



**U.S. Department of Justice**  
Federal Bureau of Prisons

**PROGRAM STATEMENT**

OPI: RSD/CSB

NUMBER: 5360.10

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## **Religious Beliefs and Practices**

/s/

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Director, Federal Bureau of Prisons

### **1. PURPOSE AND SCOPE**

**§548.10 (a). The Bureau of Prisons provides inmates of all faith groups with reasonable and equitable opportunities to pursue religious beliefs and practices, consistent with the security and orderly running of the institution and the Bureau of Prisons.**

#### **a. Summary of Changes**

*Program Statement Rescinded*

P5360.09 CN-1 Religious Beliefs and Practices (6/12/2015)

- The certified religious diet now contains halal and kosher certified foods.
- Any religious group whose doctrine, rituals or practices, espouse domestic and/or foreign terrorism, or advocates violence against individuals, groups or religious groups, or property, thereby threatening the security of the institution will not be authorized.
- The Bureau of Prisons (Bureau) will not authorize any religious group whose doctrine, rituals or practices espouse domestic and/or foreign terrorism or advocate violence to have meetings because such groups threaten the security of the institution.

#### **b. Program Objectives.** The expected results of this program are:

- The Bureau will provide accommodations for religious practices considering the least restrictive alternatives that are consistent with the security and orderly running of the institution.
- Religious resources will be equitably distributed for the benefit of all inmates.

**Federal Regulations from 28 CFR are shown in this type.**

Implementing instructions are shown in this type.

- Pastoral care will be available to inmates and staff, as appropriate.
- Chaplaincy Services will provide guidance on the accommodation of religious practices and assess the least restrictive alternatives in light of the security and orderly running of the institution.

**c. Institution Supplement.** Each institution will develop an Institution Supplement for operating religious programs and activities. The Institution Supplement requires the Regional Director's approval prior to issuance and must include the following:

- Procedures for emergency notifications;
- Procedures for religious fasts, ceremonial meals, and whether appropriated funds will be used to supplement the ceremonial meals with traditional/ritual foods;
- Local procedures will be established for providing the no-flesh religious dietary component;
- Procedures for acquiring authorized religious items when no catalog vendor is available (e.g., eagle feathers);
- Authorized religious property;
- Sweat lodge procedures, including who may participate, modesty/security requirements, and medical clearance requirements, if any;
- Procedures and limitations for pastoral visits for inmates in general population and procedures for accommodating pastoral visits for inmates in special housing or hospital units;
- Procedures and limitations for storage and provision of religious wine;
- Indoor and outdoor areas authorized and designated for the ritual use of tobacco; and
- Where applicable, procedures for procuring, storing, and using tobacco for rituals.

However, when Chaplains are not available due to training, military duty, days off, or leave, non-Chapel staff may be utilized to ensure the constitutional religious rights of inmates are maintained

Chaplaincy Services support staff may also assist the Chaplains in supervising the institution's Chapel programming and administrative duties, but may not perform pastoral duties reserved for professional Chaplains.

**2. PRETRIAL, HOLDOVER, AND DETAINEE PROCEDURES.** Procedures in this Program Statement apply to Pretrial, Holdover, and Detention Centers. The exception to these procedures exists where building design prevents the maintenance of an outside worship area, including the sweat lodge.

**3. RELIGIOUS OPPORTUNITIES AND LIMITATIONS. §548.10 (b).** When considered necessary for the security or good order of the institution, the warden may limit attendance at or discontinue a religious activity. Opportunities for religious activities are open to the entire inmate population, without regard to race, color, nationality, or ordinarily, creed. The Warden, after consulting with the institution Chaplain, may limit participation in a particular religious activity or practice to inmates with the pertinent religious preference when the nature of the activity or practice (e.g., religious fasts, wearing of headwear, work proscription, ceremonial meals) indicates a religious need for such a limitation.

**a. Religious Accommodations.** Scheduled Chapel activities should be accommodated as are other institutional program disciplines (e.g., Psychology and Education/Recreation). Chaplains provide oversight of Chapel programs. Ordinarily, scheduled Chapel services should not be cancelled unless necessary during institutional emergencies. Authorized weekly congregational services will be made available for all inmates, with the exception of those detained in any Special Housing Units (SHUs) and Special Management Units (SMUs), and undesignated inmates at the Federal Transfer Center.

If a state of emergency exists (e.g., fog, institution lock down, food strike), the Warden or designee will determine the appropriate level of religious programming. When necessary, Wardens may identify and assess alternative religious practices in consultation with the Chaplains and implement the least restrictive alternative.

Inmate speakers will ordinarily be rotated and are expected to avoid the unauthorized practices outlined later in this Program Statement. Inmates may recite formulaic prayers in the language required by their religion, with intermittent staff supervision. For the safety and security of staff and inmates, sermons, original oratory, teachings and admonitions must be delivered in English, and if delivered by an inmate, require constant staff supervision. The Warden may authorize the delivery of programs in other languages.

To determine whether a religious practice remains within the scope of best correctional practice and religious accommodation, and does not constitute a threat to security and the orderly running of the institution, the Warden may periodically review religious accommodations in consultation with the Chaplains. If upon review, the Warden determines a religious practice jeopardizes the security and orderly running of the institution, the practice may be temporarily restricted or eliminated.

The religious practice may resume only upon completion of a thorough evaluation of the practice with respect to compelling government interests and the least restrictive alternatives in consultation with the Central Office Chaplaincy Services Branch (CSB). Any inmate religious group or individual religious practitioner that encourages domestic and/or foreign terrorism, or

advocates violence against others, or damage of government property will not be authorized to meet.

**b. Religious Use of Wine.** Inmates may be permitted to receive small amounts of wine as part of a religious ritual only when administered under the supervision of Bureau Chaplains, religious contractors, or Chapel volunteers authorized by the Bureau to perform the ritual. Wine will be stored behind two locks and accounted for with bin cards.

The consumption of wine under these circumstances will not be considered consumption of alcohol or ingestion of an illegal substance. Inmates are not allowed to give wine to other inmates.

Training is provided to Chaplaincy staff on the procurement of religious wine. Chaplaincy staff purchase the wine using normal procurement procedures. Training on the procedures for storing, using, and disposing of religious wine will be provided to Chaplaincy Services staff, religious contractors, trainees, and volunteers. This will avoid the unnecessary and potentially disruptive confiscation of essential sacred elements.

Wine will be stored in a locked cabinet in a secure area of the Chapel. For scheduled services for which wine is authorized, Chaplaincy staff will provide the wine to the contract or volunteer community minister in a two-ounce covered container. The container will be used to measure and transport the wine. The minister will dispose of the two-ounce container and any unused portion of the wine to protect against contamination or abuse.

**c. Religious Use of Tobacco.** Tobacco is a controlled item and must be issued under direct staff supervision only in the amounts necessary for the religious ritual. Tobacco will be stored in a locked cabinet in a secure area of the Chapel. For scheduled services for which loose tobacco is authorized, Chaplaincy staff will provide tobacco in a disposable sealed container, tracking the weight of tobacco which is distributed and the weight of what remains in storage to protect against contamination or abuse. All tobacco must be consumed during the course of the ceremony. The Chaplain will inform staff of the procedures for procuring, storing, distributing, and using tobacco during the ritual.

**d. Unauthorized Practices.** Based on the security and orderly running of the institution, and to maintain normal religious programming practices and activities the following will not be authorized:

- Inmates utilizing ministerial or religious titles;
- Language (including profanity) or behaviors that could reasonably be construed as a threat to safety, security, or the orderly running of the institution, (e.g., curses);

- Coercive behavior or intimidation of others related to religious beliefs and/or practices;
- Espousing racial separatism;
- Advocating violence or hate;
- Encouraging domestic or foreign terrorism;
- Animal sacrifice;
- Nudity;
- Self-mutilation;
- Use, display, or possession of weapons or what appears to be a weapon (e.g., paper sword);
- Paramilitary exercises;
- Self-defense training;
- Sexual acts;
- Consumption of alcohol (except as noted in 3b of this Program Statement, Religious Use of Wine); and
- Ingestion of illegal substances.

**Supervision of Inmates.** Based on the secure and orderly running of religious programming and the institution, inmate groups engaged in Chapel worship or Chapel programming will be provided varying degrees of supervision as follows:

- Religious programs with original inmate oratory require constant auditory and visual staff supervision in secure facilities.
- To ensure adequate supervision is maintained, one staff member is required to directly supervise original inmate oratory in secure facilities.
- Audio/Visual equipment may be utilized to administer the appropriate level of direct supervision.
- Religious programs led by Level I volunteers, as outlined in the Program Statement **Volunteer Services**, require constant (in room) staff supervision.
- Religious programs led by Level II volunteers and contractors require intermittent visual and audio supervision by staff. This applies to both escorted and unescorted volunteers and contractors.
- Special Religious Programs (e.g. choirs, concerts, seminars) require constant (in room) staff supervision.

When necessary, Wardens may identify alternative practices and implement least restrictive alternatives.

**4. RELIGIOUS PREFERENCES §548.10 (c). The Bureau of Prisons does not require an inmate to profess a religious preference. An inmate may designate any or no religious preference at his/her initial team screening. By notifying the Chaplain in writing, an inmate may request to change this designation at any time, and the change will be effected in a timely fashion.**

Unit team staff will enter the initial religious preference (RLG) assignment into SENTRY at the inmate's initial classification. SENTRY religious preferences are designed to aid Chaplains in religious program management and scheduling. SENTRY religious preferences are umbrella

categories and not exhaustive of all religious affiliations. When an inmate requests to change his/her religious preference, the Chaplain will make the necessary change in the SENTRY RLG assignment in a timely fashion. The Chaplain will monitor patterns of changes in the inmate's declarations of religious preference to prevent abuse or disrespect by inmates.

As described in Section 3 of this Program Statement, [§548.10(b)] staff should refer to information reported on the SENTRY religious preference history to assist in determining whether an inmate can participate in a specific religious activity. Inmates who do not declare a religious preference or indicate membership in a different faith group may be restricted from participating in religious activities that are only for members of that faith.

**5. DEFINITION §548.11. For purposes of this subpart, the term “religious activity” includes religious diets, services, ceremonies, and meetings.**

**6. CHAPLAINS §548.12. Institution Chaplains are responsible for managing religious activities within the institution. Institution Chaplains are available upon request to provide pastoral care and counseling to inmates through group programs and individual services. Pastoral care and counseling from representatives in the community are available in accordance with the provisions of §§ 548.14 and 548.19. In order to assess requests for religious accommodations, the Chaplain may ask requesting inmates for additional information regarding the religious practice requested.**

**a. Chaplains as Pastoral Care Providers.** The Chaplaincy Services Department is directed by full-time Bureau Chaplains. All Chaplains are qualified pastoral care providers who have verifiable religious credentials and current religious endorsements as outlined in Program Statement **Chaplains' Employment, Responsibilities, and Endorsements**. All institution Chaplains are employed to:

- Plan, direct, and supervise all aspects of Chapel programming (worship, sacred scripture studies, and faith-based reentry programming);
- Have physical access to all areas of the institution to minister to inmates and staff;
- Lead worship services in their own tradition (e.g., Protestant, Catholic, Muslim, Jewish, Buddhist, etc.);
- Provide professional spiritual leadership and pastoral care to inmates and, when appropriate, to staff;
- Provide accommodations for inmate practices that are religious in nature when consistent with the secure and orderly running of the institution;
- Supervise institutional Chapel activities;
- Be the subject matter expert on religious matters and advise the Warden and institutional staff accordingly;

**(1) Special Housing Unit (SHU) Religious Access.** Ordinarily, all inmates, except those in restrictive housing units, have access to regularly scheduled congregate services. Inmates of all faiths will have regular access to Chaplains. Upon written request, inmates may also have access to recognized representatives of their faith groups while in SHU. Each Chaplain will provide pastoral care in SHUs and hospital units weekly. Faith group representatives will always be escorted in SHU.

Chaplains will provide opportunities for individuals to receive the sacraments, and sacred rituals while housed in SHU. This includes, but is not limited to, communion and Sabbath prayer items such as matzo and grape juice. Ordinarily, sacred pipe use will be accommodated in SHU; it will remain under the direct supervision of the Chaplain.

**(2) Telephone Calls.** Individual pastoral care includes counseling inmates and/or their families in personal crisis and family emergency situations. When authorized by the Warden, Chaplains may approve inmate telephone calls in emergency situations. Under the direction and guidance of the Chaplain, other staff may monitor telephone calls which have been approved by the Chaplain.

Each Chapel and SHU will be equipped with an additional telephone which is capable of recording inmate telephone conversations. A notice in English and Spanish will be placed at the telephone location to advise the user that all conversations are subject to recording and that using the telephone constitutes consent. This telephone will be separate from the telephones provided for staff use.

Calls must not exceed 15 minutes in length. Calls ordinarily will be made to a number on the inmate's approved phone list or to a hospital, hospice, or care facility. Inmates on phone restriction should be cleared through Special Investigative Services (SIS) prior to an emergency call. For inmates not on phone restriction, the Chaplain will document the reason for the emergency call and forward to the SIS Department via email.

Chaplains will also maintain a telephone log which includes:

- The date, telephone number and person called, and relationship to the inmate;
- Name and register number of the inmate; and
- A brief reason for the call.

### **(3) Women and Special Populations Inmates**

- a) The particular needs of women and special inmate populations may require the contracting of additional spiritual counselors or advisers.
- b) Upon request, religious counseling will be available to pregnant inmates to provide



support and information during their pregnancy. Additional information may be found in the Program Statement **Female Offender Manual**.

(4) **Deaths and Serious Illnesses.** Each institution will establish local procedures to notify inmates and/or their families of serious illness or death of either family members or inmates, respectively. The Chaplain will follow these local procedures and notify inmates or family members accordingly.

In situations involving emergency notification to inmates, verification of the emergency (i.e., serious illness or death) is obtained using BP-A1031, Inmate Emergency Notification Form, before notifying the inmate. Inmates may request to have a recording of a family member's funeral sent into the institution via a BP-A0331, Authorization to Receive Package or Property form. Upon clearance from the mail room and computer services (if applicable), the Chaplain will review the recording and coordinate a time for the inmate viewing. After completion of the viewing, the recording will be sent home at the inmate's expense or appropriately disposed of.

The Chaplain coordinates religious rituals for an inmate's serious illness or death. In addition, the Chaplain may advise the Warden regarding religious factors which may influence decisions concerning the performance of autopsies on deceased inmates and the proper religious considerations and disposition of the remains.

**b. New or Unfamiliar Religious Components.** The Bureau has established a procedure by which consideration of new or unfamiliar religious components for inmates may be employed. Field Chaplains should contact the appropriate Chaplaincy Services Coordinators (CSC) regarding new or unfamiliar inmate religious requests for modifications to Chapel programs. The CSC can help determine whether the administrative remedy or the BP-A0822, New or Unfamiliar Religious Components Questionnaire is more appropriate for the religious issue(s) presented.

(1) **Requests.** Inmates must submit a form BP-A0822, New or Unfamiliar Religious Components Questionnaire, along with relevant supporting documentation, to the institution Chaplain. This form must contain as much information as possible regarding the religious accommodation being requested. The Chaplain may ask the inmate to provide additional information to support his/her request.

(2) **Religious Issues Committee (RIC).** The Chaplain will convene a local RIC to review each request for a new or unfamiliar religious practice. Members of the RIC will include other Chaplaincy Services staff, Legal Services, Correctional Services, and any other discipline that may be involved in the religious request and accommodation. Local RIC recommendations are made in consultation with the CSC and documented via memo to the Warden with copies sent to the CSC and the Assistant Chaplaincy Administrator (ACA).



When a recommendation cannot be made locally, a memo requesting Central Office RIC review will be generated to the Assistant Director, Reentry Services Division (RSD) through the Warden, the CSC, and the Regional Director. The Assistant Director, RSD, then directs the Central Office RIC convene.

The Central Office RIC will meet as necessary and maintain records of its recommendations. Upon completing the review, the Central Office RIC will make recommendations to the Warden regarding the least restrictive means to accommodate the inmate's request.

**(3) Implementation of the RIC Recommendation.** The Warden has the discretion to expand or change religious programming at the institution based on the security and orderly running of the institution. The Warden will determine the local disposition of the request after the institution receives the Central Office RIC recommendations.

**7. SCHEDULES AND FACILITIES §548.13 (a). Under the general supervision of the Warden, chaplains shall schedule and direct the institution's religious activities in order to effectively and orderly manage religious programming.**

Current program schedules will be posted in English and Spanish on bulletin boards clearly visible to the inmate population. Chapel program schedules will be commensurate with departmental staffing levels to provide appropriate levels of supervision of inmate-led programs.

**b. The Warden may relieve an inmate from an institution program or assignment if a religious activity is also scheduled at that time.**

In scheduling authorized religious activities, Chaplains will consider both the availability of staff supervision and the use of time and space to make equitable accommodations among all inmate religious groups.

**c. Institutions shall have space designated for the conduct of religious activities.**

This designated space will be sufficient to accommodate the needs of all religious groups in the inmate population fairly and equitably. Chaplaincy Services areas (inside and outside) will be neutral and suitable for use by different faith groups. The general area will include:

- Office space for each Chaplain;
- Storage space for the needs of Chapel programming. Faith specific lockers will ordinarily be available to secure accoutrements for use in religious programs, and will not contain personal property of inmates;
- While inmates will have access to the locker contents for appropriate scheduled Chapel programs, lockers inside secure facilities will be opened and secured by staff and not left

open;

- Nearby lavatory facilities for staff and volunteers.

An outside worship area will be maintained in a suitable, secure, and private location, except in institutions where building design or security considerations would prohibit its construction. The outside worship area should be content neutral and large enough to accommodate all faith traditions which use outside worship space. Religious rituals involving tobacco smoke are confined to the outdoor worship area or a ventilated Chaplaincy Services area.

#### **8. COMMUNITY INVOLVEMENT (VOLUNTEERS, CONTRACTORS) §548.14 (a).**

**The institution's Chaplain may contract with community religious representatives to provide specific religious services which the Chaplain cannot personally deliver due to religious prescriptions or ecclesiastical constraints to which the chaplain adheres.**

The term "religious representatives" includes both clergy and spiritual advisors. All contractual representatives will be afforded equal status as they assist inmates in the observance of their religious beliefs, unless the security and orderly running of the institution warrants otherwise. Ordinarily, inmates of any faith tradition have access to their faith group's official representatives while in SHU or a housing unit with restricted access to the Chapel. Inmates may make a written request to the Chaplain for a visit with their faith representative. Requests are accommodated consistent with the representative's contract and the security and orderly running of the institution. Faith group representatives are always escorted in a SHU. As an alternative to facilitate supervision, the approved SHU visit may occur in the Visiting Room during regular visiting hours.

Inmates housed in Special Management Units and Communication Management Units also present unique security concerns and their access to faith representatives should be accommodated in accordance with local security procedures.

**b. The institution Chaplain may secure the services of volunteers to assist inmates in observing their religious beliefs.**

Volunteers must complete the form BP-A0777, Credentials of Religious Volunteer form prior to becoming a badged volunteer. The form will be maintained in the Official Volunteer File.

Inmates may not place volunteers or contractors on their telephone lists or use the Inmate Telephone System to contact volunteers or contractors. If a specific program need exists, the Chaplain may facilitate and monitor a telephone call. A Level I volunteer, a Level II, or contractor cannot be either a minister of record nor be placed on an inmate's visiting list.

**c. The Warden or the Warden's designee (ordinarily the Chaplain) may require a recognized representative of the faith group to verify a volunteer's or contractor's religious credentials prior to approving his or her entry into the institution.**

Ordinarily, the credential required for conducting worship services will be ordination. In lieu of ordination credentials, adequate documentation of recognized religious and ministerial position in the faith community is required.

A qualified, credentialed non-citizen may be extended a religious services contract if permitted by the annual appropriations act and immigration law.

The prospective contractor must complete the BP-A0778, Credentials of Religious Contractor form prior to Bureau allocation of appropriated funds for a contract, whether for a one-time visit by form BP-A0101, Request for Purchase (Delivery/Task Order) or multiple visits during the Fiscal Year, using the normal contracting procedures. It will become part of the official Contractor Security File.

**9. EQUITY §548.15. No one may harass inmates regarding their religious beliefs, nor coerce inmates into changing their religious affiliations. Attendance at all religious activities is voluntary and, unless otherwise specifically determined by the Warden, open to all.**

**10. INMATE RELIGIOUS PROPERTY §548.16 a. Inmate religious property includes but is not limited to rosaries and prayer beads, oils, prayer rugs, phylacteries, medicine pouches, and religious medallions. Such items, which become part of an inmate's personal property, are subject to normal considerations of safety and security.**

Personal religious items may not be purchased with appropriated funds. Inmates first coming into custody are allowed to keep personal religious items in accordance with the Program Statement **Inmate Personal Property**. Inmates can purchase personal religious property from either commissary or through an approved catalogue source using the BP-A0200, Special Purpose Order Request – Inmate. No religious item can have a monetary value greater than \$100. Inmate personal property may not be stored in the Chapel.

**b. An inmate ordinarily shall be allowed to wear or use personal religious items and ceremonial garments during religious services, ceremonies, and meetings in the Chapel, unless the Warden determines that the wearing or use of such items would threaten institution security, safety, or good order. Upon request of the inmate, the Warden should allow the wearing or use of religious items throughout the institution, unless inconsistent with considerations of security, safety, or good order. The Warden may request the Chaplain to research whether the item or ceremonial garment sought is religious in nature.**

**This research may involve consultation with representatives of the inmate's religion.**

(1) **Religious Headwear.** Two types of headwear are identified - religious and ceremonial. Religious headwear is worn throughout the institution and ceremonial headwear may only be worn in the Chapel. If an inmate wants additional religious or ceremonial headwear not listed, the inmate may submit a BP-A0822, New or Unfamiliar Religious Components Questionnaire.

Inmates who have a SENTRY religious preference listed below are authorized to wear the following religious headwear throughout the institution including the SHU, when consistent with security, as follows:

| <u>Religion</u> | <u>Headwear</u> | <u>Color</u>                                                              |
|-----------------|-----------------|---------------------------------------------------------------------------|
| Jewish          | Yarmulke        | black or white                                                            |
| Moorish         | Kufi            | black or white      crochet                                               |
| Muslim          | Kufi            | black or white      crochet                                               |
| Nation of Islam | Kufi            | black or white      crochet                                               |
| Rastafarian     | Crown           | multi-colored (red, yellow, green<br>threads running through a black cap) |
| Sikh            | Turban          | white                                                                     |
| Native American | Headband        | multi-colored                                                             |

Headwear worn throughout the institution may not contain graphics or writing. Religious headwear worn throughout the institution may not be altered. Crowns may not have a bill. Headbands can be worn only in a circle, covering the forehead but not the crown of the head. Inmates are authorized three items of religious headwear. Inmates of other faith groups may request religious headwear by submitting a BP-A0822, New or Unfamiliar Religious Components Questionnaire.

(2) **Ceremonial Headwear.** In addition, inmates who have a religious preference noted in SENTRY religious preference may wear the following ceremonial headwear in the Chapel. These are not worn to and from the Chapel or in any other area of the institution:

| <u>Religion</u> | <u>Headwear</u> | <u>Color</u>                             |
|-----------------|-----------------|------------------------------------------|
| Moorish Temple  | Fez             | red                                      |
| Odinist/Ásatrú  | Hlath (Hlad)    | brown with one or more embroidered runes |

The authorized hlath must contain embroidered runes. Plain headbands without runes are not authorized. Inmates are authorized one item of ceremonial headwear. Inmates of other faith groups may request ceremonial headwear by submitting BP-A0822, New or Unfamiliar Religious Components Questionnaire.

(3) **Religious Attire for Women.** When consistent with security, scarves and head wraps, including hijabs, are authorized for female inmates who have expressed a religious belief to wear such items, including:

| <u>Religion</u>    | <u>Attire</u> | <u>Color</u>       |
|--------------------|---------------|--------------------|
| Jewish             | Scarf         | black or off-white |
| Moorish            | Scarf         | black or off-white |
| Muslim             | Hijab         | black or off-white |
| Nation of Islam    | Scarf         | black or off-white |
| Rastafarian        | Scarf         | black or off-white |
| Orthodox Christian | Scarf         | black or off-white |
| Native American    | Headband      | multi-colored      |

Inmates are authorized three scarves or head wraps. The above list is not all-inclusive. Inmates of other religious beliefs may request scarves or head wraps through submitting BP-A0822, New or Unfamiliar Religious Components Questionnaire.

Jumper dresses are generally approved for women who seek to wear loose-fitting clothing as an aspect of their religious exercise, so long as the security of the institution is not compromised. Institutions housing females should have a supply of jumper dresses available in the laundry.

(4) **Ceremonial Clothing.** Unless the Warden determines otherwise for specified reasons of safety, security, or good order, the following articles of personal religious clothing can only be worn for services in the Chapel, but not on the compound, housing units or visiting room:

| <u>Religion</u> | <u>Clothing</u> | <u>Color</u>                                                                         |
|-----------------|-----------------|--------------------------------------------------------------------------------------|
| Jewish          | Kittel          | a white prayer robe only worn by men during some holiday services.                   |
| Muslim          | Kurta shirt     | long, loose, and full length above the ankle worn only by men.                       |
| Native American | Ribbon shirt    | a multi-colored shirt worn by men and women during the Pow Wow.                      |
| Wicca           | Tabbared        | a hoodless poncho or cape, earth brown color, worn by men and women during services. |

Ceremonial Clothing owned by an inmate will not be stored in the Chapel. Baggy pants, including the shalwar, are not authorized. Robes, including the jalabiyya (full-length robe), are not authorized. Inmates of other faith groups may request ceremonial clothing by submitting a BP-A0822, New or Unfamiliar Religious Components Questionnaire.

(5) **Ritual Underclothing.** The Temple garments or ritual underclothing are authorized for The Church of Jesus Christ of Latter Day Saints inmates. The tallis katan or tzitzis, a small four-cornered garment, is authorized for Jewish male inmates. Other ritual underclothing may be requested by submitting a BP-A0822, New or Unfamiliar Religious Components Questionnaire.

Religious necklaces and medallions are worn under clothing except in Chapel areas and may not be altered. Ordinarily, inmates retain only one religious medallion in their personal property.

Yoruba/Orisha/Santeria practitioners may retain up to seven plastic beaded necklaces.

(6) **Transferable Religious Property.** A list of generally authorized and transferable inmate religious property is maintained on the Chaplaincy Services' Sallyport page. Additional personal religious property items may be approved locally by the Warden, but must be sent home when transferring to another institution. Disposable headwear is made available in Receiving and Discharge for inmates requiring headwear while in transit. Transferable Religious Property should be documented using BP-A0383 Inmate Personal Property Record.

**c. An inmate who wishes to have religious books, magazines or periodicals must comply with the general rules of the institution regarding ordering, purchasing, retaining, and accumulating personal property. Religious literature is permitted in accordance with the procedures governing incoming publications. Chaplaincy staff will distribute to inmates religious literature purchased by, or donated to, the Bureau of Prisons when consistent with the secure and orderly running of the institution.**

Inmates desiring to subscribe to religious periodicals or purchase religious books or literature must follow procurement policy and procedures. Retention of religious materials is governed by the provisions in the Program Statement **Inmate Personal Property**. Rejection of religious publications is governed by the procedures specified in the Program Statement **Incoming Publications**.

Chaplaincy Services is authorized to purchase media resources (i.e. books, audio/video materials) with appropriated funds to be provided equitably among the various religions. All media materials must be religious in nature and be consistent with security and the orderly running of the institution. Donated religious media resources may be accepted in accordance with the Program Statement **Donations, Acceptance of** and made available to inmates in an orderly fashion.

All media will be inspected and reviewed by Chaplaincy Services departmental staff prior to being entered into the Chapel Library Database. Only after inspection review and entry into the Chapel Library Database should materials be distributed to the inmate population. Media materials determined to be inappropriate for distribution to the inmate population will be handled and disposed of, when possible, in a manner that is sensitive to the faith tradition from which they originated. Concerns and questions about potentially inappropriate media shall be reported to the CSC for Central Office review.

**11. WORK ASSIGNMENTS §548.17. Inmates must request in writing when they want a change in their work assignments based on their religious beliefs. The detail supervisor will confirm with Chaplaincy Services staff that the request is religious in nature. Chaplaincy staff may request additional information from the inmate to verify the religious nature of the request. The detail supervisor will change the inmate's job assignment based on religious reasons, in a timely manner, if consistent with the orderly running of the institution. The request for a different job assignment may be denied based on security, safety and good order of the institution.**

**12. OBSERVANCE OF RELIGIOUS HOLY DAYS §548.18. Consistent with maintaining security, safety, and good order in the institution, the warden shall endeavor to facilitate the observance of important religious holy days which involve special fasts, dietary regulations, worship, or work proscription. The inmate must submit a written request to the Chaplain for time off from work to observe a religious holy day. The Chaplain may confer with community representatives of the inmate's faith to obtain information about the religious nature of the requested observance. The Chaplain will work with requesting inmates to identify the least restrictive accommodation for the observance of the holy day. The warden will ordinarily allow an inmate to take earned vacation days, or to make up for missed work, or to change work assignments in order to facilitate the observance of the religious holy day when consistent with the secure and orderly running of the institution.**

The Central Office Chaplaincy Services Branch (CSB) maintains a list of recognized holy days to aid staff in processing inmate requests for religious holy days and/or time off from work and school. Due to the changing nature of religious observances, this list is not exhaustive and will be changed as needed. This list is available on the Chaplaincy Services Sallyport page. The Warden will give due consideration to, and grant, requests for days off work and school attendance by members of religions not included in the above-mentioned list when the request is religious in nature and consistent with the orderly running of the institution.

The number of days off work for religious holy day observances is not limited to one per year. Questions and concerns are directed to the appropriate CSC.



**13. PASTORAL VISITS §548.19. If requested by an inmate, the Chaplain shall facilitate arrangements for pastoral visits by a clergy person or representative of the inmate's faith.**

**a. The Chaplain may request a NCIC check and documentation of such clergy person's or faith group representative's credentials.**

**b. Pastoral visits may not be counted as social visits. They will ordinarily take place in the visiting room during regular visiting hours.**

**(1) Minister of Record.** For this section's purpose, the minister of record is defined as the spiritual leader, clergy person, or official representative, whom the inmate identifies and the Chaplain verifies, as a minister of the inmate's religion of record.

An inmate will identify a minister of record by submitting BP-A148 Inmate Request to Staff and submitting that form to the Chaplain. The clergy person identified will also submit a request for consideration as the minister of record to the Chaplain. Following a review of the minister's credentials, the completed BP-A0301, Authorization to Release Confidential Information, and the criminal background check via the National Crime Information Center (NCIC), as outlined in the Program Statement **Visiting Regulations**, the Chaplain will request unit team staff place the identified clergy person on the inmate's visitor list as the minister of record. An inmate may only have one minister of record at a time.

The minister of record will not count against the total number of authorized social visitors an inmate is allowed to have on his or her visiting list. Additionally, if the institution uses a point system to monitor social visits, visits from the minister of record will not be counted against the total number of visits allowed.

**(2) Official Visits from Faith Representatives (Other than Minister of Record).** Visits from faith representatives other than the minister of record will be accommodated in accordance with the Program Statement **Visiting Regulations** and may be counted against the total number of social visits allowed. The faith representative's credentials and background security check documentation will be reviewed prior to scheduling the visit.

**(3) Location.** Visits with the minister of record or other official faith representatives will be accommodated in the visiting room during regular visiting hours. To the extent practicable, these visits may be conducted in an area of the visiting room which provides a degree of separation from other visitors. Upon request, the visit may occur in a private area of the visiting room, if available.

If space is not available, the visit may be rescheduled when private accommodations can be made in the visiting room during regular visiting hours.

The Warden may limit the number of these faith representative visits an inmate receives each month.

**14. DIETARY PRACTICES §548.20 a. The Bureau provides inmates requesting a religious diet reasonable and equitable opportunity to observe their religious dietary practice within the secure and orderly running of the institution and the Bureau through religious diet menus.**

(1) **Components.** The religious diet program, called the Alternative Diet Program, consists of two distinct components:

- One component provides for religious dietary needs through self-selection from the main line, which includes a no-flesh option and access to the salad/hot bar (where the salad/hot bar is part of the Food Service Program). In institutions where meals are served in prepared trays, local procedures will be established for providing the no-flesh religious dietary component.
- The other component accommodates religious dietary needs with nationally recognized, religiously certified processed foods (e.g., halal and kosher). These meals are prepackaged and double wrapped in order to preserve the integrity of the religious certification.
- Ordinarily, the religious diet program will be served and consumed in the dining hall. Additional information on the certified religious meals is available in the Program Statement **Food Service Manual** and via the Central Office, Health Services Division, Food Service Branch's Sallyport page.

**b. §548.20 The inmate will submit a written request articulating the religious motivation for participation in the religious diet program.**

(1) **Requests and Interviews.** Inmates wishing to participate in the religious diet program will submit a written request to Chaplaincy Services. Chaplains will ordinarily conduct an oral interview of the inmate, in order to document the inmate's purported religious dietary needs. Chaplains will ordinarily complete the BP-A1142, Religious Diet Interview form within two working days of receiving the request. Inmates will review and sign a copy of the completed interview form and agree to abide by the requirements of the religious diet program. Chaplains will document an inmate's refusal to sign the document.

The Chaplaincy team will review the inmate's interview responses to determine how to best accommodate the inmate's stated religious dietary needs through the least restrictive means analysis.

(2) **Notification.** Inmates will receive the BP-A0700, Notification of Inmate Religious Diet Accommodation, which documents the religious diet component that best accommodates their

religious dietary needs and for which they have been approved. Completed forms will be placed in the Inmate's Central File by the unit team.

(3) **SENTRY Record.** Under normal operations, within 24 hours of approval, the Chaplain will enter inmates approved to participate in the religious diet program into the SENTRY religious diet participant list. Under normal operations, Food Service will begin serving those approved for the certified processed food line within two days of SENTRY notification.

(4) **Monitoring.** Chaplains and Food Service staff will monitor the SENTRY religious diet participant list daily to ensure all eligible inmates are served religious diet meals with minimal delay upon intake or re-designation. Inmates who are not approved for the certified food line may request a re-interview at three-month intervals.

**c. An inmate who has been approved for a religious diet menu must notify the Chaplain in writing if the inmate wishes to withdraw from the religious diet. The Chaplain may withdraw approval for an inmate to participate in the religious diet if it is documented that the inmate has violated the terms of the religious diet agreement he/she signed. In order to preserve the integrity and orderly operation of the religious diet program and to prevent fraud, inmates who withdraw (or are removed) may not be immediately reestablished back into the program. The process of re-approving a religious diet for an inmate who voluntarily withdraws or who is removed ordinarily may extend up to thirty days. Repeated withdrawals (voluntary or otherwise), however, may result in inmates being subjected to a waiting period of up to one year.**

The Warden has authority to remove inmates from, and reinstate them to, the program. Ordinarily, this authority is delegated to the Chaplains. Inmates who are observed eating from the main line may be removed temporarily from that religious dietary component. In addition, those who purchase and/or consume non-certified foods from the commissary may also be temporarily removed from that dietary component.

Inmates will be notified in writing of a religious diet violation and potential removal from the religious diet program via a BP-A0820, Notification of Inmate Religious Diet Violation form. Removal is not punitive in nature, but provides an opportunity for the inmate and staff to reevaluate whether the program meets the inmate's religious dietary needs. At the inmate's request for reinstatement, the Chaplain will conduct an oral interview and the inmate's religious dietary needs will be re-assessed to determine which of the dietary components meet his/her religious dietary needs.

**d. Based on the orderly running of the religious diet program and the institution, the**

**Chaplain may arrange for on annual ceremonial or commemorative meal for each religious group. An inmate may attend one religious ceremonial meal in a calendar year.**

Ceremonial or commemorative meals will be served in the Food Service, unless the Warden authorizes otherwise. To maintain equity in menu design, all meals must be prepared from food items on the institution master menus.

Chaplains may use a small portion of the annual Chaplaincy Services budget to acquire traditional/ritual foods to supplement the mainline foods served for the ceremonial meal.

If purchasing ritual/traditional foods, a per capita equity formula is to be determined locally. To determine the per capita cost, the total amount of appropriated funds designated for this purpose shall be divided by the total number of inmates participating in all ceremonial meals for the fiscal year. To prevent waste or abuse, the total amount per faith group is to be no less than \$10 and not greater than \$200.

The Food Service Department is the only source of procurement for all meal items. Pursuant to Department of Justice Order 2400.02 Solicitation and Acceptance of Gifts to the Department, foods for ceremonial meals may not be donated. Based on the secure and orderly running of the institution, foods for ceremonial meals may not be catered.

Inmates must submit a BP-A0148, Inmate Request to Staff, to the Chaplain 60 days before the ceremonial meal requesting ritual/traditional foods. The Chaplain will consult with the Food Service Administrator to develop the menu for each ceremonial or commemorative meal at least 45 days before the scheduled date of the observance. This facilitates timely food ordering and preparation.

**e. Religious Fasts.** There are generally two different types of fasts, a public and a private or personal fast. When inmates observe a public fast, i.e., one observed by many faith adherents, Food Service will provide a meal nutritionally equivalent to the meal(s) missed. Public fasts usually begin and end at specific times. Accommodations may also be made for bagged meals at times when Food Service is normally closed.

When an inmate fasts for personal religious reasons, no special accommodations need to be made for the meal(s) missed. Requests for meals after a personal fast should be determined on a case-by-case basis, applying sound correctional and pastoral judgment. A listing of public fast days and religious holy days is available on the Central Office Chaplaincy Services' Sallyport page.

**15. ANNUAL REPORT.** Each institution will submit an annual report to the CSB. The reporting year will be from October 1<sup>st</sup> - September 30<sup>th</sup>. The institutions will receive the report from the CSB. The appropriate Associate Warden and Warden will sign the report prior to forwarding to the Assistant Chaplaincy Administrator (ACA). The completed report will be sent to the ACA by the third

Friday in December. The CSB will compile the information and provide a summary report to the Regional Directors by the second Friday of May. A signed copy of the report will be retained in the institutional Chaplain's office.

## REFERENCES

### *Program Statements*

|          |                                                                        |
|----------|------------------------------------------------------------------------|
| P1350.02 | Donations, Acceptance of (6/29/1998)                                   |
| P3420.11 | Standards of Employee Conduct (12/6/2013)                              |
| P3939.08 | Chaplains' Employment, Responsibilities, and Endorsements (10/24/2022) |
| P4510.05 | Inmate Contributions (1/26/1999)                                       |
| P4700.06 | CN-1 Food Service Manual (6/8/2022)                                    |
| P5200.07 | CN-1 Female Offender Manual (7/8/2022)                                 |
| P5264.08 | Inmate Telephone Regulations (1/24/2008)                               |
| P5266.11 | Incoming Publications (11/09/2011)                                     |
| P5267.09 | Visiting Regulations (12/10/2015)                                      |
| P5280.09 | Inmate Furloughs (1/20/2011)                                           |
| P5300.22 | Volunteer Services (11/07/2016)                                        |
| P5326.05 | Marriages of Inmates (9/22/2011)                                       |
| P5500.14 | CN-1 Correctional Services Procedures Manual (8/01/2016)               |
| P5538.07 | Escorted Trips (12/10/2015)                                            |
| P5553.08 | Escapes/Deaths Notifications (01/04/2017)                              |
| P5580.08 | Inmate Personal Property (08/22/2011)                                  |
| P5800.16 | Mail Management Manual (04/05/2011)                                    |
| P5800.18 | Receiving and Discharge Manual (08/12/2014)                            |
| P6080.01 | Autopsies (5/27/1994)                                                  |

### *Forms*

|            |                                                      |
|------------|------------------------------------------------------|
| (BP-A0101) | Request for Purchase (Delivery/Task Order)           |
| (BP-A0148) | Inmate Request to Staff                              |
| (BP-A0200) | Special Purpose Order Request - Inmate               |
| (BP-A0301) | Authorization to Release Confidential Information    |
| (BP-A0331) | Authorization to Receive Package or Property         |
| (BP-A0383) | Inmate Personal Property Record                      |
| (BP-A0700) | Notification of Religious Diet Accommodation         |
| (BP-A0777) | Credentials of Religious Volunteer                   |
| (BP-A0778) | Credentials of Religious Contractor                  |
| (BP-A0820) | Notification of Inmate Religious Diet Violation      |
| (BP-A0822) | New or Unfamiliar Religious Components Questionnaire |
| (BP-A1031) | Inmate Emergency Notification Form                   |
| (BP-A1142) | Religious Diet Interview                             |

Rules cited in this Program Statement are contained in 28 CFR 548.10-20 and 28 CFR 540.48

### *ACA Standards*

**Performance-Based Standards and Expected Practices for Adult Correctional Institutions, 5th Edition:** 5-ACI-4A-27, 5-ACI-3D-04, 5-ACI-5A-03, 5-ACI-5C-07, 5-ACI-5C-08, 5-ACI-

6C-02, 5-ACI-6C-16, 5-ACI-5E-10, 5-ACI-7F-01, 5-ACI-7F-02, 5-ACI-7F-03, 5-ACI-7F-04, 5-ACI-7F-05, 5-ACI-7F-06, 5-ACI-7F-07, 5-ACI-7F-08.

**American Correctional Association Standards Performance-Based Standards for Local Adult Detention Facilities, 4th Edition:** 4-ALDF-2A-66, 4-ALDF-6B-02, 4-ALDF-4A-10, 4-ALDF-4D-12, 4-ALDF-4D-23, 4-ALDF-4C-13(M), 4-ALDF-5C-18, 4-ALDF-5C-19, 4-ALDF-5C-20, 4-ALDF-6D-01, 4-ALDF-5C-17, 4-ALDF-5C-22, 4-ALDF-5C-23, 4-ALDF-5C-24.

**American Correctional Association 2<sup>nd</sup> Edition Standards for the Administration of Correctional Agencies:** 2-CO-5E-01

*Records Retention Requirements*

Requirements and retention guidance for records and information applicable to this program are available in the Records and Information Disposition Schedule (RIDS) system in Sallyport.