

 <p>State of Connecticut Department of Correction</p> <p>ADMINISTRATIVE DIRECTIVE</p>	Directive Number 10.8	Effective Date 9/14/2014	Page 1 of 7
	Supersedes Religious Services, dated 6/15/2011		
Approved By  Interim Commissioner Scott Semple	Title Religious Services		

1. **Policy.** The practice of religion by inmates in accordance with the provisions of this Directive shall be consistent with the compelling governmental interest of preventing inmate conduct, which threatens security, safety and order.
2. **Authority and References.**
 - A. Public Law 108-79, Prison Rape Elimination Act of 2003.
 - B. 28 C.F.R. 115, Prison Rape Elimination Act National Standards
 - C. Connecticut General Statutes, Sections 18-81 and 52-571b.
 - D. Administrative Directives 6.1, Tours and Inspections; 6.10, Inmate Property; 6.12, Inmate Sexual Abuse/Sexual Harassment Prevention and Intervention; 9.4, Restrictive Status; 10.7, Inmate Communications; 10.13, Offender Programs; and 10.18, Nutrition and Food Services.
 - E. American Correctional Association, Standards for the Administration of Correctional Agencies, Second Edition, April 1993, Standard 2-CO-5E-01.
 - F. American Correctional Association, Standards for Adult Correctional Institutions, Fourth Edition, January 2003, Standards 4-4319 and 4-4512 through 4-4521.
 - G. American Correctional Association, Performance-Based Standards for Adult Local Detention Facilities, Fourth Edition, June 2004, Standards 4-ALDF-4A-10 and 4-ALDF-5C-17 through 4-ALDF-5C-24.
 - H. American Correctional Chaplain Association Code of Ethics.
3. **Definitions and Acronyms.** For the purposes stated herein, the following definitions and acronyms apply:
 - A. **Associate Chaplain.** A chaplain with supervisory responsibilities over other chaplains of a lower grade, as designated by the Director of Religious Services.
 - B. **Chaplain.** A minister, priest, imam, rabbi, or other leader of a religious denomination who is authorized by the Department of Correction to perform religious functions for inmates.
 - C. **Collective Religious Activity.** Religious activity which involves two (2) or more inmates and which generally, but not necessarily requires the commitment of specifically designated Department of Correction facilities or staff for the religious activity to take place.
 - D. **Common Fare.** A diet which meets all nutritional requirements as determined by a Department of Correction licensed dietician, without the presence of food items forbidden by religious dogma.
 - E. **Director of Religious Services.** The chaplain responsible for the facilitation and oversight of religious programming within the Department.
 - F. **Disqualifying Custody Conditions.** A classification determination that an inmate's participation in collective religious activity

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would be detrimental to institutional or community security, safety or order.

- G. Facility Incoming Property Review Coordinator (FIPRC). The Unit Administrator at each facility shall designate a Facility Incoming Property Review Coordinator. The Facility Incoming Property Review Coordinator shall be at the rank of Deputy Warden and be responsible for the authorizing or denying of all requests for incoming property items, including but not limited to, outside tapes and compact discs (CDs).
 - H. Individual Religious Activity. Religious practice(s) which are engaged in by inmates acting individually and not involving other inmates, staff or specially designated facilities.
 - I. Institutional Religious Facilitator. A chaplain designated to organize, schedule and/or facilitate all approved religious programming activity within a correctional facility.
 - J. PREA. Prison Rape Elimination Act.
 - K. Religious Articles. Any inmate property, other than authorized published materials (i.e., written, audio or video), having spiritual significance, which is used in individual or congregate religious activity.
 - L. Religious Volunteer. A Department of Correction approved civilian, or an employee donating personal time, who assists and/or conducts individual or collective religious activity.
4. Factors to Consider in Determinations to be made under this Directive. Any determination to be made related to this Directive shall be based upon the following factors:
- A. Does the determination further the compelling Department of Correction interests in maintaining security, order or safety either within a correction facility or the community?
 - B. Does the determination follow the least restrictive means of furthering this compelling interest(s)?
5. Provisions Applicable to all Inmates Regardless of Custody Status.
- A. No inmate shall be required to profess a religious belief or to belong to a religious denomination.
 - B. All collective religious activity is strictly by denomination. An inmate may participate in a collective religious activity only for the religious denomination indicated on his/her "Request For Designation of religion Form". There is no collective religious activity which includes inmates of different religious denominations.
 - C. An inmate shall be allowed to possess and/or use religious articles which have been approved in accordance with Administrative Directive 6.10, Inmate Property. These religious articles shall not be displayed and shall be worn or carried under the clothing.
 - D. Subject to the provisions of Section 4 of this Directive, an inmate may be allowed to engage in individual religious practices. An inmate may have the opportunity to participate in practices of his/her religious faith that are in accordance with that faith, limited only by documentation showing threat to safety of persons involved in such activity or that the activity itself disrupts order in the institution. Such practices may include, but are not limited to, access to religious publications, religious symbols, congregate worship and/or religious services in appropriate space, individual

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and group counseling, religious study classes and adherence to dietary requirements. In determining what constitutes legitimate religious practices, the Director of Religious Services should consider whether there is a body of literature stating principles that support the practices and whether the practices are recognized by a group of persons who share common ethical, moral or intellectual views. For institutional safety and security, all recommendations for religious practices shall require approval of the Deputy Commissioner of Operations or designee in consultation with the Director of Religious Services.

- E. All chaplains shall serve the spiritual and pastoral needs of all inmates. They shall exercise their ministry without influencing individuals to change their religious preference or faith. Professionalism and safety and security considerations require that they conduct their ministry without communicating derogatory attitudes toward other faiths. They are responsible for ministry to inmates regardless of religious beliefs or affiliation.
- F. An inmate may claim only one religion at a time, by completing CN 100801, Request for Designation of Religion. An inmate shall not be required to choose a religion, and may choose no religion at all.

An inmate may designate a change of religion not less than 90 consecutive calendar days from the date that his/her current religious designation became effective. The 90-day requirement shall remain in effect regardless of any change in facility.

New inmates who designate a religion, for which there is collective activity, shall be placed on collective religious activity lists as soon as possible. To achieve this, as part of the admission process for all new inmates, a copy of the inmate's signed, current CN 100801, Request For Designation of Religion shall be forwarded to the Institutional Religious Facilitator. The original shall be maintained in Section 6 of the inmate's master file.

The inmate must observe the 90-day requirement when requesting a change in religious affiliation. The inmate shall submit a written notification using CN 100801, Request for Designation of Religion to the Institutional Religious Facilitator. If more than 90 consecutive calendar days have elapsed since the inmate's current religious designation became effective, the Institutional Religious Facilitator or designee shall confirm the change (which shall take effect on the last Monday of the month only) and return a copy of the completed form to the inmate. If fewer than 90 consecutive calendar days have elapsed since the inmate's current religious designation became effective, the Institutional Religious Facilitator or designee shall return the form to the inmate advising the inmate to resubmit once the 90-day requirement has been fulfilled. A copy of the completed form shall be placed in the inmate's master file as well as provided to the inmate.

There must be a current form CN 100801, Request for Designation of Religion, on file for each inmate, even if an inmate does not choose a religion that has collective religious activity, chooses no religion or refuses to sign the form. If an inmate refuses to sign form CN 100801, Request for Designation of Religion, the staff person shall note that fact on the form. The staff person shall sign, date the form, process it and distribute appropriate copies.

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- G. Common Fare shall be offered to the general population as an alternative to the Main Cycle entrée offered under a 28-day menu. There are no restrictions as to who is allowed to participate in this special diet. The Common Fare menu shall meet all of the dietary requirements. Permission to be on this common fare diet shall be given by each Unit Administrator or designee. Inmates approved for Common Fare must remain on that list for a minimum of 30 days. Inmates requesting to be removed from Common Fare may not re-apply for Common Fare for six months.
- H. An inmate's religious practice may be considered in determining program assignments if they interfere with such work assignments.
- I. Inmates requesting to purchase religious articles not available through the Commissary must receive prior written permission of the Director of Programs and Treatment or designee. Items ordered without permission shall be considered unauthorized and may be deemed contraband. Donated religious articles and religious items shall not be permitted from any source.
- J. Written religious material (i.e., Bible, Quran, Concordance, Religious Newspaper, etc.), may be purchased from the Commissary or from an outside vendor in accordance with the provisions of Administrative Directive 10.7, Inmate Communications. A staff chaplain may distribute appropriate donated written religious material (Bible, Quran, etc.), if available. This material must be in new condition only in accordance with Administrative Directive 10.7, Inmate Communications.
- K. Religious tapes/CDs not available through the commissary shall be purchased in accordance with the guidelines established in Administrative Directive 6.10, Inmate Property. Requests for Religious tapes/CDs not available through the commissary shall be made directly to the FIPRC. These requests shall not require the authorization of the Director of Religious Services or designee, but shall be reviewed in accordance with the provisions of Administrative Directive 10.7, Inmate Communications.
- L. All community involvement in inmate religious activities must be approved by the Director of Religious Services.
- M. Unless part of an official function, in accordance with this Directive, Department of Correction employees shall not serve as inmate religious volunteers or participate in an inmate religious activity without the written approval of the Director of Religious Services. No employee shall be authorized to be a religious volunteer if such approval might disrupt the safe, secure or orderly operation of the facility or is in conflict with the employee's duties.
6. Provisions Applicable to Inmates with no Disqualifying Custody Conditions.
- A. To the extent that institutional space, staff and resources permit, opportunities for collective religious activities shall be made available on an equitable basis at least once a week, to the various religious denominations to which inmates designate membership. An inmate may only participate in collective religious activity for the religion in which the inmate is registered. Based upon present inmate designations, those denominations are: Catholic, Protestant, Jewish, Muslim, Native American and Jehovah's Witness. Additional denominations may be added by the Commissioner or designee if

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warranted by inmate interest and if consistent with institutional security and resources.

- B. All collective religious activity shall be conducted and supervised by a Department authorized chaplain or religious volunteer who professes the same religion as the group gathering together. An inmate may not conduct a collective religious activity under any circumstances.
 - C. The Unit Administrator shall assign facility security staff as appropriate.
 - D. An inmate may assist a Department authorized chaplain or religious volunteer who is conducting a collective religious activity. An inmate can never be authorized to serve as a chaplain or religious leader. An inmate can never exercise any authority over any other inmate.
 - E. There shall be no demonstrative public individual prayer that would disrupt the orderly operation of the institution, such as in the work or school area, recreation area, day room, etc. All such prayer must be done privately in one's cell or by one's bed.
 - F. When it is considered necessary for the security and order of the institution, the facility Unit Administrator may limit or prohibit attendance at, discontinue, or not approve a religious activity, provided that any such limitation, prohibition, discontinuation or disapproval is in furtherance of a compelling governmental interest and is the least restrictive means of furthering that compelling governmental interest.
7. Director of Religious Services. The Director of Religious Services shall:
- A. Supervise administration of this Directive within the Department.
 - B. Oversee the appointment of Institutional Religious Facilitators and salaried, contracted or authorized volunteer chaplains.
 - C. Serve as a resource person for all matters pertaining to religion.
 - D. Conduct religious programs and services as appropriate.
 - E. Recommend to the Commissioner or designee each current religious service or program for re-approval or denial.
 - F. Recommend to the Commissioner or designee each new request for current religious service or program for approval or denial.
 - G. Establish, in consultation with the Commissioner or designee, job duties and assignments for the positions of Director of Religious Services, Associate Chaplain, Institutional Religious Facilitator and Chaplain. Ensure compliance with such duties and assignments.
8. Associate Chaplain. An Associate Chaplain shall:
- A. Provide supervision for all chaplains in a lower grade in one's own institution and for other chaplains in a lower grade in other institutions, as assigned by the Director of Religious Services.
 - B. Serve as a religious resource to the Director of Religious Services.
 - C. The Director of Religious Services shall assign an Associate Chaplain to attend the staff meeting of the District Administrator. This chaplain shall serve as a resource to the District Administrator and also as the liaison between the District Administrator and the Director of Religious Services.
 - D. Perform other duties as needed by the Religious Services Unit.
9. Chaplains. A chaplain, when engaged, shall provide or make arrangements for the services of religious faiths and shall serve the spiritual and

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pastoral needs of inmates of the religious faiths. Any chaplain may be assigned by the Director of Religious Services, in consultation with the facility Unit Administrator, as an Institutional Religious Facilitator. The Institutional Religious Facilitator shall notify the appropriate Associate Chaplain or Director of Religious Services of any non-compliance with this Directive, propose new religious services and/or religious programs to the Director of Religious Services, facilitate all collective religious activities, provide for the exchange of information through the chain of command to other staff chaplains, contract chaplains and other staff as necessary, supervise religious services and/or programs conducted by approved religious volunteers and provide for spiritual guidance to staff and inmates and their families. Chaplains shall perform related duties as required including PREA counseling.

10. Religious Visits.

- A. General Population Units. Chaplains shall visit all general population housing units at least once per week and upon request in accordance with Administrative Directive 6.1, Tours and Inspections.
- B. Specialized Housing Units. A Protestant, Catholic and Islamic Chaplain shall visit each specialized housing unit (including, but not limited to, medical/mental health units, orientation/intake units, etc), at a minimum, once per week and upon request. The Native American Chaplain and Jewish Chaplain shall visit each specialized housing unit each week as time permits or upon request in accordance with Administrative Directive 6.1, Tours and Inspections.
- C. Restrictive Housing Units. Chaplains shall make visits in restrictive housing units, at a minimum, once a week in accordance with Administrative Directive 9.4, Restrictive Status and shall schedule individual pastoral visits to inmates with disqualifying custody conditions who make requests for religious services on a frequency to be determined by the chaplain. Chaplains shall reasonably accommodate inmate requests within a professionally acceptable period of time. A chaplain may notify the Associate Chaplain or Director of Religious Services, if necessary, to request the assistance of additional chaplains or approved volunteers to accommodate such requests.

11. Suspension, Modification, Termination of Religious Practice. The practices provided for by this Directive may be suspended, modified or terminated by the Unit Administrator or designee for an individual inmate(s), or for an entire correction institution as any portion thereof when necessary to accommodate the factors stated in Section 4 of this Directive. Any such action shall be reported to the Commissioner or designee for review and approval within three (3) business days.

12. Denial of Religious Practice. No religious practice shall be permitted if the Commissioner or designee determines that such practice is contrary to the factors stated in Section 4 of this Directive.

13. Smudging. Inmates who have designated themselves as Native American and who wish to participate in the Individual Smudging Program shall comply with all provisions of this Directive as well as CN 100802, Memorandum of Understanding and Use Agreement for Individual Smudging, and Attachment A, Native American Smudging Policy.

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14. Religious Services Food Policy. For health, safety and facility security reasons, all food necessary for essential religious worship services and programs shall be provided exclusively through the Department's Food Services Unit in accordance with Administrative Directive 10.18, Nutrition and Food Services, or may be available for purchase through the commissary. No outside food or beverages shall be permitted within the facility.
15. Use of Media in Religious Programming. All media used in religious programming must be authorized by the Director of Religious Services or designee prior to use in accordance with Administrative Directive 10.13, Offender Programs. All requests to use media must be submitted on form CN 101303, Media Information and Request to View Form. Review may include referral to the Media Review Board in accordance with Administrative Directive 10.7, Inmate Communications, or other subject matter expert, as appropriate.
16. Treatment of Religious Articles and Items. All religious articles and religious items, including but not limited to the Holy Bible, the Qur'an, and the Torah, shall be respected by staff and inmates at all times. Religious articles and religious items shall not be carelessly handled by staff when conducting searches or other authorized operational or security activities. Special care shall be taken to respect religious articles and religious items.
- Religious articles and religious items may be confiscated for cause in accordance with Administrative Directive 6.10, Inmate Property. Any questions or concerns regarding any religious article or item shall be referred to the appropriate chaplain and/or other subject matter expert, as appropriate.
- Native American medicine bags shall not normally be handled by staff. In cases where a medicine bag and/or its contents require examination by staff, staff shall instruct the inmate possessing the medicine bag to empty its contents on to a surface for inspection.
17. Forms and Attachments. The following forms are applicable to this Administrative Directive and shall be utilized for the intended function:
- A. CN 100801, Request for Designation of Religion;
 - B. CN 100802, Memorandum of Understanding and Use Agreement for Individual Smudging; and,
 - C. Attachment A, Native American Smudging Policy.
18. Exceptions. Any exceptions to the procedures in this Administrative Directive shall require prior written approval from the Commissioner.