

<b>DATE:</b>	MAY 18, 2022
<b>NUMBER:</b>	K.8
<b>SUBJECT:</b>	RELIGIOUS DIETS
<b>RELATED SECTIONS:</b>	

**PURPOSE**

To provide incarcerated persons with a diet that is aligned with their religious guidelines and beliefs.

**POLICY**

The Sheriff's Department will make reasonable efforts to provide religious diet options for an incarcerated person whose religious beliefs require the adherence to religious dietary guidelines. All religious dietary requests will be processed by Reentry Services Division (RSD) staff.

**PROCEDURES**

**I. PROCESSING REQUESTS FOR RELIGIOUS DIETS**

- A. Incarcerated persons requesting a religious diet must submit a written request to RSD staff, using an Inmate Request (J-21) form. All requests for religious diets will be forwarded to RSD staff for processing. The designated RSD staff will review the request and confirm whether or not the incarcerated person has any medical restrictions (e.g., is on a medically prescribed diet).
- B. Incarcerated persons will need to fill out a Religious Diet Program Agreement (J-130A) form. The RSD staff will send the J-130A form to the incarcerated person via inmate mail. The incarcerated person must complete the form and return it to RSD staff via incarcerated mail.
- C. The RSD staff will review all completed J-130A forms. Upon processing an incarcerated person for participation in the religious diet program, the RSD staff will notify the incarcerated person in writing. The RSD staff will make a notation in the incarcerated person's Jail Information Management System (JIMS) history. The RSD staff will inform the Jail Population Management Unit (JPMU); JPMU will be responsible for adding the religious diet designator, and any applicable religious holidays the incarcerated person has opted to enroll in, under the "Special Conditions" section in the incarcerated person's classification navigator in JIMS. The incarcerated person's request for a religious diet and the J-130A form will be filed in the incarcerated person's custody record.
- D. Requests for a religious diet from incarcerated persons with medical restrictions, or complaints that an incarcerated person's prescribed medical diet violates their religious beliefs, will be forwarded to the Medical Services Division (MSD) personnel for review and consultation with the Food Services Division nutritionist. If MSD personnel determines that an incarcerated person's medical needs are such that the incarcerated person must be kept on a medical diet, then medical staff will schedule an encounter with the inmate in an attempt to reconcile the differences. The following procedure will be followed:

1. Following the medical encounter with the incarcerated person, MSD personnel will notify RSD staff of the resolution and if the incarcerated person's religious diet can or cannot be reconciled with their prescribed medical diet.
2. If an incarcerated person is already on a medically prescribed diet at the time of the request for a religious diet, RSD staff will notify the incarcerated person of the diet conflict. RSD Staff will instruct the incarcerated person to submit a request to MSD and request a medical encounter to discuss their medically prescribed diet in order to attempt to reach a resolution.
3. If a religious diet cannot be reconciled with the medically prescribed diet following a consultation with the Food Services Division nutritionist, MSD staff will discuss risks and concerns of removing a medically prescribed diet. If the incarcerated person insists on terminating their medical diet in order to receive a religious diet, MSD staff will document the incarcerated person's understanding and refusal. The incarcerated person must sign a Refusal to Accept Medical Care-Treatment (J-223) form. MSD staff will forward a copy of the signed J-223 form to the designated RSD staff. The RSD staff will initiate enrollment of the incarcerated person into the Religious Diet Program

## II. DOCUMENTATION OF NON-COMPLIANCE AND REMOVAL FROM RELIGIOUS DIET PROGRAM

- A. If at any time staff observes an incarcerated person to be in non-compliance with their diet, staff will document the incident in JIMS. Incidents of non-compliance, observed by non-sworn staff, will be reported to sworn staff for documentation in JIMS. Sworn staff will select the Incident Type Code, "RELIGIOUS DIET" when documenting an incarcerated person's non-compliance. Upon completion of the incident report, staff will notify the RSD sergeant via email with the JIMS incident number for review. The RSD Sergeant will notify the supervising correctional counselor, or their designee, of all incidents pertaining to non-compliance with the religious diet program.
- B. The RSD sergeant, or designee, will review the incident, determine the disposition (e.g., speak with the incarcerated person, issue a warning, terminate the incarcerated person's participation in the religious diet program) and document their decision by completing the Notice of Removal from Religious Diet Program (J-130C) form. A copy of the J-130C form will be given to the incarcerated person and the original shall be placed in the incarcerated person's custody record, per the listed distribution.
- C. The RSD sergeant will approve the incident in JIMS and notate the disposition in the "approval action" section of the incident in JIMS. The RSD sergeant will also notify JPMU; JPMU will be responsible for removing the religious diet designator from the "Special Conditions" section in the incarcerated person's classification navigator in JIMS. The incarcerated person will have the opportunity to reapply for the religious diet program after six (6) months from the termination date documented on their J-130C form.
- D. Incarcerated persons electing to be voluntarily removed from the religious diet program must submit a written request to RSD staff. The RSD staff will notify JPMU of the incarcerated person's request to be removed from the religious diet program. JPMU will be responsible for removing the religious diet designator from the "Special Conditions" section in the incarcerated person's classification navigator in JIMS. The processed request will be filed in the incarcerated person's custody record.

## III. OBSERVANCE OF RELIGIOUS HOLIDAYS

Incarcerated persons may request to participate in the observance of religious holidays (e.g. Ramadan, Shabbat, etc.). Incarcerated persons electing to participate in religious holidays must complete the appropriate section of the J-130A form or submit a written request to RSD staff. The RSD staff will notify JPMU of the incarcerated person's request. JPMU will add the specific religious holiday diet designator to the incarcerated person's classification navigator. The incarcerated person's request for a religious holiday diet will be processed and filed in the incarcerated person's custody record.

#### IV. RELIGIOUS DIET CONTENT

The Food Services Division Manager is responsible for determining the content and presentation of all religious diets. Some religious diets may be prepared, pre-packaged, and purchased through a vendor. All meals conform to Title 15, Article 12, Section 1240, of the California Code of Regulations, except and unless the regulation would violate the incarcerated person's religious guidelines and beliefs. As part of signing the J-130A form, the incarcerated person agrees to accept these exceptions when necessary.