
 <p style="text-align: center;">STATE OF NEW YORK DEPARTMENT OF CORRECTIONAL SERVICES</p> <p style="text-align: center;"><b>DIRECTIVE</b></p>	TITLE		NO. 4202
	<b>Religious Programs and Practices</b>		DATE 01/18/2008
SUPERSEDES DIR# 4202 Dtd. 05/12/04	DISTRIBUTION A B	PAGES PAGE 1 OF 12	DATE LAST REVISED
REFERENCES (Include but are not limited to)	APPROVING AUTHORITY 		

- A. **SCOPE.** This directive concerns religious programs and practices within facilities of the New York State Department of Correctional Services and covers the religious rights and obligations of inmates and chaplains within these facilities.
- B. **BACKGROUND.** The Division of Ministerial and Family Services, which falls under the jurisdiction of the Deputy Commissioner for Program Services, is responsible for ensuring that all religious programs and practices are carried out in accordance with the established tenets and practices of the faiths as well as the policies and procedures of the Department. For religions not represented by certified Chaplains, the Department will seek advice on matters of religious doctrine, practice and tradition from recognized religious authorities in the outside community.

The Director of the Division reports to the Deputy Commissioner and is responsible for its day-to-day activities and the involvement of facility chaplains and their approved programs. Facility chaplains are responsible for carrying out all aspects of the religious programs of their respective faiths, including supervision of religious volunteers. Directive #4200, "Functions of the Division of Ministerial and Family Services," sets forth the mission and internal organization of the Division.

- C. **POLICY.** In recognition of the First Amendment right of "religious liberty" and in pursuit of the objective of assisting inmates to live as law abiding citizens, it is the intent of the Department to extend to inmates as much spiritual assistance as possible as well as to provide as many opportunities as feasible for the practice of their chosen faiths consistent with the safe and secure operations of the Department's correctional facilities. This includes provisions for religious volunteers who must be fully registered (see Directive #4750, "Volunteer Services Program") to participate in authorized facility religious programs.

In situations where an inmate's faith may not be represented by a chaplain at his or her resident facility, the inmate may encourage an outside clergyperson to contact the coordinating chaplain and apply to become a registered religious volunteer. If a chaplain or an outside religious volunteer is not available to serve the spiritual needs of a group of inmates of a known religious faith, the facility Superintendent, in consultation with the Director of Ministerial and Family Services, may authorize the inmates to participate in a religious education class, study group or congregate worship service up to once per week with an approved inmate acting as facilitator and with security staff present. See Attachment B for the protocol regarding inmate facilitators.

It should be clearly understood that the Department takes no position "acknowledging" any particular religion within its inmate population. The Department merely attempts to identify particular faiths within the inmate population in an effort to accommodate the legitimate spiritual needs of its inmates as reasonably as possible in a manner which is commensurate with its legitimate correctional interests and the safety and security of its respective facilities.

Department employees, including chaplains, volunteer chaplains and inmate facilitators shall refrain from disparaging in any manner whatsoever either the doctrines, beliefs, practices or teachings of any other religious faith or any inmate or group of inmates who are adherents of any other religious faith or sect.

Under no circumstances will proselytizing be permitted on the part of staff, volunteers or inmates. Ministerial Program Coordinators (MPC's) and facility chaplains should be consulted with regard to the tenets, practices, holy day observances, etc. of their respective faiths. The facility Coordinating Chaplain, in consultation with the Department's Director of Ministerial and Family Services or designee, will obtain all necessary information where a particular faith is not represented by an employee chaplain.

D. **RESPONSIBILITIES OF MINISTERIAL PROGRAM COORDINATORS (MPC's).** Ministerial Program Coordinators report to the Director of Ministerial and Family Services and have two liaison responsibilities:

1. MPC's are the liaisons between Central Office and the chaplains and other staff who serve the inmate population.
2. Each MPC serves as a liaison from Central Office to a particular faith group on a statewide basis. The MPC must be a member of that faith.

E. **RESPONSIBILITIES OF THE FACILITY COORDINATING CHAPLAIN.** Each facility Coordinating Chaplain will serve as the principal adviser to the Superintendent on religious programs and practices and is responsible for planning the overall religious program, in collaboration with all other chaplains assigned to the facility, which satisfies the intent of this Directive.

For those facilities which do not have a Coordinating Chaplain, these responsibilities rest with the facility chaplains, the MPC of the faith group and the Deputy Superintendent for Programs.

F. **RELIGIOUS WORSHIP SERVICES AND PROGRAMS.**

1. Chaplain's leadership role. Each facility chaplain is responsible to personally lead the primary congregational worship and prayer services of his/her particular faith on a regular basis at his or her assigned facility. In addition, each chaplain shall share responsibility for assisting faith groups not represented by a facility chaplain in the exercise of their faith's practices. The chaplains shall not defer their leadership role to any person from outside the facility except on rare or special occasions, and only with the expressed consent of the facility Superintendent. Except as may be authorized under subsection 2-a-(3) below, inmates shall not provide any leadership role for the worshipping inmate community since this is properly the function of the facility chaplains. Inmates who are themselves legitimately ordained clergy are not permitted to practice their profession while incarcerated.

2. Attendance.

- a. To the extent possible and consistent with the safety and security of the facility, authorized inmates shall be permitted
  - (1) to observe their congregational worship services when led by employee chaplains or outside religious volunteers, and
  - (2) to attend religious study, meetings, classes, study groups, or congregational worship of their respective religious faiths as authorized by the Superintendent and
  - (3) with specific authorization of the facility Superintendent, to meet for religious education, congregational worship with an approved inmate acting as facilitator.
    - (a) Requests will only be considered under the following conditions:
      - (i) there must be a need among the inmate population for congregate worship or religious education classes;
      - (ii) the religious faith must have tenets that can be expressed, taught or practiced in a group setting by a facilitator;
      - (iii) no employee chaplain or outside religious volunteer of this particular faith is available to serve in a leadership capacity; and

- (iv) the inmate acting as facilitator must be specifically approved by the Superintendent after consultation with the coordinating chaplain and the Director of Ministerial and Family Services.
  - (b) Inmate facilitated meetings or congregate worship may not be held more than once per week without the approval of the Superintendent after consultation with the Director of Ministerial and Family Services. Content must be pre-approved by appropriate staff.
  - (c) The Superintendent shall make a determination on each request for an additional weekly meeting within 14 days of receipt.
  - (d) The Superintendent may limit the number of inmates permitted to attend religious education meetings or congregate worship based upon space limitations and security concerns.
  - (e) Inmate facilitated meetings and congregate worship will be conducted only with appropriate oversight by security staff. This may include electronic recording (audio or videotaping) of the meeting or congregate worship for review by the coordinating chaplain or other person designated by the Superintendent.
- b. Ordinarily an inmate may attend only the religious programs of his or her designated religion as noted in facility records. However, an inmate who desires to learn more about the religious practices of another faith may request permission to attend up to three services or study sessions per year from the chaplain or spiritual advisor of that faith group. If attendance can be accommodated, the chaplain or spiritual advisor will advise the Deputy Superintendent for Programs that the inmate will be placed on a call-out.
  - c. Participation by an inmate in any religious celebration, service, meeting, or study group is voluntary.
  - d. The Superintendent, in consultation with the facility chaplain of the affected faith group and the Ministerial Program Coordinator for the faith group, shall resolve any conflicts pertaining to the scheduling and conduct of worship services.

G. **RELIGIOUS CELEBRATIONS OR OBSERVANCES OF RELIGIOUS HOLY DAYS.** The Division of Ministerial and Family Services will notify the Superintendent and the Coordinating Chaplain of the dates observed by the various religious faiths as religious celebrations or days of observances. The Division will provide guidance to the facilities regarding the sacramental or ritual needs of individual religions including a brief description of the religious significance of each holy day, special preparations necessary, food, times of day, any restrictions on work, program assignments or other considerations.

1. Calendar. Prior to the end of October of each year, the Deputy Commissioner for Program Services or designee will issue a religious holy day calendar for the new year. This calendar will list by faith group all of the known holy days or days of observance. These may involve work prohibition or restrictions, special ceremonies, and additional chapel time, etc. In addition to the yearly calendar of religious days of observance, specific faith group instructions will be issued preceding each holy day or day of observance when needed.

Note: The religious ceremonies of the Native American religion are not celebrated on specific liturgical dates but instead are celebrated as the cycle of nature dictates. The actual date for each ceremony shall be selected after consultation with the Native American group at the facility and appropriate facility staff.

2. Schedules and arrangements. It is the responsibility of the chaplain of the faith in question to schedule the above activities and to document requests for attendance. Where a particular faith is not represented by a facility chaplain, these responsibilities rest with the Coordinating Chaplain or assigned chaplain.

3. Time off. Permission will be given for all observant inmates to take sufficient time off from program assignments to attend their particular religious faith's scheduled holy day observances and services. (See Annual Religious Calendar for specifics.)

H. **CHANGE OF RELIGIOUS DESIGNATION.** After reception/classification, an inmate may request an initial change of his or her religious affiliation, as recorded in Departmental records, by completing a "Change of Religious Designation Form" (Attachment C) and presenting it to the facility Coordinating Chaplain. The Coordinating Chaplain will maintain a log of such requests and will ensure that the affected chaplains are made aware of the change. The facility chaplain of the inmate's former religion, if any, and the facility chaplain of the inmate's newly designated religion, if any, shall both sign the "Change of Religious Designation Form." The Coordinating Chaplain will forward the original of the completed form to the facility Inmate Records Coordinator (IRC) for entry into the Department's central computer system, and distribute copies to the inmate's counselor for placement in the guidance file and to the inmate. It is expected that a change will be accomplished within 30 days. Subsequent changes of religion will be permitted only at twelve-month intervals. Changes of religious designation shall not be permitted while a Superintendent's proceeding is pending and for the duration of an inmate's confinement to a cell, room or Special Housing Unit, but not to exceed twelve months from the commencement of such confinement. Change of religion forms are not to be handed out at religious services or classes.

In the event a particular religious faith does not recognize the validity of a change of religious designation, then any controversy regarding the status of the inmate's religious affiliation shall be between the inmate and the outside authorities of that particular religious faith.

I. **AREAS DESIGNATED FOR WORSHIP AND RELIGIOUS PROGRAMS.**

1. The Superintendent after consultation with the Facility Chaplains or Coordinating Chaplain shall provide suitable areas for scheduled worship services and scheduled religious programs by the approved religious groups. Adequate time shall be allowed. All spaces in facilities that are designated as places for religious worship (chapel, mosque, temple) are to be reserved for religious uses only. Under some very extraordinary circumstances, the occasional use of such spaces for non-religious purposes may be permitted but only after consultation with the Coordinating Chaplain. Always, the spaces designated for religious purposes are to be dealt with in a respectful manner.
2. In some facilities, because of space limitations, religious activities are now scheduled to be held at specific times in multipurpose or all-purpose spaces such as classrooms, gymnasiums, or meeting halls. Where this practice is required, respect should always be given to the sometime sacred and religious use of the space. The area should be large enough to accommodate the group and should be provided with the necessary furnishings such as chairs, tables, lecterns, cushions, altars, and rugs.
3. Shared areas for worship and programs should not include fixed visible symbols, posters, wall hangings, mirrors, etc.
4. If a serious question arises regarding the appropriateness of a given activity for a religious space, the matter should be presented to the Division of Ministerial and Family Services for a resolution.

J. **ATTENDANCE AT CONGREGATE RELIGIOUS SERVICES BY KEEPLOCKED INMATES.**

1. An inmate in keeplock status or confined to his or her cell or room shall be notified in writing in both English and Spanish, upon commencement of such keeplock or confinement, that he or she may request permission to attend regularly scheduled congregate religious services.
2. Such requests shall be made in writing to the Deputy Superintendent for Security or his or her designee using Form #2175 (see Attachment "A"). A request must be submitted 48 hours before the time of the scheduled service unless the inmate has been placed in keeplock or confinement less than 48 hours before the service. In such a case, the request must be submitted within 24 hours after the inmate has been placed in keeplock or confined. A separate request must be submitted for each religious service that an inmate desires to attend. The final decision to permit attendance rests with the Deputy Superintendent for Security.

**K. PRAYER OR DEVOTIONS.**

1. Individual demonstrative prayer by inmates will only be allowed in the privacy of their own living quarters and in designated religious areas whenever feasible, as determined by the Superintendent.
2. Congregate or group prayer may only occur in a designated religious area during a religious service or at other times authorized by the Superintendent.

**L. RELIGIOUS MATERIALS.**

1. During the conduct of religious services, chaplains and outside clergy may wear their religious vestments and/or insignia. Ceremonial candles should be affixed to candelabras that are securely fastened to prevent overturning. Hand-held candles should be used only in the rarest of circumstances and may not be passed from one person to another while lighted. Incense should only be used during religious worship when the ceremony calls for it.
2. Inmates will be permitted to possess one prayer rug for use in their quarters and during scheduled services. The size of the prayer rug shall measure no more than 3 feet x 5 feet and it may be multi-colored (no color restriction) or it may be solid colored. However, no solid blue, black, gray, or orange will be permitted.
3. Jewish male inmates may have a set of Tefillin (Phylacteries), a Talit (Prayer Shawl) for use in prayer, and a Talit Katan (fringed undergarment) to be worn throughout the day. The size of the prayer shawl shall measure no more than 66" x 66".
4. Male members of the Islamic Religious Community will be allowed to have a Prayer Robe to be worn in the Masjid (Mosque), or cell and a Guthra (prayer shawl).
5. A Native American inmate may be permitted the following items subject to the specifications set forth in Section N-1:
  - a. Medicine bag - an unsealed medicine bag, no greater than 2" x 3", with drawstring or leather cord closure. The bag must be worn under the clothing and be completely concealed. The bag may contain natural objects such as pebbles, small animal bones and sacred herbs consisting of sweet grass, sage, cedar, sacred tobacco, calamus root and kinnick-kinnick. In order to permit visual inspection of all contents of the bag, only small quantities of such objects may be included.
  - b. Sacred herbs for religious practices - sacred herbs, consisting of sweet grass, sage, cedar, sacred tobacco, calamus root and kinnick-kinnick may be possessed by Native American inmates on their persons or in their housing locations in such limited quantities as are necessary to accommodate religious practices as determined by the facility chaplain. These herbs will be considered contraband if found in the possession of non-Native American inmates. These herbs may only be ordered, received, stored and dispensed by the Native American chaplain or the facility chaplain at the request of the Native American group or individual and at the expense of such group or individual. Kinnick-kinnick may only be obtained by the chaplain from an approved commercial vendor.
  - c. Personal smoking pipe - a personal smoking pipe, not to exceed six inches in length.
  - d. Smudging ashtray - a small ashtray or shell for smudging, less than three (3) inches in diameter, may be possessed in living quarters only, to be used for ritualistic burning of a small amount of herbs to create smoke for ceremonial cleansing ("Smudging").
  - e. Artifacts and symbols - other religious artifacts or symbols such as clan or nature symbols or representations, or additional items needed for ceremonies, including items of ceremonial dress, as approved by the Native American or facility chaplain.
6. Native American inmates may practice smudging and smoking (non-tobacco) subject to the following:

- a. Except in the case of designated religious study group meetings or ceremonial festivals, individual Native Americans may only smudge and smoke non-tobacco products within areas approved by each facility. Approved areas may include the inmate's living quarters, the inmate's cube (in dormitory housing units), or other locations designated by the Superintendent or Deputy Superintendent for Security.
  - b. Smudging will be permitted two times per day for fifteen minutes each time. Smudging and smoking (non-tobacco) will be permitted two times per day for 15 minutes each time. One 15 minute period will occur before the morning meal and the second 15 minute period will occur in the evening, the exact times to be determined by the superintendent of the facility. In keeping with the Department's non-smoking policy, only non-tobacco substances consisting of sweet grass, sage, cedar, kinnick-kinnick (obtained from an approved commercial vendor) or calamus root may be used for smudging.
  - c. When smudging, an inmate in general population is allowed to smudge a sweet grass braid of up to 22" and burn one tablespoon of non-tobacco herbs in his or her shell or ashtray. An inmate in SHU/disciplinary housing/administrative segregation may only smudge a sweetgrass braid of 1" and burn one tablespoon of smudging herbs.
  - d. In keeping with the Department's non-smoking policy, only non-tobacco substances consisting of sweetgrass or kinnick-kinnick (obtained from an approved commercial vendor) may be used for smoking.
7. A Native American participating in a scheduled approved Native American ceremony or weekly group meeting may wear long hair without it being tied back in a ponytail or fastened, dance bells, a feather fan, an approved blanket of multi-color design and ribbon shirts (so long as significant portions of these items are not of an unauthorized solid color), other religious artifacts or symbols such as clan or nature symbols or representations, additional items needed for the ceremony including items of ceremonial dress, and other items approved by the Native American or facility chaplain. If a second group meeting is approved during a week, access to these items will be permitted unless the Deputy Superintendent for Security or Deputy Superintendent for Programs determines that access to one or more of these items may be disruptive or pose a threat to the safety and security of the facility.
8. Roman Catholic inmates shall be permitted to possess approved sacramentals in their living area or on their persons in accordance with procedures in this Directive. Such approved sacramentals include, but are not limited to, rosary beads, scapulars, shrines, crucifixes, bibles, palms, and holy pictures, etc.
9. Orthodox Christian inmates shall be permitted to have an approved icon in their living area.

**M. RELIGIOUS HEADCOVERINGS.**

1. Inmates are permitted to wear religious headcoverings in accordance with their religious beliefs and as permissible in a correctional setting. Some examples of approved religious headcoverings are:
  - a. Kufi - a hemispheric head cap that can be made of cloth, knitted or crocheted, multicolored or single colored. There are no color prohibitions. The kufi may have a peak on top. It must fit close to the head (hair). A kufi has no protrusions (visor, tassels, etc.).
  - b. Yarmulke - a close-fitting skull cap that can be made of cloth, knitted or crocheted, multicolored or single colored. There are no color prohibitions.
  - c. Tsalot-Kob - is approved religious headwear for members of the Rastafarian religious faith. A Tsalot-Kob is a hemispheric head cap that can be made of cloth, knitted or crocheted, and may be multicolored or single colored. Only the smallest size is permitted. It measures approximately 12" long at its longest point in order to cover all locks.

It must fit as close to the head as the locks permit. Note: This religious headwear is only authorized for members of the Rastafarian faith.

- d. Fez - a brimless, cone-shaped, flat-crowned hat that usually has a tassel and usually is made of red felt.
  - e. Khimar - an approved cloth headcovering (not to cover the face) for female members of the Islamic faith measuring no more than 4 feet by 4 feet. It may be multicolored or single colored however no solid black, blue, gray, or orange will be permitted.
2. A facility Chaplain is to determine whether the inmate's practice and the headcovering itself are legitimate. If a Chaplain of the inmate's faith belief is unavailable, the Ministerial Program Coordinator responsible for the particular faith group is to make the determination. If needed, outside religious authorities will be consulted.
  3. If there is reason to believe that an inmate is wearing a religious headcovering inappropriately, a facility Chaplain shall be asked to further investigate. The inmate shall be permitted to wear the head covering until the investigation is completed.

**N. RELIGIOUS PENDANTS, BEADS AND SHRINES.**

1. The items authorized below may be received through the package room subject to the provisions of Directive #4911, "Packages and Articles Sent or Brought into Institutions." An item may not exceed \$50 in value, and shall not be of such size or design that it can be used as a weapon, used to conceal contraband, or otherwise constitute any threat to the safety and security of the facility. A special permit issued to an inmate for any item specifically listed below will remain in effect upon transfer from one facility to another. A permit may only be invalidated by the Deputy Superintendent for Security for overriding safety and security concerns and after consultation with the Director of Ministerial and Family Services. The inmate shall be informed in writing of the reason for a decision to invalidate a permit. If the inmate files a grievance within 14 days of receipt of such written notification, the item shall remain secured by the Deputy Superintendent for Security pending final resolution of the grievance.
2. An inmate's use of or request for any particular religious article shall be consistent with his or her documented religion. Disputes regarding authenticity are to be referred to the Director of Ministerial and Family Services.
  - a. Religious Pendants.
    - (1) Inmates may possess religious pendants. Examples of religious pendants include religious medals, crucifixes, crosses, pentacles, Thor's hammers, Stars of David, chais, Native American rosettes and crescents with stars and/or moons. Documented Roman Catholic inmates may also possess scapulars upon approval by a Catholic Chaplain.
    - (2) An inmate may only wear or carry one religious pendant at a time.
      - (a) When worn, a pendant must hang underneath clothing so it is not visible.
      - (b) When worn, a pendant shall be affixed to a metal chain, except for the Native American Rosette which shall be affixed to a fabric or leather cord.
      - (c) When carried, a pendant must be kept in a pocket with chain or cord attached.
      - (d) When worn, a Roman Catholic scapular must be underneath clothing.
  - b. Rosary or Dhikr Beads. Rosary or Dhikr beads may be possessed in one's hands but not worn or displayed; Rosary beads for the purpose of prayer or Dhikr beads for the purpose of dhikring (remembering Allah's attributes). Only the color black will be allowed into the facility.

c. Other beads.

- (1) An inmate may request a permit to possess and wear, but not display, religious beads, excluding Rosary and Dhikr beads, which can be documented and supported on a theological basis for use in the practice of an inmate's documented religion. Only those colors documented and supported on a theological basis in the practice of an inmate's documented religion will be approved. The request should be in writing to the facility Coordinating Chaplain. Within 14 days of receipt, (1) the Coordinating Chaplain will determine the validity of the request based upon the inmate's documented religion and theological rationale and (2) the Deputy Superintendent for Security will determine if the requested beads are of such size or design that they can be used as a weapon, used to conceal contraband, or otherwise constitute any threat to the safety and security of the facility. If the request is approved, the facility will issue a special permit to the inmate and notify the Deputy Commissioner for Facility Operations. If the facility denies the request, the inmate may appeal to Central Office by writing to the Director of Ministerial and Family Services, who will consult with the Deputy Commissioner for Correctional Facilities and issue a decision within 7 days of receipt. If approved by Central Office, the beads will be registered at the facility and a special permit issued to the inmate which will be transferable system wide.
- (2) Beads for which a special permit has been granted may be worn only underneath clothing so they are not visible.

d. Shrines.

- (1) An inmate may request a permit to possess a shrine which can be documented and supported on a theological basis for use in the practice of an inmate's documented religion. The shrine is to be used in his or her living quarters, and shall not exceed 1' x 1' and 1' in height. The request shall be made by writing the facility Coordinating Chaplain, and the approval, permit, and appeal processes shall be the same as those specified above for "other" beads.
- (2) The materials from which the shrine is constructed may consist of normally allowable items or materials, and shall not include any item which is contraband or which can be used as a weapon, used to conceal contraband or otherwise constitutes a threat to the safety and security of the facility, or any food which is subject to spoilage. The shrine may be openly displayed but shall not include any visible beads, and shall not be utilized in any manner which would constitute a threat to the good order, security or environmental health of the facility. Shrines may not be placed on top of cell furnishings where current local facility rules prohibit placing items on top of cell furnishings. The shrine shall be located in a non-transitory area, so that it does not interfere with entrance and exit to the cell or housing area.

- O. **RELIGIOUS PUBLICATIONS AND TEXTS.** Inmates may subscribe to and possess any religious publication approved through the Media Review process. All books or publications are subject to Directive #4572, "Media Review." Texts such as the Holy Bible, the Torah, Talmud, Midrash, and the Holy Koran as well as the Books of Traditions are permitted. The quantity of literature inmates may possess in their quarters is subject to Directive #4913, "Inmate Personal Property Limits."
- P. **DIETARY CONSIDERATIONS.** Inmates may refrain from eating those food items served to the general population which are contrary to their religious beliefs. A nutritionally adequate alternate diet shall be provided after validation and verification of the religious need for the alternate diet by the Ministerial Program Coordinator of the faith group or the Director of Ministerial and Family Services and the Assistant Commissioner for Health Services.

FORM 2175 (REV. 10/89)

STATE OF NEW YORK - DEPARTMENT OF CORRECTIONAL SERVICES			
REQUEST TO ATTEND SCHEDULED RELIGIOUS SERVICE BY KEYPLOCKED INMATE			
To: Deputy Superintendent, Security			Date:
From:	Print Name	Signature	DIN:
			Cell Location:
I request permission to attend the following scheduled Religious Service:			
Service:			
Date:		Time:	
DECISION: Permission to Attend: Granted <input type="checkbox"/> Denied <input type="checkbox"/>			
<p>If denied, explain why the inmate's presence would present a threat to the operation of the facility. This decision should take into consideration the following factors as well as any other pertinent reasons.</p> <ol style="list-style-type: none"> <li>Current infraction,</li> <li>Adjustment during current period at keeplock, and</li> <li>Disciplinary record during the six months prior to keeplock.</li> </ol>			
REVIEWED BY:	TITLE	DATE:	
SIGNATURE			

Attachment B

PROTOCOL  
INMATE FACILITATORS

PREAMBLE

Directive 4202 allows for the assignment of an Inmate Facilitator for a scheduled activity in those situations when neither a Department Chaplain, nor a religious volunteer is available to provide the service. (NYSDOCS Directive 4202, section C)

The rationale for this policy is based in the fact that it is fiscally impossible for the Department to provide an employee Chaplain for the numerous religious groups claimed by inmates.

While recognizing the constitutional rights of all claims for religious practice, the Department's policy has consistently been to maintain the integrity of religion by insisting that religious practices conform to the standards as established and practiced by religious denominations in the outside community. Thus, an inmate, should be well positioned to assimilate back into his or her faith community upon return to society.

In light of the above, selection of an inmate as a facilitator for religious activities must be approached with serious deliberation in order to preserve the integrity and identity of the religion.

ARTICLE I

The selection and assignment of an inmate facilitator must adhere strictly to the provisions detailed in Directive 4202, section F, 2, (3). Approval for the assignment of an inmate as a facilitator must be finalized by the Superintendent, in consultation with the Director of Ministerial Services.

ARTICLE II

Inmate facilitators shall not be allowed to assume a leadership role in conducting religious activities. This can only be provided for by a duly ordained or appointed clergy person. The assigned inmate's role is to facilitate an activity which is properly organized and set forth by a competent and authorized clergy person.

ARTICLE III

Qualifications for this assignment are:

- acceptable disciplinary record
- suitable programming record
- high school diploma or GED
- ability to interact positively with staff and peers
- knowledge of the religion's tenets and practices
- positive interview with a representative of the religion

#### ARTICLE IV

The performance of the inmate facilitator will be evaluated periodically by the Coordinating or assigned Chaplain. In the case of a facilitator for a religion represented by a Department Area Chaplain or volunteer clergy, this evaluation will be completed by these persons, and the results provided to the Coordinating Chaplain.

If at any time the inmate facilitator is found to be lacking in any of the specifications detailed in this Protocol, the Coordinating Chaplain will consult with the respective Chaplain or volunteer clergy and submit a request for the removal of the facilitator to the Deputy Superintendent for Program Services.

#### ARTICLE V

The inmate facilitator must be trained by bona fide clergy of the religion. Training may be provided by Chaplains, or religious volunteer clergy from recognized religious congregations in the outside community. At no time will an inmate facilitator be allowed to present information or materials which are not approved. In the case of disputed materials the matter will be referred to the Director of Ministerial and Family Services.

These religious study programs must be approved through the usual channels.

Attachment C

REPRODUCE LOCALLY AS NEEDED

## CHANGE OF RELIGIOUS DESIGNATION FORM

\_\_\_\_\_ Correctional Facility

Inmate's Name: \_\_\_\_\_ DIN# \_\_\_\_\_ Location: \_\_\_\_\_

Date of Last Change (Check with IRC or Guidance): \_\_\_\_\_  
Month Day Year

THIS IS TO CERTIFY THAT, after religious counseling, I profess to be of the \_\_\_\_\_  
faith and not of the \_\_\_\_\_ faith as previously listed.

Please ensure that this change is marked in my institutional records.

\_\_\_\_\_  
SIGNATURE OF INMATE                      DATE SIGNED

\_\_\_\_\_  
SIGNATURE, CHAPLAIN OF FORMER RELIGION

APPROVES due to:

- Self-Declared
- or  Documentation of Existing Status by an appropriate religious body
- or  Conversion

\_\_\_\_\_  
SIGNATURE, CHAPLAIN OF NEW RELIGION                      DATE SIGNED

\_\_\_\_\_  
SIGNATURE, COORDINATING CHAPLAIN                      DATE SIGNED

DISTRIBUTION:

- COORDINATING CHAPLAIN (FILE)
- GUIDANCE (INMATE FOLDER)
- INMATE RECORDS COORDINATOR (INMATE FOLDER)
- INMATE