



BULLETIN
Commonwealth of Pennsylvania • Department of Corrections

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| TO: Executive Staff Facility Managers Regional Directors | Policy Subject: <p style="text-align: center;">Religious Activities</p> | |
| | Policy Number: DC-ADM 819-02 | |
| | Policy Issue Date: <p style="text-align: center;">June 10, 2002</p> | |
| Date of Issue: <p style="text-align: center;">July 18, 2005</p> | Authority: <p style="text-align: center;"><i>Jeffrey A. Beard</i></p> <p style="text-align: center;">Jeffrey A. Beard, Ph.D.</p> | Effective Date: <p style="text-align: center;">July 19, 2005</p> |


The purpose of this bulletin is to clarify the use of an inmate for clerical purposes. The following is being added to Department policy **DC-ADM 819, "Religious Activities" Procedures Manual, Section II. A. 6.:**

6. An inmate may not be used for clerical purposes to initiate, disseminate, copy, file or in any way handle paperwork due to the confidentiality of information.¹

¹ 4-4520



BULLETIN
Commonwealth of Pennsylvania • Department of Corrections


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| TO: Executive Staff Superintendents Regional Directors | Policy Subject: Religious Activities | |
| | Policy Number: DC-ADM 819-1 | |
| | Policy Issue Date: June 10, 2002 | |
| Date of Issue: September 17, 2004 | Authority:  Jeffery A. Beard, Ph.D. | Effective Date: October 8, 2004 |

The purpose of this bulletin is to provide guidance for the revocation of a religious accommodation. The following is being added to **Section VI.G.2.h.**:

- h. If an inmate is found not to comply with the accommodation or the reasons for the accommodation, the accommodation may be revoked.
- (1) A revocation will be initiated by the FCPD by sending a written explanation of the reason for the termination to the inmate and allowing the inmate an opportunity to respond within one week of receiving the explanation. The revocation will then be reviewed in the same manner as an accommodation using the **DC-52**.
 - (2) If appropriate, the violation shall be handled in accordance with Department policy, **DC-ADM 801, "Inmate Discipline."**



POLICY STATEMENT
Commonwealth of Pennsylvania • Department of Corrections

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| Policy Subject: Religious Activities | | Policy Number: DC-ADM 819 |
| Date of Issue: June 10, 2002 | Authority:  Jeffrey A. Beard, Ph.D. | Effective Date: July 15, 2002 |

I. Authority

The Authority of the Secretary of Corrections to direct the operation of the Department of Corrections is established by Sections 201, 206, 506, and 901-B of the Administrative Code of 1929, 71 P.S. §§61, 66, 186 and 310-1, Act of April 9, 1929, P.L. 177, No. 175, as amended.

II. Purpose

The purpose of this document is to establish policy and procedure to accommodate inmates' religious beliefs while they are in the custody of the Department of Corrections.

III. Applicability

This policy shall apply to all religious programs involving inmates, staff, contract employees, and volunteers at all facilities under the Department's jurisdiction, with the exception of Community Corrections Centers.

IV. Definitions

A. Administrator of Religion and Volunteer Services

The staff member assigned to the Bureau of Inmate Services responsible for the coordination and monitoring of religious and volunteer services.

B. Chaplain

A contract or facility chaplain.

C. Contract Chaplain

A contracted clergyperson from outside the Department who provides religious services, activities, and/or individual/group counseling of a spiritual nature for the inmate population and who falls under the supervision of the Facility Chaplaincy Program Director (FCPD).

D. Corrections Classification and Program Manager (CCPM)

The Corrections Classification and Program Manager (CCPM) is responsible for planning, organizing, and directing a broad range of inmate programs under the direction of the Deputy Superintendent for Centralized Services.

E. Custody Level 5

A classification level to which inmates are assigned who have demonstrated, through a pattern of escapes or attempted escapes, maladjustive or assaultive behavior, or through a need for protection that they require a high degree of structure.

F. Department

The Pennsylvania Department of Corrections.

G. Facility Chaplain

A Department, full or part-time, employee assigned as clergyperson to a facility to conduct religious services, spiritual counseling, activities, and programs and who falls under the supervision of the Facility Chaplaincy Program Director (FCPD).

H. Facility Chaplaincy Program Director (FCPD)

The Facility Chaplaincy Program Director (FCPD) is responsible for supervising all religious department staff, whether employed, contracted, or volunteers, and for monitoring, scheduling, and coordinating all permitted religious services, activities and programs within the facility.¹ The FCPD is under the direct supervision of the Corrections Classification Program Manager (CCPM).

I. Faith Group Leader

The designated staff, contract, or volunteer person who teaches and leads inmate worship services.

J. Interfaith

That which involves persons, services, or programs of different religious faiths.

¹ 3-4461, 1-ABC-5F-08, 2-CO-5E-01

K. Religious Accommodation Review Committee

A committee comprised of various Religious Faith Group Leaders and Central Office staff (i.e., Security, Medical, Food Services, etc.) that reviews inmate requests for religious accommodations.

L. Religious Advisor

An individual from the outside community who has received endorsement from a faith group to provide individual religious counseling and guidance to an inmate who selects him/her.

M. Volunteer

A person, who, on his/her own initiative, offers services, programs, education or other assistance in a correctional environment.

V. Policy

The policy of the Department is to accommodate inmates' religious beliefs consistent with the security needs and orderly administration of the facility by providing for the orderly management of religious opportunities for all inmates under the Department's jurisdiction.

VI. Procedures

A. Inmate Participation

Religious services and programs shall be centralized for general population status inmates and offered at the inmate's cell for Custody Level 5 inmates. Participation or non-participation in religious programs is voluntary on the part of each inmate.

B. Chapel Facilities

1. Each State Correctional Facility will provide a separate physical location for use as an interfaith chapel that shall be made available for religious activities and the storage of appropriate materials.²
2. All religious activities will be under the supervision of a Chaplain or a Faith Group Leader. Security personnel may be present as determined by the Facility Manager.
3. All chapel activities will be scheduled through the FCPD, will be conducted on a regularly scheduled basis, and approved by the Facility Manager/designee. When feasible, the religious activities of all groups will be scheduled at times consistent with the religious beliefs of the group.
4. Family and community participation in special religious services and activities may be permitted, in accordance with Department policy **DC-ADM 822, "Guidelines**

² 3-4462, 1-ABC-5F-09

for Inmate Organization Picnics/Banquets, Religious Meals, Awards Ceremonies, Inmate Fund Raisers, Family Day Visits.”

C. Religious Articles and Accoutrements

1. General Provisions

- a. All religious articles and accoutrements must be authorized by the FCPD.
- b. All religious items must be purchased and mailed directly from an approved vendor or distributed by the FCPD/designee. The FCPD must authorize the purchase of all religious items by signature on the **DC-815-A, Outside Purchase Approval** form. Homemade or other unauthorized items will not be permitted. The religious articles must be purchased from an approved vendor in accordance with Department policy **DC-ADM 815, “Personal Property, Basic/State Issued Items, and Commissary/Outside Purchases.”** All packages must include the vendor's label or stamp.

2. Religious Medallions

Religious medallions pertaining to an inmate's faith may be permitted in the facility and may be worn about the neck on a jewelry type chain. Chain lengths and medals must not exceed the sizes specified in Department policy **DC-ADM 815**. Medallions that are designed with a pin to be worn on clothing are not permitted. Medallions may be made of metal, wood or plastic and may be round in shape or in the shape of the appropriate religious symbol such as a cross, star or crescent. Each inmate will be permitted only one religious medallion in accordance with the above criteria. All medallions must be listed in the inmate's personal property inventory in accordance with Department policy **6.3.1, “Facility Security.”**

3. Religious Articles

- a. All ritual supplies and accoutrements must be maintained and secured in the chapel area by the appropriate Faith Group Leader or the FCPD. Practicing members of each faith group are permitted to possess the following items that are relevant to their faith. These include:
 - (1) Medicine Bag (not to exceed two inches by two inches in size)
 - (a) Inmates of a Native American Faith Group may wear the medicine bag throughout the facility with the exception of the visiting room, outside job details, and while working in Food Service or other areas where food is processed.
 - (b) The medicine bag shall be purchased from an approved vendor. The FCPD will provide the inmate with the list of vendors.
 - (c) The medicine bag shall be opened by the Native American to be searched. A non-Native American shall not touch the contents of the

medicine bag. If an inmate refuses to allow the bag to be searched, the bag shall be confiscated and a **DC-154A, Confiscated Items Receipt (Inmate)**, shall be issued by the staff member confiscating the item.

- (d) The contents of the medicine bag must be approved by the FCPD and the Native American Faith Group Leader and of list of the approved items for each inmate's shall be maintained. A medicine bag may contain:
- (1) a small piece of pipestone;
 - (2) a pinch of tobacco;
 - (3) sage;
 - (4) sweet grass;
 - (5) cedar;
 - (6) a kernel of corn or grain; and
 - (7) other such items sacred to the wearer.
- (e) If the contents of the medicine bag are to be searched, the contents shall be placed on a piece of paper and visually searched. If a particular item is called into question, it shall be removed from the medicine bag and a **DC-154A, Confiscated Items Receipt (Inmate)** issued to the inmate in accordance with Department policy **6.3.1, Facility Security**". The Faith Group Leader and the FCPD must review the item in question. If the item is approved by the FCPD, it shall be returned to the inmate. If the item is not approved, it shall be regarded as contraband and handled in accordance with Department policy **6.3.1, "Facility Security."**
- (f) The medicine bag may be retained by an inmate in a Security Level 5 Housing Unit.
- (2) Sacred Prayer Feather
- A sacred prayer feather may be used during Native American-services. All other times the sacred prayer feather is to be kept in the cell for private worship.
- (3) Prayer Rugs
- Inmates of faiths that use prayer rugs are permitted to possess only one prayer rug, no larger than 30 x 48 inches, excluding the fringe. The FCPD must approve the prayer rug. These rugs are not to be confused with rugs purchased from the commissary.

(4) Religious Headgear

- (a) Religious headgear, is permissible, provided such religious headgear does not constitute a security problem under established policies of the Department. Religious headgear may be any color, except as set forth in **Subsection VI. 3. a. (4) (c)**.
- (b) Male inmates will be permitted to wear religious headgear in all areas of the facility, unless there is a security concern. Religious headgear can be removed and searched at any time for security reasons. Each male inmate will be permitted to maintain no more than two religious headgear items at one time. The religious headgear may be made of leather, cloth, or beads. It shall fit flush to the head and must be no more than two-ply thick.
- (c) Female inmates shall be permitted to wear religious headgear (i.e., Hijab (headscarf), prayer cap, etc.) in all areas of the facility except food services, other areas where food is processed, or unless there is a security concern. Religious headgear can be removed and searched at any time for security reasons. Religious headgear shall not be worn to cover the face. When not in use it can be kept in a designated space in the chapel or may be kept in the cell by the inmate. The Hijab can be no larger than 36 x 36 inches and may not be black in color. Each female inmate will be permitted to maintain no more than two religious headgear items at one time.
- (d) Religious headgear must be approved for purchase by the FCPD. It shall not be homemade.
- (e) Religious headgear may be retained by the inmate in a Security Level 5 Housing Unit.

4. Religious Garments

Inmates are not permitted to purchase or possess robes and prayer shawls. If the facility chooses to purchase or receive donations of these items, they may only be used during religious services in the chapel area.

5. Incense and Oils

Incense and oils are permitted only during religious services. Only the FCPD/designee shall bring them into the facility. Incense and oils shall be procured and secured under the control of the FCPD/designee. Any inmate in possession of incense or oil shall be in the possession of contraband.

6. Religious Beads

- a. All religious beads may be of any color and are limited to 1/4" diameter. Each inmate is limited to one set of beads. All religious beads used by inmates of the

Catholic religion (Rosary Beads), Islamic religion (Dhikr Beads), Buddhist religion (Prayer Beads), or other faith groups, must be approved by the FCPD, and may only be used for their intended purpose.

- b. Any inmate in possession of religious beads not approved by the FCPD, or using them in any manner other than their intended purpose is in possession of contraband.

7. Literature

Religious literature is permitted in the facility consistent with Department policy **DC-ADM 803, "Inmate Mail and Incoming Publications."**

D. Religious Advisors

1. Each inmate will be permitted to designate a Religious Advisor. Request for designation of an individual Religious Advisor must originate with the inmate. This person will be screened by the FCPD and permitted to visit the inmate in accordance with Department policy **DC-ADM 812, "Inmate Visiting Privileges."**
2. The Religious Advisor shall comply with the policies and procedures governing the visiting room. The name of the Religious Advisor may be removed from the inmate's visiting list for security reasons or other reasons affecting the orderly operation of the facility upon the recommendation of the Shift Commander and/or FCPD and the approval of the Facility Manager.
3. Staff, volunteers, relatives, and family members shall not be approved to be a Religious Advisor to an inmate.
4. The Religious Advisor is **not** be permitted to bring the formal book of faith (Bible, Qur'an, or their equivalent) into the visiting room. Books of faith will be available in the visiting room.
5. Visits by the Religious Advisor shall not be counted as regular visits.

E. Inmates in Special Housing

1. A Facility Chaplain shall visit all inmates housed in Security Level 5 Housing Units, the facility infirmaries, and mental health units on a daily basis. A Chaplain of the inmate's faith, when on duty, shall visit inmates housed in Security Level 5 Housing Units, facility infirmaries, and mental health units a minimum of once per week.
2. Chaplains are permitted to provide the formal book of faith or other religious material to inmates housed in a Security Level 5 Housing Unit. Security Level 5 Housing Unit staff shall inspect all materials before they are given to the inmate.
3. The FCPD/designee may visit inmates hospitalized as inpatients in outside hospitals.

F. Food Service

All inmates who are assigned to work in Food Service shall adhere to Department policy **DC-ADM 610, "Food Service"** regarding sanitation and hygiene during working hours. Inmates with a hair exemption shall be required to secure their hair and wear the appropriate headwear during working hours. All religious headgear must be kept clean and completely covered by a hair restraint approved for use in Food Service.

G. Accommodations³

1. Special foods and diets may be provided as required for the celebration of major religious holidays consistent with established Department of Corrections policy. Otherwise, food preparation shall conform to Department policy **DC-ADM 610, "Food Services."**
2. A request for a religious accommodation that is not covered elsewhere in Department policy shall be made as follows:
 - a. Each inmate must use a **DC-52, Inmate Religious Accommodation Request Form (See Attachment A)** to submit his/her request for accommodation to the FCPD.
 - b. In cases of an inmate request for an exemption from Department policy **DC-ADM 807, "Inmate Grooming and Barber/Cosmetology,"** the inmate must submit a **DC-52** within 15 working days of receiving the order to cut his hair. If no **DC-52** is submitted within 15 working days of the initial order to cut his hair or no religious accommodation is claimed, the inmate shall be subject to discipline in accordance with Department policy **DC-ADM 801, "Inmate Discipline."**
 - c. The inmate shall obtain written information from his/her outside faith group, including any publications that describe the goals, beliefs, and practices of the group and supply this information to the FCPD for review.
 - d. The Religious Accommodation Review Committee shall review each inmate's request for a religious accommodation within 45 days of receipt and forward a recommendation to the affected Regional Deputy Secretary.
 - e. The Regional Deputy Secretary shall, within 15 days of receiving the recommendation from the Director of the Bureau of Inmate Services/designee, approve/disapprove the request and notify the Director of the Bureau of Inmate Services of the decision.
 - f. The Director, Bureau of Inmate Services shall, within 10 days, inform the Facility Manager and the FCPD of the requesting facility of the determination and ensure copies of all final determinations are provided to all Deputy Secretaries and Facility Managers. The FCPD shall be responsible for

³ 3-4459, 1-ABC-5F-06

informing the affected inmate of the outcome of his/her request no later than 10 working days from the date that the determination of approval/disapproval is received.

- g. If an inmate is informed by the FCPD that the request will not be accommodated, the inmate may then file a grievance in accordance with Department policy **DC-ADM 804, "Inmate Grievances."** Grievances may only be submitted after the inmate has received notification of the decision on the requested accommodation.
- h. If an inmate is found not to comply with the accommodation or the reasons for the accommodation, the accommodation may be revoked. If appropriate, the violation shall be handled in accordance with Department policy **DC-ADM 801, "Inmate Discipline."**

VII. Suspension During an Emergency

In an emergency or extended disruption of normal facility operation, the Secretary/designee may suspend any provision or section of this policy for a specific period.

VIII. Rights Under This Policy

This policy does not create rights in any person nor should it be interpreted or applied in such a manner as to abridge the rights of any individual. This policy should be interpreted to have sufficient flexibility to be consistent with law and to permit the accomplishment of the purpose(s) of the policies of the Department of Corrections.

IX. Release of Information and Dissemination of Policy

A. Release of Information

1. Policy

This policy document is public information and may be released upon request.

2. Procedures Manual (if applicable)

The procedures manual for this policy is not public information and shall not be released in its entirety or in part, without the prior approval of the Secretary of Corrections or designee. This manual or parts thereof may be released to any Department of Corrections employee on an as needed basis.

B. Distribution of Policy

1. General Distribution

The Department of Corrections' policy and procedure manuals (when applicable) shall be distributed to the members of the Central Office Executive Staff, all Facility

Managers, and Community Corrections Regional Directors on a routine basis. Distribution to other individuals and/or agencies is subject to the approval of the Secretary of Corrections or designee.

2. Distribution to Staff

It is the responsibility of those individuals receiving policies and procedures, as indicated in the "General Distribution" section above, to ensure that each employee expected or required to perform the necessary procedures/duties is issued a copy of the policy and procedures.

X. SUPERSEDED POLICY AND CROSS REFERENCE

A. Superseded Policy

1. Department Policy

- a. DC-ADM 819 issued February 17, 1994 by former Secretary Joseph D. Lehman;
- b. DC-ADM 819-1 issued February 3, 1995, by former Executive Deputy Secretary Raymond E. Clymer, Jr.;
- c. DC-ADM 819-2 issued May 13, 1996, by former Executive Deputy Secretary Raymond E. Clymer, Jr.;
- d. DC-ADM 819-3 issued February 11, 1998, by former Secretary Martin F. Horn;
- e. DC-ADM 819-4 issued March 30, 1998, by former Secretary Martin F. Horn;
- f. 7.5.1, Religious Services issued February 17, 1994 by former Secretary Joseph D. Lehman;
- g. 7.5.1-1, Religious Services issued September 4, 1996 by former Executive Deputy Secretary Raymond E. Clymer, Jr.;
- h. 7.5.1-2, Religious Services issued October 1, 1997 by former Secretary Martin F. Horn;
- i. 7.5.1-3, Religious Services issued February 11, 1998 by former Secretary Martin F. Horn; and
- j. 7.5.1-4, Religious Services issued March 30, 1998 by former Secretary Martin F. Horn.

2. Facility Policy and Procedures

This document supersedes all facility policy and procedures on this subject.

B. Cross Reference(s)

1. Administrative Manuals

- a. 1.1.4, NCIC/Clean
- b. 2.1.3, State Corrections Analysis Network (SCAN)
- c. 3.6.2, Donations
- d. 5.1.1, Staff Development and Training
- e. 6.3.1, Facility Security

- f. 6.5.8, Administration of Capital Cases
- g. 7.2.1, Counseling Services.
- h. 11.1.2, Reception
- i. 11.4.1, Case Summary
- j. DC-ADM 610, Food Service
- k. DC-ADM 801, Inmate Discipline
- l. DC-ADM 802, Administrative Custody Procedures
- m. DC-ADM 803, Inmate Mail and Incoming Publications
- n. DC-ADM 807, Inmate Grooming and Barber/Cosmetology
- o. DC-ADM 812, Inmate Visiting Privileges
- p. DC-ADM 815, Personal Property, Basic/State Issued Items, and Commissary/Outside Purchases
- q. DC-ADM 822, Guidelines for Inmate Organization Picnics/Banquets, Religious Meals, Awards Ceremonies, Inmate Fund Raisers, Family Day Visits

2. ACA Standards

- a. Administration of Correctional Agencies: 2-CO-5E-01
- b. Adult Correctional Institutions: 3-4454, 3-4456, 3-4457, 3-4458, 3-4459, 3-4460, 3-4461, 3-4462, 3-4463
- c. Adult Community Residential Services: 3-ACRS-5D-01, 3-ACRS-5D-02
- d. Adult Correctional Boot Camp Programs: 1-ABC-5F-01, 1-ABC-5F-02, 1-ABC-5F-03, 1-ABC-5F-04, 1-ABC-5F-05, 1-ABC-5F-06, 1-ABC-5F-07, 1-ABC-5F-08, 1-ABC-5F-09, 1-ABC-5F-10
- e. Correctional Training Academies: None

Inmate Religious Accommodation Request Form

Note: If more than one inmate is filing a request, each inmate must submit a form. If this is a group request, information must be submitted to the Facility Chaplaincy Program Director (FCPD), who will compile information about the group request and forward the information to the Director of the Bureau of Inmate Services.

| | | |
|---|-------------|----------------|
| Inmate Name: | DOC Number: | Date: |
| Name of Religion: | | |
| Describe, in detail, your religion's basic tenets or beliefs, which you feel require that you be provided with the requested accommodation: | | |
| | | |
| Give a detailed description of the requested accommodation: | | |
| | | |
| List any publications, which explain the religious significance of the requested accommodation. Provide a copy of the publication(s) to the FCPD. | | |
| | | |
| Inmate Signature: | | |
| FCPD Signature: | | Date Received: |
| Director, Bureau of Inmate Services Signature: | | Date Received: |