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			OPI:	PROGRAMS	
			REVIEW DATE:	August 24, 2024	
			Approving Authority	Thomas Faust Director	
SUBJECT:		RELIGIOUS PROGRAMS			
	NUMBER:	4410.1J			
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SUMMARY OF CHANGES:

Section	Change
	<i>Minor changes made throughout the policy.</i>
§14.k	<i>Religious Diets section was revised to reflect changes in procedures of approving/disapproving religious diets requests submitted to DOC's Office of Chaplaincy Services.</i>

APPROVED:



Thomas Faust, Director

8/24/2023

Date Signed

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1. PURPOSE AND SCOPE. To establish a uniform policy for the administration, and coordination of religious programs and services within the DC Department of Corrections (DOC).

2. POLICY

- a. It is DOC policy to ensure that residents or inmates have an opportunity to participate in their choice of religious preference, provide inmates with the opportunity to participate in practices of their sincerely held religious beliefs limited only by approved operational concerns.
- b. Per this policy, residents or inmates have an opportunity to participate in their choice of religious preference without imposing a substantial burden on a prisoner's exercise, unless that burden: (1) is in furtherance of a compelling governmental interest to include the safety, security or order of the facility; and (2) is the least restrictive means of furthering that compelling interest.
- c. The DOC Supervisory Chaplain and Chaplains shall have physical access to all areas of the facility to minister to inmates.
- d. Inmates in restrictive housing shall have access to religious services and programming.

3. APPLICABILITY

This policy shall apply to DOC employees, contractors, volunteers, visitors and inmates.

4. PROGRAM OBJECTIVES. The expected results of this program statement are for DOC shall provide and coordinate ministerial services, religious counseling, and pastoral care to /inmates of Central Detention Facility and Central Treatment Center, residents, their families, and staff when appropriate.

5. NOTICE OF NON-DISCRIMINATION

In accordance with the D.C. Human Rights Act of 1977, as amended, D.C. Code § 2-1401.01 et seq., (Act), the District of Columbia does not discriminate on the basis of race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, matriculation, political affiliation, genetic information, disability, source of income, status as a victim of an intra-family offense, or place of residence

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or business. Sexual harassment is a form of sex discrimination that is also prohibited by the Act. Discrimination in violation of the Act will not be tolerated. Violators will be subject to disciplinary action.

6. DIRECTIVES AFFECTED

a. Directives Rescinded

PP 4410.1I Religious Programs (9/13/2021)

b. Directives Referenced

- 1) PM 1310.3 Volunteer Services
- 2) PP 2120.3 Food Service Program
- 3) PP 3040.6 Personnel Security and Suitability Investigations
- 4) PP 3700.2 Employee Training and Staff Development
- 5) PP 4080.2 Video Visitation Center/Special Visits
- 6) PP 4050.1 Inmate Property
- 7) PP 4070.1 Inmate Telephone Access
- 8) PP 4070.4 Inmate Correspondence and Incoming Publications
- 9) PM 4160.6 Inmate Marriages
- 10) PP 4352.1 Inmate/Arrestee/Residents Deaths
- 11) PP 5009.2 Searches of Inmates, Inmate Housing Unit, Work and Program Area
- 12) PM 6000.1 Medical Management

7. AUTHORITY

- a. D.C. Code § 24-211.02, Powers; Promulgation of Rules
- b. U.S. Const. amend. I. (Free Exercise Clause of the First Amendment to the United States Constitution).

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- c. *Turner v. Safley*, 482 U.S. 78 (1987)
- d. Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA), 42 U.S.C. §§ 2000cc–cc-5. (2006).
- e. *Cutter v. Wilkinson*, 544 U.S. 709 (2005)
- f. District Personnel Manual, Chapter 35, § 4000, Utilization of Voluntary Services

8. STANDARDS REFERENCED

- a. American Correctional Association (ACA) Standards, 4th Edition: 4-ALDF -5A-01, 4-ALDF-5A-02, 4-ALDF- 5C-17 through 4-ALDF-5C-24 and 4-ALDF-6B-02
- b. RLUIPA

9. RESPONSIBILITIES

- a. The DOC Supervisory Chaplain shall plan, coordinate, direct and supervise all aspects of religious programs.
- b. DOC shall retain religious services employees with the minimum qualifications of clinical pastoral education or equivalent specialized training, and endorsement by the appropriate religious-certifying body.

10. RELIGIOUS VOLUNTEERS

- a. DOC shall recruit, train and provide overall program oversight and supervision for religious volunteers from faiths represented in its inmate population.
- b. The DOC Supervisory Chaplain and Chaplains shall develop and maintain communication with faith-based communities consistent with DC government regulations and DOC's ethics policy.
- c. The Supervisory Chaplain or designee shall determine the number of volunteers permitted for a religious service or activity.
- d. Religious volunteers shall not visit inmates socially under Section 14b of this policy.

11. INTAKE SCREENING

- a. New Intakes are required to be interviewed by Case Management within three (3) business days per DOC Classification Policy (PP 4090.3 Classification).

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During the initial intake interview, Case Managers shall question the inmate regarding a religious preference and shall enter this information in the Jail and Community Corrections System (JACCS). However, inmates are not required to profess a religious affiliation at intake.

- b. During orientation, inmates are notified of all available religious services and programs at DOC and how to access them.

12. RELIGIOUS AFFILIATIONS

- a. **Religious Affiliation.** Inmates may at any time submit a request to any DOC Chaplain to designate a religious affiliation. An inmate's request to change their religious affiliation shall be reviewed by the Supervisory Chaplain or designee. Requests shall be reviewed and processed within five (5) business days upon receipt. The Supervisory Chaplain will determine if the request is based on a sincerely held religious belief.

The DOC Office of Chaplaincy Services shall monitor patterns of changes in the inmate's declarations of religious preference. In the event of a discrepancy of the inmates sincerely held belief the inmate will be reverted back to the previously recorded preference.

- b. **Inmate Request to Change Religious Preference.** An inmate may at any time, submit a request to any DOC Chaplain to designate a change of religious preference. An inmate's request to change their religious preference will be reviewed by the Chaplain and may be denied if it is determined that the inmate's request is for reasons other than religious belief or is insincere. DOC Chaplaincy Services shall complete the following:
 - c. The Office of Chaplaincy Services shall enter the designation into JACCS.
 - d. The Office of Chaplaincy Services shall obtain a weekly printout of religious preferences to stay informed about participation in designated religious services/programs. The printout shall contain the inmate's name, DCDC number, housing unit, cell number, and the identified religious preference.

- 13. **PROHIBITED RELIGIOUS PRACTICES AND/OR RITUALS.** DOC shall not allow any religious group to meet or practice doctrine and/or rituals that include or advocate:

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- a. Domestic and/or foreign terrorism, or promotes any type of violence;
- b. Language or behaviors that could reasonably be construed as a threat to safety, security, or the orderly running of the institution;
- c. Nudity;
- d. Self-mutilation;
- e. Use, display, or possession of weapons or what appears to be a weapon (e.g., paper sword);
- f. Paramilitary exercises;
- g. Self-defense training;
- h. Sexual acts;
- i. Profanity;
- j. Ingestion of illegal substances and contraband;
- k. Use of verbal or physical intimidation or pressure to attempt to convert an individual from one faith or belief to another;
- l. Use of encoded/scrambled language; or
- m. Belittling or mocking other religions;
- n. Smoking of any kind is not allowed.
- o. No religious services clergy volunteers are permitted on the General Population units unless granted permission by the Supervisory Chaplain or designee.

14. RELIGIOUS PROGRAM ACTIVITIES

- a. *Religious Activity Schedules*
 - 1) Under the general supervision of the Program and Case Management Program Administrator and/or designee, or the Supervisory Chaplain and/or designee shall schedule and direct the institution's religious activities.

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- 2) The Supervisory Chaplain shall post current program schedules in English and Spanish on bulletin boards clearly visible to the inmate population.
- 3) The Supervisory Chaplain shall review the religious schedule monthly and make changes as necessary.
- 4) The Warden and/or designee shall make changes to religious services schedule as deemed necessary for the safety and security of the facility.

b. Pastoral Visits Requirements

- 1) If requested by an inmate, the Supervisory Chaplain or designee shall facilitate arrangements for pastoral visits by a clergy person or representative of the inmate's faith.
- 2) The Supervisory Chaplain or designee shall request an NCIC check through Volunteer Services and documentation of such clergy person's or faith group representative's credentials prior to any pastoral visit.
- 3) Pastoral visit shall not be conducted as social visits. Pastoral visits shall take place in the designated Visiting Hall during regular visiting hours.
- 4) Clergy, laity, and ministerial staff of an inmate's religious affiliation will be authorized to correspond via video chat, written correspondence, as well as once a week visitation. Pastoral visits are permitted once per week.
- 5) Pastoral visits that are reoccurring require the clergy person or representative of the inmate's faith to adhere to DOC volunteer process. Specifically, the visiting clergy person or representative of the inmate's faith must:
 - a) Attend In-Service Volunteer Certification Training;
 - b) Undergo a criminal background check;
 - c) Undergo TB testing and clearance; and
 - d) Upon completion of the Volunteer Services application process, an official volunteer identification card with an updated photo will be issued to the clergy person or representative of the inmate's faith.

c. Places of Worship

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- 1) DOC shall provide adequate space to allow eligible inmates to participate in regularly scheduled group worship services.
- 2) DOC's Office of Chaplaincy Services shall have access to inmate housing units in order to minister to inmates individually.
- 3) Subject to approved security limitations, DOC shall allow inmates to practice their sincerely held religious beliefs in their cells.

d. *Security*

- 1) DOC corrections officers shall conduct routine security checks during religious services while limiting disruption of services as is reasonably practicable.
- 2) During an institutional emergency including but not limited to a facility lock down, physical plant emergency, etc., the Warden and/or designee shall determine the appropriate level of religious program participation.

e. *Religious Use of Wine*

- 1) Inmates may be permitted to receive small amounts of wine as part of a religious ritual only when administered under the supervision of chaplains, clergy contractors, or clergy volunteers authorized by the DOC to perform the ritual.

Because wine is otherwise a contraband substance, it can be dispensed only under strict control and supervision. Inmates will not be allowed to give wine to other inmates. For this religious purpose, the consumption of wine will not be considered consumption of alcohol or ingestion of an illegal substance. DOC will purchase the wine using normal procurement procedures. Wine will be secured in an appropriate area of the chapel.

- 2) *Religious Scheduled Services for Use of Wine.* For scheduled services for which wine is authorized, chaplaincy staff will provide the wine to the contract or volunteer community minister in a disposable 2-ounce covered container. The container will be used to measure and transport the wine. The minister will dispose of the empty 2-ounce container or any unused portion of the wine to protect against contamination or abuse. The chaplain

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will inform staff of procedures for procuring, storing, and using wine. This is accomplished through ongoing training to avoid unnecessary and potentially disruptive confiscation of essential sacred elements.

3) Inmates will not be allowed to give wine to other inmates.

f. *Religious Use of Candles*

1) During religious rituals, wax candles may be requested for use in lieu of battery operated candles if an individual request is made by an observant inmate five (5) business days in advance of the religious event to the Chaplain. Upon approval, DOC's Supervisory Chaplain shall distribute an internal memo documenting the inmates who will participate in wax candle lighting service under the supervision of the Chaplain and security in the chapel. An approved clergy member, approved religious volunteer, or representative whom is qualified over the ritual service will light the candle.

2) The flame shall remain burning until the last observant has left the chapel. In order to maintain the safety, security and order of the facility, at that time, the Chaplain shall extinguish the flame.

3) Correctional officers and/or the Chaplain shall be equipped with a fire extinguisher and shall be present throughout the service.

4) The Chaplain will collect and conduct an inventory of all items utilized for the service before and after use. Wax candles, matches, lighters, or any other incendiary devices manufactured or created are otherwise contraband and shall be used only under strict control and supervision of the Chaplain.

5) Under **NO CIRCUMSTANCES** will an inmate be allowed to light the open flame, handle candles/matches or other incendiary devices.

6) In the event that clergy, or approved religious volunteer does not show up for the service, or if the Chaplain is not of that faith and therefore cannot light the candle(s), the Chaplain shall revert to utilizing a battery-operated candle for safety and security reasons. Inmates will be allowed to light the battery-operated candle.

g. *Holy Day Observances*

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- 1) DOC's Office of Chaplaincy Services shall coordinate activities associated with special religious observances and holidays for each faith group. Each faith group will be allowed to observe and participate in 3 major religious holidays and 1 minor religious holiday upon inmate request to Religious Services 60 day prior to holiday. Participation would be voluntary and the participant will have to sign-up for the holiday celebration.
- 2) The Chaplain shall develop a Religious Holy Day Calendar; (Attachment A) keep track of the religious dates and give inmates the opportunity to observe specific Holy Days as designated by the tenets of the inmate's respective faith.

h. *Religious Property and Clothing*

- 1) DOC's Office of Chaplaincy Services shall advise management regarding apparel, symbols, and/or materials used by the specific religious groups.
- 2) Items may include but not be limited to headdress (e.g., kufi, yarmulke, etc.), prayer rugs, shawls, softbound Bibles, Korans and religious reading material, rosaries, prayer beads, one religious' medallion, wedding band, prayer rugs, phylacteries, medicine pouches. Such items, which become part of an inmate's personal property, are subject to normal considerations of safety, security and search. If necessary, their religious significance shall be verified by the chaplain prior to the warden's approval.
- 3) Personal religious items shall not be purchased with appropriated funds. All personal religious property shall be purchased either from commissary stock or provided by authorized volunteer services. No religious item may have a monetary value greater than \$100.
- 4) A headdress color for male and female inmates is restricted to white. Any headdress other than white shall be considered contraband and confiscated by staff. The yarmulke shall be worn like a scarf over the head and tied under the chin during religious services only. Headdress worn to cover the face shall be considered contraband and confiscated by staff.
- 5) Headdresses shall be removed for safety and security reasons (e.g. searches, contraband, identification, safe cell precautions, etc.)
- 6) Upon request, DOC shall provide white hijabs to Muslim female inmates when they arrive at the CTF after intake at the Inmate Reception Center

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(IRC). For the purposes of safety, security, and order of the facility, hijabs of any color other than white are not allowed as they may signal gang or crew affiliation.

- 7) White hijabs shall be stored in the Inmate Reception Center (IRC) for operations to issue at intake.
 - i. *Religious Donations.* DOC may accept donations to be used in inmate religious programs that have been approved by the Donations Management Section of the District of Columbia Office of Partnerships and Grants.
 - j. *Religious Publications and Materials.* Inmates may purchase soft bound religious books and subscribe to prepaid religious publications under PP 4070.4, Inmate Correspondence and Incoming Publications.
 - k. *Religious Diets.* To participate in a religious diet program, an inmate must be approved by DOC's Office of Chaplaincy Services. Inmates requesting a religious diet, shall submit a request via the Inmate Request Form. DOC's Office of Chaplaincy Services may interview the inmate in order to assess whether the request is based on a sincerely held religious belief, before deciding to approve or deny the religious diet request. DOC's Office of Chaplaincy Services shall not require external verification of an inmate's religious affiliation. DOC's Office of Chaplaincy Services shall notify the inmate in writing as to whether a request has been approved or denied.
 - 1) Inmates may request at any time to end a religious diet. Inmates requesting to end a religious diet, shall submit a request via the Inmate Request Form.
 - 2) The Office of Chaplaincy Services shall coordinate provisions for inmate religious groups to have appropriate ceremonial or commemorative meals. The religious/special diets shall be similar to meals served to other inmates of the same faith group. Special meals for religious observances shall consist of 1 vegetable, 1 starch, 1 meat, 1 fruit and 1 dessert.
 - 3) DOC shall approve a fast which is an abstinence from food, or a limiting of one's food, when voluntary and as a religious observance for the faith group. Each fast shall have a specific start and end time. Upon conclusion of the fast, DOC shall provide a meal that is nutritionally equivalent to the missed meal.
- l. *Crisis Intervention*

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- 1) DOC's Office of Chaplaincy Services may provide authorized emergency telephone calls and individual counseling to inmates and/or their families in personal crisis and emergency situations. In accordance with PP 4070.1, Inmate Telephone Access, all telephone calls shall be logged in the JACCS system.
- 2) The Office of Chaplaincy Services shall verify the crisis prior to notifying the affected inmate and shall maintain a logbook detailing the crisis, date of the crisis, the inmate, DCDC number and the action taken.
- 3) Per policy PP 4352.1, *Inmate/Offender Deaths*, and PM 6000.1, *Medical Management*, the Office of Chaplaincy Services shall notify inmates and/or their families of serious illness or death of either inmates or their family members.

The Office of Chaplaincy Services shall coordinate appropriate religious rituals at the time of an inmate's serious illness or death. This may include contacting the District morgue to make notification of the inmate's religious affiliation.

- 15. DEATH NOTIFICATION OF INMATE FAMILY MEMBER.** In the event of a death in an inmate's immediate family which consists of Mother, Father, Grandmother, Sister, Brother, Grandfather, the Religious Services Department notification process shall be as follow:

Once notification is made to the Office of Chaplaincy Services of death of an inmate's family member, the following steps shall take place:

The Office of Chaplaincy Services shall contact the inmate or family of the inmate to gather information to ascertain and confirm first and last name of the person who passed away and the relationship to the inmate. The inmate's family shall be contacted to verify the death of the inmate's family member within eight (8) hours of receiving the notification and to begin the process of completing the death notification form. In addition, the death will be confirmed by contacting the reported hospital or morgue.

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- a. Upon verification, the Office of Chaplaincy Services will have the inmate escorted to the Chaplain's office for notification and to provide emotional, spiritual, and religious counseling.
- b. During notification, the Chaplain will assess the needs of the inmate and provide spiritual care. The Chaplain shall document the family member's name, date and the time of the call in the logbook and in JACCS.
- c. The Chaplain will inform the inmate and the family member to update Religious Services when funeral arrangements are confirmed or finalized. The Chaplain shall coordinate a voluntary mental health visit and document in the logbook and JACCS.
- d. The chaplain will, if requested, refer the inmate to medical and mental health for grief support on behalf of the inmate. Upon notification, a preliminary death notification of the inmate's family member shall be forwarded to Case Management Services.
- e. The Chaplain will complete a death notification form and communicate with case management, mental health, and Supervisory Chaplain and document in JAACS. The Office of Chaplaincy Services shall follow up with the family members to verify funeral arrangements or services.
- f. A final death notification of the inmate's family member shall be submitted to Case Management by the Office of Chaplaincy Services.

16. INMATE DEATH NOTIFICATION

The family shall be contacted to make notification of the inmates' death through the next of kin process. Once the chaplain is notified, the chaplain will complete the Next of Kin form.

- a. If attempts to contact the next of kin by telephone within eight (8) hours are unsuccessful, the Chaplain shall compose a letter notifying the next of kin of the death and instructing the next to kin to contact the Chaplain for details and for additional information. The letter shall be sent by overnight express mail, with required signature and return receipt by the close of the next business day

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- b. If there is no response to the overnight express mail, the Chaplain shall make notification to the Deputy Director for Programs and Case Management. The Chaplain shall contact the Office of Investigative Services (OIS). The Office of Investigative Services shall go to the next of kin address on record.
- c. An OIS investigator shall conduct an investigation to locate the inmate/arrestee's next of kin.
- d. If the next of kin is located, the investigator shall hand deliver the Chaplain's letter.
- e. If the investigator is unable to locate the next of kin, he/she shall submit a report, through the chain of command to the Deputy Director for Operations, outlining the steps taken in an attempt to locate the next of kin. A copy of this report shall be placed in the inmate/offender's record.

Attachments

Attachment A - Three Year 2018 to 2021 Religious Calendar

Attachment B - Death Notification Form