

DATE:	SEPTEMBER 25, 2019
NUMBER:	W.9
SUBJECT:	APPROVED RELIGIOUS ITEMS
RELATED SECTIONS:	W.1 , W.3 , W.5 , W.7 , 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 Religious Services Coordinator.

PROCEDURE

Facility chaplains will distribute requested items to inmates at the direction of the Religious Services 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. 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 Reentry Services Division (RSD) will manufacture certain items for inmate use. RSD 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 Religious Services Coordinator for distribution upon inmate request. Items provided by RSD:

- A. Prayer Rugs:

- The prayer rug is made of a white terry cloth material, with a blue striped edge. The approximate dimensions are 36 inches x 19 inches.

- B. Head coverings:

- Three types of head coverings are made: (2) for males and (1) for females. All male head coverings are made of the same material used for inmate clothing. The male head 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. "Hijab" (Female):
A veil worn by women and in most cases the primary reason is to cover the head and the chest. The jail issued version is made of black material. Refer to DSB P&P W.7 Religious Head Coverings for more details.

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, the 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 Religious Services Coordinator's office.

IV. Jail Information Management System Entry

An inmate may request religious items, via an inmate request, to RSD Staff. 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.

Prayer rugs and Hijabs: RSD staff will notify classification when an inmate has been issued a prayer rug or a Hijab. Classification staff will in turn make an entry into the inmate's special conditions in JIMS (See DSB P&P R.3 – *Inmate Classification Code – Descriptor Definitions*). This will allow for better tracking for the purposes of laundering and re-ordering of supply.

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 their 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). JPMU will be notified in order to update the inmate's special conditions in their classification code.