

# Inmate Religious Programs

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## **Policy Statement**

It is the policy of the Whatcom County Sheriff's Office to allow inmates to engage in the lawful practices and observances of their religious beliefs, consistent with the legitimate penological objectives of the facility.

## **Persons Affected**

Corrections staff

Religious volunteers

## **Policies Affected**

This policy cancels Whatcom County Jail policy 516

## **Definitions**

**Compelling government interest** - A measure used by the Courts that balances a government's interest, usually a policy or regulation, against someone's practice of a fundamental right.

**Least restrictive means** - A standard imposed by the courts when considering the validity of policies that touch upon constitutional interests.

**Religious exercise** - Any exercise of religion, whether or not it is compelled by, or central to, a system of religious belief.

**Substantial burden** - For the purposes of this policy, substantial burden means either of the following:

- A restriction or requirement imposed that places an inmate in a position of having to choose between following the precepts of their religion and forfeiting benefits generally available to other inmates, or having to abandon one of the precepts of their religion to receive a benefit.
- Considerable pressure is placed on an inmate to substantially modify their behavior in violation of their beliefs.

## **Chaplain**

The Chief of Corrections shall appoint an individual to serve as the Jail chaplain to coordinate religious activities in the facility. The chaplain will be responsible for assisting the Operations Lieutenant with planning, directing and supervising all aspects of the religious program. Duties of the chaplain or designee include, but not limited to:

- Coordination of religious services.
- Reviewing requests for religious accommodations when needed.
- Approval and coordination of training lay clergy and religious volunteers.

## Policy

- Providing or arranging for faith based grief counseling for inmates.
- Distribution of a variety of religious texts.
- Developing and maintaining liaison with a variety of religious faiths in the community.
- Working with inmate families when requested.
- Providing guidance to the Chief of Corrections and Operations Lieutenant on issues related to religious observance.

### **Facility Access**

The chaplain and religious volunteers will be screened for access into a jail facility - reference Facility Access policy.

### **Religious Beliefs and Accommodation Requests**

Inmates are not required to identify or express a religious belief. An inmate may designate any belief and may change a designation at any time by declaring their religious belief in writing to the shift sergeant.

All requests for accommodation of religious practices shall be treated equally, regardless of the religion involved.

### **Suspension or Revocation of Accommodation**

In an emergency or extended disruption of normal facility operations, the Operations Lieutenant may suspend any religious accommodation. The Operations Lieutenant may also revoke or modify an approved religious accommodation if the accommodated inmate violates the terms or conditions under which the accommodation was granted.

### **Appeals of Suspension or Revocation of Accommodations**

Inmates may appeal the Operations Lieutenant denial, suspension or revocation of an accommodation to the Chief of Corrections. The Chief of Corrections is the final level of appeal and all decisions are final.

### **Diets and Meal Service**

The Operations Lieutenant, or designee, will provide inmates requesting a religious diet, including fasting and/or hour of dining, a reasonable and equitable opportunity to observe their religious dietary practices. Special diet requests will be forwarded to the Food Services Manager.

### **Religious Texts**

Religious texts will be provided to the requesting inmate, if available and if the texts do not pose a threat to the safety, security and orderly management of the facility. If the text is not available in the facility, every effort will be made to obtain one in a reasonable period of time.

## Unauthorized Practices or Material

The following list, which is not intended to be exhaustive, includes practices or materials that will not be authorized:

- Animal sacrifice.
- Language or behaviors that could reasonably be construed as presenting a threat to facility safety or security.
- Self-mutilation.
- Use, display or possession of weapons.
- Self-defense or military training.
- Disparagement of other religions.
- Nudity or sexual acts.
- Profanity.
- Use of illegal substances or controlled substances without a prescription.
- Use of alcohol.

## Group Religious Services

Group religious services may be allowed after due consideration of the inmate's classification or other concerns that may adversely affect the order, safety and security of the facility - reference Volunteer Program policy.

Alternatives to attendance of group religious services may include, but are not limited to:

- The provision of religious books and reading materials.
- Access to religious counselors.
- Recorded religious media.

## Religious Symbols and Implements

Religious symbols and implements used in the exercise of religion may be allowed unless the symbol or implement poses a threat to the safety and security of the facility. Alternatives to the provision of religious symbols and implements may be considered when security, safety or efficient operations may be jeopardized (e.g., substitution of a towel in lieu of a prayer rug).

Items given to the inmate to further their religious practices may be removed if the inmate is found to be using the item(s) in a manner different than it was intended. Items belonging to the jail will be returned upon release.

## **Religious Garments and Clothing**

Inmates who practice a religion that requires particular modes of dress, garments, headgear, etc., other than standard-issue clothing, may be accommodated subject to the need to identify inmates and maintain security.

Head coverings will be searched before being worn in the housing areas of the facility and shall be subject to random searches for contraband. Personal head coverings will be exchanged in favor of office-supplied head coverings when available and appropriate.

Inmates wearing headscarves or other approved coverings shall not be required to remove them while in the presence of, or while visible to, the opposite sex, if they so desire. Religious garments that substantially cover the inmate's head and face shall be temporarily removed during the taking of booking and identification photographs. Every effort will be made to have the Deputy taking the photograph be of the same sex as the inmate.

## **Faith and Morals-Based Counseling**

The Operations Lieutenant, in conjunction with the chaplain, will establish a plan for inmates to receive faith and morals-based counseling from the chaplain or religious volunteers. Inmate's will be reasonably accommodated, including reasonable access to clergy members and spiritual advisors, volunteer religious organizations, faith and morals-based programs and other secular volunteer programs.