


Idaho Department of Correction 	<b>Standard          Operating          Procedure</b>  <b>Division of          Prisons</b>  <b>Operational          Services</b>	<b>Control Number:</b> 403.02.01.001	<b>Version:</b> 1.4	<b>Page Number:</b> 1 of 10
		<b>Title:</b> Religious Activities		<b>Adopted:</b> 5-1-1996  <b>Reviewed:</b> 9-13-2008  <b>Next Review:</b> 9-13-2010

This document was approved by Pam Sonnen, chief of the Division of Prisons, on 9/13/08 (signature on file).

## BOARD OF CORRECTION IDAPA RULE NUMBER 403

[Inmate Religious Practices](#)

## POLICY STATEMENT NUMBER 403

[Religious Practices](#)

## POLICY DOCUMENT NUMBER 403

[Religious Practices](#)

## DEFINITIONS

[Standardized Definitions List](#)

**Approved Source:** Any manufacturer, publisher, bookstore, retail outlet, or other source approved by the facility head or designee.

**Indirect Supervision:** Staff visual supervision of offenders, volunteers, contractors, etc. by observation through windows, line of sight, or the use of video technology.

**Religious Activities Oversight Coordinator (RAOC):** The person designated by the facility head to be in charge of religious activities at a facility. (The RAOC must be an Idaho Department of Correction (IDOC) staff member, not a contract provider or volunteer.)

**Religious Activity:** An activity conducted or designed specifically for worship, special religious events, religious instruction, spiritual guidance, counseling, services, and activities.

## PURPOSE

The Idaho Department of Correction (IDOC) provides reasonable and equitable opportunities to offenders of all faiths to pursue religious beliefs and activities within budgetary limitations and consistent with the safe and orderly operation of a correctional facility and its custody level.

The purpose of this standard operating procedure (SOP) is to give guidance and direction regarding recognized religious activities and procedures for reviewing offender requests for accommodations of religious activities not covered in this SOP. The IDOC does not interfere with offenders' religious beliefs. However, the IDOC has a compelling government interest to maintain safety and security in the state prison system. Therefore, the IDOC may substantially burden an offender's exercise of religion when the application of the burden is

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based on a compelling IDOC interest and it is the least restrictive means of furthering that interest.

## SCOPE

This SOP applies to all offenders, employees, chaplains, RACs, RAOCs, and religious volunteers who are involved in religious activities.

## RESPONSIBILITY

Facility heads are responsible to do the following:

- Implement this SOP.
- Ensure that staff members adhere to the provisions of this SOP.
- Designate a person to serve as the facility RAOC.

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## GENERAL REQUIREMENTS

### 1. Access to Religious Activities and Scheduling

Facility heads will designate areas for religious activities that fairly and equitably accommodate the needs of all religious groups in the offender population. This would include one (1) outside worship area established and maintained in a suitable, secure, and private location, except in facilities where building design or security considerations prohibit its construction.

Under the supervision of the facility head or designee, a RAOC will schedule and direct facility religious activities. The RAOC will coordinate weekly religious activities within the facility's master schedule. When scheduling religious activities, the RAOC will consider both the availability of staff or volunteer supervision and the need to share the available time and space among the eligible groups. Program schedules should be posted in English and Spanish on bulletin boards clearly visible to the offender population.

On a volunteer basis, offenders in general population can access religious resources, activities, and instruction consistent with custody level of the facility. Offenders in restrictive housing may access religious activities through the use of religious volunteers as coordinated by the RAOC.

The RAOC and assigned deputy warden (or second in command staff member) must approve all religious activities and education.

### 2. Disruption of Scheduled Activities

In an emergency such as fog, institutional lockdown, etc. the facility head or designee can reduce or temporarily suspend religious activities. If the reduction of activities extends beyond one (1) week, the facility head must notify the chief of the Division of Prisons or designee.

### 3. Religious Service Protocol and Supervision

Offenders can recite customary prayers in the language required by their religion or faith. Sermons, teachings, and admonitions must be delivered in English. However, the facility head can approve activities delivered in other languages if it meets the overall needs of the offender population.

### 4. Supervision

The level of supervision of offender religious activities will follow these guidelines:

- The ROAC must approve and post an agenda for meetings/activities.
- Offender-led religious activities (**medium, minimum, and community custody facilities**) require prior authorization and must have direct or indirect staff supervision.
- In **close custody facilities**, religious activities must be supervised by either a volunteer approved by the RAOC, an IDOC chaplain, or an IDOC RAC and must have either constant direct or indirect staff supervision.
- All religious activities led by a volunteer who has restricted status require constant staff supervision.

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- All religious activities led by a volunteer with regular or special status require intermittent visual and audio supervision by staff.
- Special religious activities such as choirs, concerts, and seminars require constant staff supervision.

The facility head must approve any exception. While it is preferable to have regular or special volunteers for every religious group, such volunteers are not always available in the community. If an IDOC staff member or a regular/special religious volunteer cannot directly supervise the activity, the facility head will ensure that security staffing and other activities are sufficient to maintain order and safety.

Minimum and community custody facilities may provide constant supervision and will provide intermittent visual and audio supervision of religious activities.

## 5. Work Assignments Conflicting with Religious Activities or Religious Tenets

If an institutional work assignment interferes with an offender's ability to practice the tenets of the offender's faith, the offender will discuss the job duties with the work supervisor to see if an adjustment in the duties could eliminate the conflict. If the conflict cannot be resolved, then the offender may submit a written request to the RAOC for assistance. However, conflicts with work outside the facility such as a Prison Industries Enhancement (PIE) Certification Program, vocational work project, or private work force job at a Community Work Center (CWC) must be resolved with the employer, not the IDOC.

Maintaining security, safety, and good order in the facility are grounds for denial of such request for a different work assignment.

**Note:** If the work exclusion is in regard to a special event or religious holy day, no job reassignment is necessary and time off should be accommodated if possible. The offender must submit a written request to the supervisor at least 48 hours before the holy day or the event.

## 6. Staff Responsibilities and Religious Activity Development

The RAOC is responsible to develop and manage religious resources, including the recruitment and training of religious volunteers, representative of the offender population. Religious volunteers provide most of the teaching, worship, and pastoral care for the offenders in the facility in which they volunteer.

If a facility has either a RAC or a chaplain that individual will normally be assigned additional roles such as marriage counselor, in accordance with SOP [311.02.01.001](#), *Marriage Procedure for Offenders*, and delivery to offenders notices of family deaths or personal/family crisis. In facilities without a RAC or chaplain, the RAOC may be assigned such duties.

## 7. Religious Activity Annual Review Process

### ***Facility Activities Oversight Committee***

Each facility head will designate a committee to oversee religious activities consisting of at least three (3) individuals in the following positions: RAOC, RAC or chaplain, deputy warden, and security. This committee will oversee religious activities at the facility and will communicate with the Division of Prison's Religious Activity Review Committee.

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### ***Division's Religious Activity Review Committee***

The chief of the Division of Prisons will designate a Religious Activity Review Committee comprised of at least four (4) individuals from the following positions: chief of the Division of Prisons or designee (chairperson), deputy attorney general, program coordinator, and the RAOC.

### ***Process Steps***

<b>Functional Roles and Responsibilities</b>	<b>Step</b>	<b>Tasks</b>
<b>Religious Activity Oversight Coordinator (RAOC)</b>	<b>1</b>	During the third quarter of the calendar year (July – September), convene the facility's Religious Activity Oversight Committee to review religious activities using Appendix 1, <i>Facility Religious Activity Annual Report</i> . (If the Committee does not find any practice that jeopardizes facility safety or security, skip to step 11.)
RAOC	<b>2</b>	If the Committee believes any practice jeopardizes facility safety or security, immediately report the issues to the facility head.
<b>Facility Head or Designee</b>	<b>3</b>	Review the information and either temporarily restrict the practice or allow the practice to continue.
Facility Head or Designee	<b>4</b>	If the practice is restricted, report the restriction by completing an Incident Report Form in accordance with SOP <a href="#">105.02.01.001</a> , <i>General Reporting and Investigation of Major Incidents</i> .
<b>Chairperson (or Designee) of the Division's Religious Activity Review Committee</b>	<b>5</b>	Convene the Division's Religious Activity Oversight Review Committee within 10 working days.
<b>Division's Religious Activity Review Committee</b>	<b>6</b>	Review the restriction and investigate the issue.
Division's Religious Activity Review Committee	<b>7</b>	Within 10 working days, complete a written recommendation and submit it to the chief of the Division of Prisons.
<b>Chief of the Division of Prisons</b>	<b>8</b>	Review the facility's Religious Activity Oversight Review Committee's report and make a decision.
Chief of the Division of Prisons	<b>9</b>	Inform the facility head of the decision.
<b>Facility Head</b>	<b>10</b>	Implement the decision.
Facility Head	<b>11</b>	On the first working day of October, forward Appendix 1, <i>Facility Religious Activity Annual Report</i> , to the chairperson of the Division's Religious Activity Review Committee.
<b>Chairperson of the Division's Religious Activity Review Committee</b>	<b>12</b>	During the month of October, convene the Division's Religious Activity Review Committee.

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<b>Functional Roles and Responsibilities</b>	<b>Step</b>	<b>Tasks</b>
<b>Division's Religious Activity Review Committee</b>	<b>13</b>	Review the facility reports for the following: <ul style="list-style-type: none"> <li>• Consistency between facilities.</li> <li>• Consistency with this SOP.</li> <li>• Restrictions on the exercise of religious activities that are not a compelling government interest or that are not the least restrictive.</li> </ul>
<b>Chairperson (or Designee) of the Division's Religious Activity Review Committee</b>	<b>14</b>	Complete a report before November 1st.
Chairperson (or Designee) of the Division Religious Activity Review Committee	<b>15</b>	Forward the Division's Religious Activity Review Committee's report to the chief of the Division of Prisons.
<b>Chief of the Division of Prisons</b>	<b>16</b>	Review the report and notify the chairperson (or designee) of the Division's Religious Activity Review Committee of any concerns or decisions.
<b>Chairperson (or Designee) of the Division's Religious Activity Review Committee</b>	<b>17</b>	Notify the facility heads of any concerns or decisions.
<b>Facility Heads</b>	<b>18</b>	Implement the chief of the Division of Prison's decisions.

## 8. Religious Use of Wine and Other Sacraments

Sacraments, elements and ceremonial items that are not available through an approved source can only be used under the supervision of a staff member, or regular/special religious volunteer.

Sacraments, elements, and ceremonial items not listed in SOP [320.02.01.001](#), *Property: State-issued and Offender Personal Property*, must be:

- Approved by the facility head.

And either:

- Stored in the religious use area when not in use; or
- Removed by a volunteer from the facility after each use.

**Note: *Wine Used as a Sacrament.*** When wine is used as a sacrament the Minister/Father may consume not more than three (3) ounces of wine. Offenders cannot consume any wine.

## 9. Introduction of New or Unfamiliar Religious Activity

SOP [320.02.01.001](#), *Property: State-issued and Offender Personal Property*, ceremonial items that will accommodate most religions or faiths. However, if an offender's religion or faith requires a component that is not approved, the offender may request approval for the

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component. The RAOC may ask the offender to provide additional information for consideration during the decision making process. When an offender requests new or unfamiliar religious components, the following process steps will be followed:

**Process Steps**

<b>Functional Roles and Responsibilities</b>	<b>Step</b>	<b>Tasks</b>
<b>Offender</b>	<b>1</b>	Submit a request to the religious activity oversight coordinator (RAOC) for a new or unfamiliar religious component or practice.
<b>RAOC</b>	<b>2</b>	Review the request.
RAOC	<b>3</b>	If necessary, request more information from the offender.
<b>Offender</b>	<b>4</b>	Seek advice from a recognized clergy/spiritual advisor of the faith group then submit the information received to the RAOC.
<b>RAOC</b>	<b>5</b>	Convene the facility's Religious Activities Oversight Committee, normally on or before the fifth (5 <sup>th</sup> ) working day of the month.
<b>Facility's Religious Activities Oversight Committee</b>	<b>6</b>	Review the request, and consider any risk the component or activity could cause to the safety, security, and good order of the facility.
<b>RAOC</b>	<b>7</b>	Complete Appendix 2, <i>Request for New or Unfamiliar Religious Component</i> , and forward it to the chairperson of the Division's Religious Activity Review Committee.
<b>Chairperson of the Division's Religious Activity Review Committee</b>	<b>8</b>	Convene the Division's Religious Activity Review Committee, normally during the third (3 <sup>rd</sup> ) week of the month.
<b>Division's Religious Activity Review Committee</b>	<b>9</b>	Review the request.
Division's Religious Activity Review Committee	<b>10</b>	If necessary, request additional information from the submitting facility or other sources.
Division's Religious Activity Review Committee	<b>11</b>	Make a finding and forward Appendix 2, <i>Request for New or Unfamiliar Religious Component</i> , to the chief of the Division of Prisons.
<b>Chief of the Division of Prisons</b>	<b>12</b>	Review the reports and make a decision.
Chief of the Division of Prisons	<b>13</b>	Notify the facility head of the decision.
<b>Facility Head or Designee</b>	<b>14</b>	Implement the decision and inform the offender and the facility's Religious Activities Oversight Committee.
Facility Head or Designee	<b>15</b>	In those cases involving an individual offender, <b>document the decision as a "special concern" C-note type in CIS.</b>

**For further assistance with CIS, see your designated CIS super user.**

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## 10. Religious Diets

Offenders will choose from the IDOC diet options to meet the needs of their religion's dietary requirements.

## 11. Beard Exception for Religion

Offenders may grow their beards up to one (1) inch in length for religious purposes if Appendix 3, *Religious Beard-length Exception Declaration*, has been submitted to the RAOC or designee. Identification of any practiced religion shall not be a basis for denial of the offender's religious exception request. The facility head or designee can deny an offender the opportunity to grow a beard, including a religious exception if the offender has violated prohibited acts such as using the beard to conceal contraband or displaying Security Threat Group (STG) symbols as described in SOP [306.02.01.001](#), *Hygiene of Offenders, Offender Barbers, and Facility Housekeeping*.

If an offender grows his beard longer than the ½ inch limit and does not have Appendix 3 on file with the ROAC or designee, the offender may be ordered to trim his beard to the proper length and may receive a report of violation in accordance with SOP [318.02.01.001](#), *Disciplinary Procedures*.

To file a *Religious Beard-length Exception Declaration*, offenders must do the following:

### Process Steps

Functional Roles and Responsibilities	Step	Tasks CIS steps are in bold
Offender	1	Complete Appendix 3, <i>Religious Beard-length Exception Declaration</i> .
Offender	2	Forward the completed declaration to the facility's religious activities oversight coordinator (RAOC) or designee.
ROAC or Designee	3	File Appendix 3 in a file containing all Religious Beard-length Exception Declarations.
ROAC or Designee	4	<b>Document that the offender has filed a Religious Beard-length Exception Declaration as a "special concern" C-note type in CIS.</b>

For further assistance with CIS, see your designated CIS super user.

## 12. Personal Ceremonial Property

Religious books, magazines, or periodicals must comply with SOPs [320.02.01.001](#), *Property: State-issued and Offender Personal Property*, and [402.02.01.001](#), *Mail Handling in Correctional Facilities*.

Personal ceremonial items are **not** purchased with state funds. All personal ceremonial property must be purchased through an approved source. Personal ceremonial property includes such items as rosaries, prayer beads, oils (non-flammable), prayer rugs, phylacteries, medicine pouches, and religious medallions that have been verified as having religious significance to the offender's religious preference. Such items, which become part of an inmate's personal property, are subject to normal considerations of safety and security. (See SOP [320.02.01.001](#), *Property: State-issued and Offender Personal Property*.)

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Faith groups may provide free publications to offenders attending activities or make donations of published materials to the facility. However, the RAOC must approve all donated religious literature before distribution to offenders.

Offenders can wear or use approved ceremonial items during religious activities, ceremonies, meetings in the chapel (or designated area), and when in use in their cells, but when not actively used, may not openly display such items in their cells, and will not display them at anytime in the general population, to include going to and from a religious service of event.

### 13. Religious Volunteers and Advisors

The RAOC should recruit representatives, both clergy and spiritual advisors, of faith groups in the community to provide specific religious activities.

The Division of Prisons uses the following religious volunteer classifications:

- **Restricted:** Issued a visitor's pass and require escort and constant supervision.
- **Regular:** Issued a photo identification (ID) and do not require escort and constant supervision and are allowed access to areas of the facility directly related to the service provided.
- **Special:** Issued a photo ID, has a minimum of 100 hours experience at the facility, has had specific training in the area of service, and is appointed by the RAOC with approval of the head of security. (May be allowed to escort offenders to outside activities if the offenders are housed at a CWC and meet the furlough criteria as in SOP [605.02.01.001](#), *Furlough Program*.)

In addition, religious volunteers from the community can provide guidance regarding the tenets of the religion and help in making decisions regarding allowed components and activities.

The RAOC will require adequate documentation of a recognized religious and ministerial position in the faith community.

Religious volunteers should not communicate with offenders on a personal basis. Offenders are not allowed to contact religious volunteers or contractors using the offender telephone system. In addition, religious volunteers cannot be on a visiting list for any offender housed in an IDOC facility.

### 14. Restrictive Housing and Hospital Access to Religious Activities

Offenders in restrictive housing can submit a written request to the RAOC requesting access to a religious advisor. The RAOC will contact a volunteer or approved representative of the faith group and arrange a visit consistent with the security and orderly running of the facility. Volunteers and faith group representatives will always be escorted or under staff observation when visiting offenders in restrictive housing.

Offenders in a hospital unit can also request access to representatives of their faith group. Usually this does not include hospitals that are outside the secure confines of the facility. The facility head must approve any visit between a religious representative and an offender housed in a town hospital.

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## REFERENCES

**Note:** Unless attached to this SOP, appendixes will be maintained and provided by the Division of Prisons. Please contact the Division for any appendix listed below that is not attached to this SOP.

Appendix 1, *Facility Religious Activity Annual Report*

Appendix 2, *Request for New or Unfamiliar Religious Component*

Appendix 3, *Religious Beard-length Exception Declaration*

Department Policy [403](#), *Religious Practices*

Department Policy [606](#), *Volunteer Service Programs and Volunteers*

Idaho Code, sections 73-401 thru 404, *Free Exercise of Religion Protected*

[IDAPA 06.01.01](#), *Rules of the Board of Correction*, section 403, *Inmate Religious Practices*

United States Code, 42USC2000cc-1, *Protection of Religious Exercise of Institutionalized Persons*

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**IDAHO DEPARTMENT OF CORRECTION**  
**Religious Beard-length Exception Declaration**

Date: \_\_\_\_\_ Facility: \_\_\_\_\_

Offender's Name: \_\_\_\_\_ IDOC Number: \_\_\_\_\_

Religious Preference: \_\_\_\_\_

I hereby declare that for purposes of practicing my religious preference I am requesting an exception to the ½ inch beard length limit. With this exception I will not grow my beard longer than one (1) inch in length.

\_\_\_\_\_  
Offender's signature Date

\_\_\_\_\_

**Staff Use Only**

Date: \_\_\_\_\_

ROAC or designee's name: \_\_\_\_\_ Facility: \_\_\_\_\_

Information entered in to CIS C-notes on this date: \_\_\_\_\_

Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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