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**RELIGIOUS ACCESS AND CHAPLAINS**

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<b>DATE:</b>	MAY 6, 2016
<b>NUMBER:</b>	W.1
<b>SUBJECT:</b>	CHAPLAIN COORDINATOR & FACILITY CHAPLAINS
<b>RELATED SECTIONS:</b>	W.3, W.5

**PURPOSE**

To ensure a reasonable opportunity for inmates to express their religious faith while in custody. Chaplains shall ensure that all religions have equal status and opportunities to exercise their faith.

**POLICY**

All inmates shall be afforded religious services and programs where practical. The chaplain coordinator, facility commander and the reentry services division manager shall coordinate these services and programs.

**PROCEDURE**

- I. Chaplains shall plan, direct and supervise all aspects of the religious programs. They shall have physical access to all areas of the facilities to minister to inmates, unless such access compromises security.
  - A. The chaplain coordinator will assign a facility chaplain(s) at each facility. The facility chaplain shall supervise the several chaplains assigned to each detention facility.
  - B. All chaplains shall meet the qualifications of specialized training and endorsement by the appropriate religious certifying body.
  - C. The facility chaplain(s) shall:
    - 1. Facilitate religious services and other religious programs.
    - 2. Facilitate pastoral care and maintain close relationships with the religious community.
    - 3. Assess religious needs of inmates and make appropriate referrals.
  - D. Religious Text, Religious Symbols and Religious Reading Material
    - 1. All requests for religious text and religious reading material shall be forwarded to the facility chaplain.
    - 2. The chaplain coordinator shall authorize religious symbols. Any items that may constitute a security concern shall be approved by the facility commander.
  - E. All “give away” materials of this nature are stored in the chaplain coordinator’s warehouse and sent out as needed. No such materials shall be accepted at detention

facility information windows for delivery to inmates. The chaplains are to give the religious text and other materials to the inmates.

- F. If the facility chaplain is unavailable for an unusual length of time (i.e., vacation, long-term illness, etc.), the request shall be sent to the chaplain coordinator.

## II. Selection and Training Process of Detention Chaplains

- A. All chaplains are selected based on qualifications evaluated by the chaplain coordinator.
- B. Potential chaplains' religious credentials shall be checked by the chaplain coordinator and their background check shall be done by the Detention Investigations Unit.
- C. The chaplain coordinator provides each newly appointed chaplain an overall orientation of their duties and responsibilities. Training coordinators at each facility shall also arrange the non-sworn staff training for them. Seminars for chaplains are also held periodically for further training, sponsored by the chaplain coordinator and reentry services manager.

- III. All chaplains volunteer their services to the facilities; therefore, they qualify for meals while attending to their pastoral duties in our detention facilities.

<b>DATE:</b>	FEBRUARY 5, 2015
<b>NUMBER:</b>	W.3
<b>SUBJECT:</b>	COMMUNITY CLERGY VISITS
<b>RELATED SECTIONS:</b>	W.1, W.5
<b>IN COMPLIANCE WITH:</b>	CAC TITLE 15 SEC. 1070, 1072

PURPOSE

To ensure the availability of clergy and religious counseling as an essential aspect of incarceration.

POLICY

Representatives of recognized religious groups should provide all inmates the opportunity to obtain pastoral counseling. The chaplain coordinator will coordinate all community clergy visits.

PROCEDURE

- I. Methods for inmates to obtain pastoral counseling from ministers or religious leaders not otherwise provided by our Reentry Services Division are as follows:
  - A. When a religious leader of an inmate's faith is not represented through the chaplains or volunteers, an effort will be made by the Chaplain Coordinator or an appointed representative to obtain someone from that faith, who is credentialed.
  - B. Telephone or write pastors directly.
  - C. Speak to a facility chaplain while they are in the facility making rounds or at services.
  - D. Submit an Inmate Request (form J-21) to the facility chaplain.
  
- II. COMMUNITY CLERGY PROFESSIONAL VISITING PROCEDURES
  - A. Community clergy are permitted to visit their parishioners who are in custody. Facility chaplains will make contact with newly committed inmates, if requested by family or inmate.
  - B. Community clergy are permitted entry to the facility for pastoral care if they:
    - 1. Possess a driver's license or other suitable identification.
    - 2. Possess the original Pastoral Invitation letter, issued by the Chaplain Coordinator. No copies of this letter will be accepted for entry.
    - 3. Military chaplains must be in uniform, and possess a military identification card. Military chaplains are exempt from the Pastoral Invitation requirement.

- C. If there is a question concerning clergy status, a telephone visit may be authorized by the watch commander.

### III. SECURITY REGULATIONS

- A. No article of any kind is to be exchanged with inmates.
- B. Religious material is available through the facility chaplain. However, if community clergy representatives desire to give such material to an inmate, it must first be cleared by the Chaplain Coordinator in advance of the visit who, in turn, has had prior approval from the Detention Services Bureau, Area 1 Commander.
- C. Community clergy representatives are expected to dress and conduct themselves in an appropriate manner. Activity such as proselytizing, or involvement in legal or administrative processes, is prohibited. The hours for community clergy will be 0700-2100 hours.
- D. Community clergy shall not be permitted contact visits with blood relatives.
- E. The Chaplain Coordinator will send a Pastoral Invitation letter to the community clergy and a request for a security check to be run on the clergy by the Detentions Investigation Unit.
  - 1. The letter will be for five (5) visits only.
  - 2. The Chaplain Coordinator may authorize additional weekly visits.

<b>DATE:</b>	FEBRUARY 5, 2015
<b>NUMBER:</b>	W.5
<b>SUBJECT:</b>	INMATE CHURCH SERVICES
<b>RELATED SECTIONS:</b>	W.1, W.3
<b>IN COMPLIANCE WITH:</b>	TITLE 15, SEC. 1070

PURPOSE

To make religious services available to all inmates on a voluntary basis.

POLICY

Religious services shall be available to all inmates, subject to classification or other security limiting factors.

PROCEDURE

- I. Church services shall be scheduled by each facility under the coordination of the facility chaplain and/or Chaplain Coordinator.
  - A. The dates and times of church services shall be sent to the Reentry Services Manager, facility commander and Chaplain Coordinator in advance of the month the services will become effective.
  - B. The Chaplain Coordinator shall schedule the religious groups to perform weekly religious services in all detention facilities. This computer printed material shall be forwarded to the Chaplain Coordinator in a timely fashion monthly. The Chaplain Coordinator shall make up and send the final church services lists to each facility at least one week before the scheduled services.
  - C. The Detentions Investigation Unit shall ensure the names on the religious-group list have been properly checked for outstanding warrants of arrest or security concerns due to prior criminal history. If warrants or security concerns are discovered, the Chaplain Coordinator shall be notified immediately and the disqualified prospective religious visitor informed of denial.
  
- II. Inmates may sign-up for church services if they so desire.
  - A. Each facility shall develop a procedure for handling the “sign-ups” prior to the services.
  - B. A staff member shall be designated to screen the list and make a final determination as to who may attend based on the following criteria.
    - 1. The inmates' classification (i.e., security risk, keep separate, protective custody, etc.).

2. Maximum number allowable per service.
3. Each facility has a different security mission and some limiting physical characteristics, which limit some inmates from attending services. Rotation of inmates to have opportunities to attend services is recommended. Chaplains should visit all areas of our facilities to ensure all inmates' religious needs are met.

III. Church services shall be monitored with at least periodic visual checks to ensure the safety of the facility, inmates, and clergy.

There shall be no physical contact (i.e., hugging, kissing, etc.), other than a handshake, and no alcoholic beverages (including wine) shared with the inmates. (The Catholic Priest may drink wine consecrated at the Mass.)

IV. Each Facility Chaplain and administrative security staff shall periodically review the number of inmate sign-ups to determine the need to add or delete services.

The review report shall be sent to the Chaplain Coordinator. A copy of the report shall be sent to the Reentry Services Manager and facility commander.

<b>DATE:</b>	<b>DECEMBER 5, 2013</b>
<b>NUMBER:</b>	<b>W.7</b>
<b>SUBJECT:</b>	<b>RELIGIOUS HEAD COVERINGS</b>
<b>RELATED SECTIONS:</b>	<b>W.1, W.3, W.5, Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA)</b>

**PURPOSE**

To balance the need for institutional safety and security with an inmate's religious practice of keeping his or her head covered.

**POLICY**

The Department recognizes an inmate's right to exercise religious beliefs while in custody. Inmates may profess a religious belief that requires that his or her head be covered as a key component of their religious practices. Therefore, when an inmate professes such a religious belief, staff shall make all reasonable efforts to allow the inmate to keep his or her head covered, except where institutional safety and security concerns dictate otherwise.

**PROCEDURE**

**I. Religious Head Coverings at Intake**

During intake, inmate's religious head covering shall be removed and searched as required for contraband. Staff shall make every reasonable effort to ensure that it is done in a manner that:

- A. Keeps the inmate out of view from other inmates and uninvolved staff.
- B. Allows the inmate to remove the religious head covering in an area of privacy.
- C. Utilizes staff of the same gender as the inmate.
  - 1. Inmate(s) shall not be permitted to retain their personal religious head coverings in housing.
  - 2. To ensure modesty is maintained when an inmate's religious head covering is removed, staff requesting removal of the religious head covering shall be the same gender as the inmate. Only the necessary number of staff needed to ensure security shall be present while the inmate's head is uncovered.
  - 3. After ensuring the inmate's hair and religious head covering are free of contraband, weapons, and drugs, with the exception of items submitted into evidence, the personal religious head covering will be placed in the inmate's property bag.
  - 4. The deputy will then provide the inmate with a jail-issued religious head covering of the same color as their issued jail uniform. The inmate shall be allowed to don the jail issued religious head covering before leaving the private area.



5. Staff shall take an additional booking photograph of the inmate wearing the jail issued religious head covering. A new wristband shall be made utilizing the photograph of the inmate wearing the jail-issued religious head covering. Detention Policy and Procedures section I.47 Inmate Identification Wristbands and Clothing should be adhered to when constructing the new wristband.

## II. Religious Head Coverings Within the Facility

- A. Staff shall permit inmates to wear religious head coverings within the facility. This includes but is not limited to: inside housing units/modules, while en route to religious services, court, medical, visits, educational programs, etc. Religious head coverings are explicitly subject to search for security reasons in the manner aforementioned.
- B. Prior to leaving the module or housing unit, inmates wearing religious head coverings will have their identity verified by staff of the same gender as the inmate and the religious head covering will be searched in the manner aforementioned.

## III. Inmates Requesting a Religious Head Covering

- A. Inmates requesting a head covering for religious purposes that did not have one at the time of booking, shall submit an Inmate Request form (J-21) to the chaplain coordinator. The chaplain shall interview the inmate to establish that the inmate can articulate the religious significance between their professed religion and the requested religious head covering. The chaplain shall ask questions necessary to determine the inmates' sincerity of beliefs, but shall not test for religious proficiency.
- B. As part of reviewing an inmate's request for a religious head covering, the chaplain shall document his/her findings on form J-21 and the form shall be forwarded to the facility commander for review. The facility commander will review the inmate request and the chaplain's findings. The facility commander shall approve or disapprove the inmate's request, based on the information presented and any other mitigating factors. An entry shall be generated documenting the incident in the inmate's JIMS history. The chaplain coordinator will use the 'Religious' event type and note the item issued in the comments.
- C. The original form J-21 shall be filed in the inmate's custody record and a copy given to the inmate.
- D. If the request for a religious head covering is approved by the facility commander, a facility chaplain, at the direction of the chaplain coordinator, will provide the inmate with a jail issued religious head covering of the same color as their jail issued uniform.
- E. Staff shall take an additional booking photograph of the inmate wearing the jail issued religious head covering. A new wristband shall be made utilizing the photograph of the inmate wearing the jail-issued religious head covering. Detention Policy and Procedures section I.47 Inmate Identification Wristbands and Clothing should be adhered to when constructing the new wristband.

<b>DATE:</b>	JUNE 3, 2016
<b>NUMBER:</b>	W.9
<b>SUBJECT:</b>	APPROVED RELIGIOUS ITEMS
<b>RELATED SECTIONS:</b>	W.1, W.3, W.5, Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA)

PURPOSE

To balance the need for institutional safety and security with an inmate's right to exercise their religion while in custody.

POLICY

The Department recognizes an inmate's right to exercise their religious beliefs while in custody. Certain items for religious use may be provided or allowed for an inmate to possess, or for limited use, upon facility commander approval and distribution via the Chaplain Coordinator.

PROCEDURE

Facility chaplains will distribute requested items to inmates at the direction of the chaplain coordinator. Items approved for distribution include: prayer rugs, head coverings and religious texts. Requests for additional religious items will be reviewed on a case-by-case basis and will require the approval of the facility commander.

The facility commander shall approve the request unless the facility commander can articulate that an inmate's possession of the item presents a legitimate threat to facility safety or security, or interferes with penological goals. All denials shall be recorded in the Jail Information Management System (JIMS), along with the reason for denial as articulated by the facility commander.

- I. The Inmate Services Division (ISD) will manufacture certain items for inmate use. ISD will provide each facility with a stock of the items, to be made available to inmates who arrive at the facility, with said items for exchange. A supply will also be maintained and given to the chaplain coordinator for distribution upon inmate request. Items provided by ISD:
  - A. Prayer Rugs:

The prayer rug is made of a white terry cloth material, with a blue striped edge. The approximate dimensions are 31 inches x 21 inches.
  - B. Head coverings:

Three types of head coverings are made: (2) for males and (1) for females. All head coverings are made of the same material used for inmate clothing. The coverings are made in three colors: Blue, Tan and Green.

    - 1. "Yarmulke" or "Kippah" (Male):

Round, flat skullcap, approximately 7 inches in diameter

2. "Kufi" (Male):  
A fitted hat style, top approximately 7 inches in diameter
3. "Khimar" (Female):  
A piece of cloth approximately 43 inches x 43 inches. It covers the hair, neck and shoulders, the face remains visible.

## II. Department Approved Religious Items

When a religious item is approved for use by the facility commander, the facility commander shall notify the Detention Support Division Captain, who chairs the Detention Policy and Procedures Committee, and advise of the approved religious item. When this policy section is updated, the update shall include those items which have been approved. Currently approved items are as follows:

Tefillin- a set of small black leather boxes and leather straps containing scrolls of parchment inscribed with verses from the Torah, which are worn by observant Jews during weekday morning prayers. Inmates shall be allowed access to the use of the tefillin during dayroom hours but not necessarily in the dayroom itself. Inmates will be kept separate from other inmates while using the tefillin. When not in use, the tefillin will be stored in the deputy station or other secure area.

## III. Inmate Transfers and Final Release

Absent misuse, once an inmate has received a specified item for religious use, they will be allowed to keep it if transferred to another facility. Department approved religious items will be packaged and labeled separately from the inmate's personal property and stored by the receiving facility's security staff accordingly. Upon final release, head coverings and prayer rugs will be taken and sent to laundry for reuse and distribution. All other items will be returned to the chaplain coordinator's office.

## IV. Jail Information Management System Entry

An entry shall be generated documenting the request in the inmate's history in JIMS. Deputies will use the 'Religious' event type and note the item issued in the comments.

## V. Disciplinary Process for Removal of Approved Religious Items

- A. Inmate(s) shall not lose their right to exercise religious beliefs for violations of inmate rules and regulations not associated with their approved religious items.
- B. Inmates found utilizing their approved religious items to secrete contraband, harm themselves/others, or any other unintended use, may be subject to discipline and/or criminal action including, but not limited to, loss of use of the religious item(s). Inmate rules and regulations and law violations should be documented appropriately in a Rule Violation Report (RVR), Inmate Status Report (ISR), Crime Report, and/or Arrest Report.
- C. The watch commander or his/her designee shall be notified prior to confiscating an inmate's religious items. An entry must be made into the inmate's JIMS history documenting the loss of use of the religious item(s).