Directives 2.24 (Adult and Youth), “Clinical Critical Incident Reviews,” and Health Care Services Directive 2.27 (Adult and Youth), “Procedure in the Event of the Death of an Incarcerated Individual/Youth.”

In the event of an incarcerated individual’s death at a facility or hospital, Chaplains shall be notified, and may be requested to notify the incarcerated individual’s emergency contact if specifically requested by Health Services. The Chaplain may provide for follow-up care with incarcerated individuals and/or staff affected by the incarcerated individual’s death.

2. Disposition of Remains

The deceased’s remains may be claimed by the emergency contact. If the remains are not claimed in a reasonable time period, the facility shall arrange for cremation. Disposition of the deceased individual’s money or property is covered in Policy and Administrative Procedure 04-01-104, “Inmate Trust Fund,” and Policy and Administrative Procedure 02-01-101, “Offender Personal Property.”

Incarcerated individuals desiring specific practices after their death must make arrangements with their family or emergency contact on record.

Following cremation, efforts shall be made to contact the incarcerated individual’s emergency contact or family members. After sixty days (60) days, if attempts at contact are unsuccessful, a certified letter containing the Department’s procedures for cremation, burial, and property claim shall be sent to the last known address of the incarcerated individual’s emergency contact. If the certified letter is returned, or thirty (30) days pass without a response, the remains shall be considered abandoned. If efforts to

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contact the emergency contact are unsuccessful, facility staff shall contact the Division of Legal Services in Central Office.

If the remains are abandoned, or the family clearly states in writing that they do not wish to receive the remains, an appropriate burial shall be arranged.

The sending facility is responsible for coordinating burial arrangement in advance with the appropriate facility. Typically, a Chaplain from the sending facility will conduct the committal service. The facility Chaplain or senior staff member shall accompany the remains, if transported to the appropriate facility for burial.

When an incarcerated individual is to be buried at an appropriate facility, a Chaplain or approved accredited representative shall conduct a committal service at the gravesite. The service shall reflect the deceased incarcerated individual’s religious preference, and other relevant information at least forty-eight (48) hours prior to the scheduled service(s).

Those persons attending the funeral or memorial service shall be approved by the Warden or designee. No costs shall be incurred by the facility regarding the officiant at an incarcerated individual funeral/memorial service. An accredited representative acting as officiant shall be approved in accordance with Policy and Administrative Procedure 01-03-103, “Community Engagement.”

If, after interment, an individual seek the return of remains, they shall be instructed to contact the Indiana State Department of Health to obtain the necessary permits.

H. Ordination:

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

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Procedure XVI, the incarcerated individual shall not be considered or recognized as having special status or authority related to religious practice.

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

**XVIII. INCARCERATED INDIVIDUAL POSSESSION OF RELIGIOUS ITEMS OR SYMBOLS:**

Approval of religious items and symbols shall be consistent with Procedures XIII and XIV. The attachment to this policy and administrative procedure, "Religious Property Guidelines," shall be used by the facility for guidance when addressing religious property items.

Incarcerated individuals may wear or have in their assigned living quarters, as appropriate, religious items and symbols related to their designated religious preference. Possession of these items and/or symbols shall be in accordance with Policy and Administrative Procedure 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 Warden. All approved religious symbols must be worn under the shirt anywhere outside the immediate bed area. Only one necklace/pendant may be worn at a time. If an approved item/symbol is to be denied, Section XIV shall be followed.

All religious property must be purchased through commissary, if available.

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

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

All personal religious property, when not in use or in the incarcerated individual's possession shall be stored in the incarcerated individual's housing unit. Facilities may provide incarcerated individuals with a laminated card or memo indicating authorized items the incarcerated individual may have in their possession.

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

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

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

State Form 48243, “Offender Request for Assistance with Religious Practice,” shall be used for the review of an unfamiliar religious item or symbol and referred to the Director for consideration.

The originals or copies of the religious records required by the incarcerated individual’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 incarcerated individual’s Re-Entry Portfolio. Originals of these documents may be sent out of the facility by the incarcerated individual to family or friends. If the original is sent out of the facility, a copy shall be placed in the incarcerated individual’s Re-Entry Portfolio.

**XIX. RELIGIOUS PUBLICATIONS:**

Incarcerated individuals shall have reasonable access to publications related to religious belief and practice. No publication received by an incarcerated individual shall be denied solely because its content is religious, or because its content is unpopular with or repugnant to other incarcerated individuals or staff. All religious publications shall be processed in accordance with Policy and Administrative Procedure 02-01-103, “Offender Correspondence” and Policy and Administrative Procedure 02-01-101, “Offender Personal Property”.

Religious publications which may pose a threat to security or safety may be denied in accordance with the Policy and Administrative Procedure 02-01-103.

Religious publications or literature donated for distribution to incarcerated individuals 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., Torah, Bible, Koran) and publications donated to or purchased by the facility shall be organized and accessible to the incarcerated 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 Warden/designee.
2. Multiple copies of donated books and publications may be dispensed to housing units or incarcerated individuals as approved by the Warden/designee.
3. Religious study material 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 and Administrative Procedure 02-01-101.

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

**XX. 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, incarcerated individuals, and religious volunteers and those maintained in the religious services area.

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

Within five (5) business 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.

Facilities shall incorporate the above direction into their post orders.

**XXI. 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 Warden/designee. Suspension of the scheduled religious program(s) shall be lifted once corrective action has been taken or the facility concerns no longer exist.

**XXII. RELIGIOUS VISITATION:**



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Chaplains shall routinely have access to all areas of the facility and to all incarcerated individuals 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 incarcerated individuals as approved by the Warden/designee.

Incarcerated individuals, including those in special facility units (e.g., restrictive status housing, special management, protective custody, death row), may receive visits from their Clergy during normal visiting hours, pursuant to Policy and Administrative Procedure 02-01-102, "Visitation," and facility visitation rules and regulations.

A reasonable limit may be placed on the number of incarcerated individuals visiting the same approved Clergy. Clergy shall not visit with more than one incarcerated individual at a time without written authorization of the Warden. Department staff may not serve as Clergy.

Except in cases of emergency and authorized by the Warden or designee, State Form 14387, "Application for Visiting Privilege," shall be required for Clergy of Record.

The Warden may limit the number of incarcerated individuals selecting the same individual as their Clergy.

**XXIII. RELIGIOUS SERVICES ASSOCIATES:**

A Religious Services Associates program may be established at a facility, with the approval of the Warden/designee. The program shall outline the guidelines, responsibilities and limitations for participating volunteers. 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.

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 and Administrative Procedure 01-03-103, "The Development and Delivery of Community Involvement Program," Policy and Administrative Procedure 01-03-101, "The Development and Delivery of Religious Services

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Program,” and Policy and Administrative Procedure 04-03-103, “Information and Standards of Conduct for Department Staff.” Training requirements exceeding those required by the Policy and Administrative Procedure 01-03-103 shall be in accordance with Policy and Administrative Procedure 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 Warden/designee. Volunteers who do not meet the criteria of Religious Services Associate may be approved according to the administrative procedures for Policy and Administrative Procedure 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.

**XXIV. 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 and equipment adequate for scheduled religious programming and pastoral care services shall be provided within the limitations of supervision and physical facilities, as approved by the Warden/designee.

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

**XXVI. PROVISION FOR GROUP RELIGIOUS ITEMS AND STORAGE:**

Items and/or symbols approved for scheduled corporate religious practice (e.g., kneeling pillows, sacramental articles) may be purchased as appropriate through general or recreation funds, and/or received as donations from the outside religious community.

Items shall be inventoried 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 procedures. The facility shall not be responsible for the destruction, damage, or loss of stored items. Incarcerated individuals are not permitted to store personal property in the chapel.

**XXVII. 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 Warden or designee for review. Following review the Warden or designee shall submit the report to the Director by the date requested.

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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 Wardens.

**XXVIII. 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.

**XXIX. TRANSFERS:**

Incarcerated individuals wishing to transfer to another facility for religious purposes shall follow the procedure found in Policy and Administrative Procedure 01-04-101, “Adult Offender Classification,” Section X, “Transfers.” The Director of Religious Services shall be consulted on transfers for religious purposes.

**XXX. APPLICABILITY:**

This policy and administrative procedure is applicable to all Department facilities

\_\_\_\_\_  
signature on file  
Robert E. Carter, Jr.  
Commissioner

\_\_\_\_\_  
Date