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|  <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p>POLICY</p> | APPLICABILITY PRISON/WORK RELEASE OFFENDER/SPANISH MANUALS | | |
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| | TITLE RELIGIOUS PROGRAMS | | |

REVIEW/REVISION HISTORY:

Effective: 4/1/91
Revised: 4/25/94
Revised: 4/1/97
Revised: 10/1/97
Revised: 1/21/00
Revised: 10/11/02
Revised: 9/22/05
Revised: 4/19/10
Revised: 7/11/11
Revised: 4/1/12
Revised: 2/17/14

SUMMARY OF REVISION/REVIEW:

IV.A.2. - Removed inclusion of Ramadan and Passover meals in religious diets
IV.A.5. - Adjusted that therapeutic diets take precedence over religious diets unless refused at the time of medical encounter
IV.C.3.a. - Adjusted that more wood may be allowed for Native American sweats based on the quality of the wood
IV.E.1.c. - Added exception for bone beads
IV.E.3. - Added designee for issuing and documenting offender personal religious items
IV.E.4.a. & c. - Removed unnecessary language
Attachment 1 - Adjusted descriptions for book/literature, feather, head covering, and tefflin with bag


APPROVED:

Signature on file

BERNARD WARNER, Secretary
Department of Corrections

1/27/14

Date Signed

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REFERENCES:


DOC 100.100 is hereby incorporated into this policy; [RCW 72.01](#); [WAC 137-28](#); [ACA 4-4319](#); [ACA 4-4512](#); [ACA 4-4513](#); [ACA 4-4515](#); [ACA 4-4517](#); [ACA 4-4519](#); [ACA 4-4520](#); [ACA 4-4521](#); [ACA 4A-03](#); [ACA 5A-22](#); [DOC 210.060 Donations](#); [DOC 240.100 Food Services Program](#); [DOC 300.550 Monitoring Graduated Community Access](#); [DOC 320.255 IMU/ITU/Segregation/Mental Health Segregation Operations](#); [DOC 420.310 Searches of Offenders](#); [DOC 420.320 Searches of Facilities](#); [DOC 440.000 Personal Property for Offenders](#); [DOC 440.050 State Issued Clothing/Linen](#); [DOC 450.120 Packages for Offenders](#); [DOC 450.300 Visits for Prison Offenders](#); [DOC 530.100 Volunteer Program](#); [DOC 540.105 Recreation Program for Offenders](#); [DOC 560.100 Privileged Communication and Chaplains Responsibilities](#); [DOC 610.240 Therapeutic Diets](#); The United States Constitution, 1st and 14th Amendments, Articles I and II; [Handbook of Religious Beliefs and Practices](#); [Religious Land Use and Institutionalized Persons Act \(RLUIPA\)](#)

POLICY:


- I. The Department acknowledges the inherent and constitutionally protected rights of incarcerated offenders to believe, express, and exercise the religion of their choice. Religious programs will promote positive values and moral practices to foster healthy relationships, especially within their own families and the communities to which they are returning.
- II. The Department will provide religious as well as cultural opportunities for offenders within available resources, while maintaining facility security, safety, health, and orderly operations. [4-4517]
- III. The Department will not endorse any religious faith or cultural group and will ensure that religious programming is consistent with the provisions of federal and state statutes.
- IV. The Department recognizes that many religions incorporate religious, traditional, and cultural practices. The Department offers offender cultural/diversity and religious faith groups the opportunity to celebrate events.

DIRECTIVE:

- I. Responsibilities
 - A. The Headquarters Program Manager for Religious Programs has overall responsibility for the management of religious/spiritual and cultural matters within the Department.

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- B. Each Prison will have at least one Chaplain assigned to conduct, coordinate, and supervise religious activities and community resources to meet the expressed religious needs and rights of offenders. [4-4513]
1. Chaplain responsibilities are identified in this policy and in DOC 560.100 Privileged Communication and Chaplains Responsibilities.
 - a. Chaplains will function as religious services program specialists whose primary role is to provide access to meet the religious needs of facility offenders by working with Department employees, contract staff, volunteers, the religious community, and religious service providers.
 - b. All Chaplains must meet minimum qualifications as defined in RCW 72.01.210. [4-4512]
 - c. Chaplains are not required to perform religious duties that violate their own faith or conscience consistent with RCW 72.01.210.
 - d. [4-4520] Chaplains will be provided with office space that is accessible to offenders, employees, contract staff, and volunteers, and religious service space, supplies, and support services necessary for carrying out their duties. Non-offender clerical support will be available for confidential material.
 - e. Chaplains will have access to all areas of the facility to minister to all offenders, employees, contract staff, and volunteers. [4-4515]
 2. Contract Chaplains and Religious/Cultural Service Specialists may be hired at Prisons to meet the needs of specific religious/faith groups.
 - a. Contract Chaplains and Religious/Cultural Service Specialists will be hired in cooperation with and have the endorsement of faith group authorities.
 - b. Facility Chaplains will oversee, monitor, and approve the work and schedules for contract Chaplains and Religious/Cultural Service Specialists.
 - c. The contract Chaplains' responsibilities are identified in DOC 560.100 Privileged Communication and Chaplains Responsibilities.

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d. Contract Chaplains and Religious/Cultural Service Specialists may have access to areas of the facility to minister to offenders, employees, contract staff, and volunteers. [4-4515]

C. The Department will consult with a diverse group of religious/faith/cultural group authorities with knowledge of corrections which will:

1. Inform, advise on, and guide Department policy and practice,
2. Assist in developing and reviewing religious programs,
3. Collect and review constituent concerns and unresolved grievances and present recommendations for resolution to Department administration, and
4. Assist in recruiting religious volunteers and in developing resource support.

II. Proselytizing

A. Employees, volunteers, program providers, and offenders may not persist in religious conversations with any person who has stated that s/he does not desire to engage in such conversations. Unwanted or forceful attempts to persuade a person to convert to another's religious/cultural belief and/or ridiculing the religious or cultural beliefs of others within any Department facility are prohibited. Nothing in this provision will prohibit the sharing of information regarding a person's religious belief.


III. Expression

A. An offender will have access to religious activities offered at the facility where the offender is housed, provided his/her presence at the activity does not present a threat to facility safety or security.

B. When an offender requests a religious faith practice or program not currently being allowed/provided:

1. S/he will provide the name and address of an outside religious authority of the religious faith group to the Chaplain on DOC 21-142 Religious Requirement Information Sheet. The Chaplain will send a copy of the form to the religious authority to complete and return, verifying the request is consistent with faith standards.

a. The outside religious authority may not be an offender or an offender's family member and must be recognized as a religious authority within the religious faith group to which the request applies.

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2. The Chaplain will forward a copy of the completed form to the Headquarters Program Manager for Religious Programs. If approved, the change will apply Department wide. Chaplains will attempt to recruit volunteers representing the religious faith group.

C. [4-4519] When an offender's faith is not represented through the facility chaplaincy or volunteers, the Chaplain/designee may assist the offender in contacting a religious leader with the appropriate credentials from the faith group.

1. Lack of volunteers from a particular faith group may restrict the ability to provide consistent programming or materials. In the event no volunteers are available, offenders may request faith group materials through recognized organizations.

2. The religious leader will minister to the offender under the supervision of the Chaplain and according to DOC 530.100 Volunteer Program.

D. Offenders will be allowed to express their religious customs and beliefs through head and facial hairstyles consistent with their religious tradition while maintaining personal hygiene.

E. The wearing or carrying of relevant religious apparel and paraphernalia must comply with Allowable Individual Religious Items (Attachment 1). Apparel and paraphernalia are subject to inspection procedures.

1. Only one necklace may be worn at a time, and only one medallion may be worn on a necklace.

2. With the exception of bandanas and fezzes, religious head coverings may be worn at any time unless otherwise restricted for safety concerns (e.g., while working with machinery).


a. Employees/contract staff may inspect a religious head covering by directing the offender to remove the item and hold it out so the item can be easily observed and searched without being touched.

b. The offender may be directed to unfold/unwrap the item for closer inspection.

IV. Religious Program in Prisons

A. Religious Diets [4-4319]

1. Offenders will have the opportunity to select an initial religious diet during orientation at the Reception Diagnostic Centers (RDCs).

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2. Recognized religious diets are:
 - a. Mainline Alternative - Vegetarian
 - b. Halal
 - c. Kosher

3. To receive a religious diet, an offender must submit DOC 20-428 Religious Diet Request to the Chaplain/designee. The Chaplain/designee will ensure that the following procedures are completed:
 - a. Completed Religious Diet Requests will be dated and scanned into the offender's electronic imaging file.
 - b. Notification will be emailed with a copy of the form to dietreligious@doc.wa.gov where an entry will be made in the Personal Characteristics section of the offender's electronic file.
 - c. Facility Food Services will be notified.

4. At reception, an offender may select one religious diet at no cost. Requested religious diets will remain in place until the offender requests that it be removed or changed.
 - a. After the initial religious diet selection at reception, the offender will be charged a fee per DOC 240.100 Food Services Program anytime s/he changes to a religious diet.
 - b. The diet change will take effect 2 weeks after the diet card charge is processed.


5. If a therapeutic diet is recommended, that diet will take precedence over the religious diet.
 - a. The offender can refuse the recommended therapeutic diet at the time of the medical encounter.
 - b. If the offender does not refuse the therapeutic diet at that time, the diet will remain in effect until its expiration date, at which time the religious diet will resume.

6. Offenders who are observed eating mainline instead of their religious diet meals will be infraacted.

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B. Annual Events

1. Facilities will allow certain annual religious events per the Handbook of Religious Beliefs and Practices and as identified by religious authorities.
2. Facilities may provide each cultural/diversity group one event to celebrate each year.
3. Events will be no more than 5 hours in length and dependent upon facility resources. Events will be posted on the annual facility event calendar.
 - a. In cooperation with the Chaplain/assigned coordinator, offender religious and cultural/diversity groups will determine event dates/times.
4. Visitors 18 years of age and older who are listed on a participating offender's approved visitor list and other approved outside guests may be invited to the event, and will be limited based on space and security needs.
 - a. Visitors under the age of 18 may be allowed as authorized by the Assistant Secretary for Prisons.
5. Offenders may attend one annual religious event and one annual cultural/diversity event each year, which will be documented in the callout system.
 - a. For annual religious events, priority will be given to offenders who have attended the majority of programs offered for the religious faith group in the previous 6 months.
 - b. Offenders will sign up at least 45 days prior to the event.
 - 1) Offenders who transfer to the facility after the deadline may attend if confirmation can be made that the offender was practicing in the religion at the transferring facility for at least 45 days prior to the event date.
 - 2) Newly received offenders who arrive after the deadline may request written approval from the Chaplain/coordinator to attend.
6. Events may include meals and/or refreshments coordinated through Food Services per DOC 240.100 Food Services Program.

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- a. The Chaplain/designee will notify the Food Service Manager of the number of event participants.

C. Religious Activity Area(s)

1. [4-4520] Each facility will designate an area(s) appropriate for conducting requested religious activities.
 - a. A facility that houses over 150 offenders will provide a primary building/room designated as a Chapel or Religious Activity Center. This area will include an adequate designated worship area, as well as designated offices and classrooms, office equipment, furnishings, and supplies.
 - b. All Prisons will maintain a sweat lodge.
 - c. An outdoor area(s) will be designated for individual prayer/religious observance and authorized use of smoke-producing substances. Each use will be for approximately 15 to 30 minutes, with a maximum of 2 uses per day. The religious item(s) may be carried to and from the area for use during these times.
 - 1) When possible, activities should be scheduled so that offenders of different faith groups do not use the outdoor area(s) together.
 - 2) No offender will lead or facilitate religious activities of other offenders in the activity area.
 - d. Chaplains or religious faith group providers/sponsors/specialists will assist custody employees with searches of religious/cultural activity areas.
 - 1) Reasonable suspicion may result in an immediate search without assistance.
2. The burning of smoke-producing substances (i.e., incense or candles) is allowed in religious activity areas during appropriate religious ceremonies. Ceremonial/sacred pipes will only be smoked in the sweat lodge during scheduled services. An ignition source will be provided by the Chaplain/designee.
 - a. Ceremonial tobacco will be limited to approximately ½ ounce (i.e., a 1" cube) per sweat and will be issued by the Chaplain/designee.



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- 1) Ceremonial tobacco will only be accessible by authorized employees, contract staff, and volunteers.
- 2) Tobacco will only be stored with other Native American property in a secured area, apart from other odor producing substances.
 - b. The area(s) will not be designated as sacred ground and may be used for other facility programs. No religious symbols or objects will be left in the designated area(s). The designated area(s) will not be defaced.
3. Native American sweats may occur 2 times per month, resources permitting, in addition to quarterly Change of Season sweats.
 - a. Wood needed for the sweat lodge will vary depending on the condition and type of wood, the size of the sweat lodge, and the length of the sweat. Average use is $1/8$ - $1/4$ of a cord per sweat, though more may be allowed if the wood is wet or of poor quality.

D. Activities


1. Offenders should have reasonable access to religious activities, such as:
 - a. Religious services and ceremonies, sacraments, and events,
 - b. Individual and group pastoral counseling,
 - c. Beading or sewing per DOC 540.105 Recreation Program for Offenders,
 - d. Social and family counseling, and
 - e. Religious instruction, including access to printed and audiovisual materials of a religious nature.
2. A schedule of all available religious programs and activities will be posted in the religious service area(s), living units, and other appropriate areas readily accessible to offenders.
 - a. Religious programs will meet with the supervision of designated employees, contract staff, and volunteers. Facility custody level and physical plant will determine the number of supervising persons required.
3. Religious programs and services may be cancelled and not rescheduled due to:

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- a. Unavailability of the sponsoring religious faith group or a designated employee/contract staff/volunteer supervisor,
 - b. Reasons of facility safety and security,
 - c. Inclement weather,
 - d. Natural disaster, and
 - e. Other reasons as determined by the Superintendent/designee.
4. Unless it interferes with the orderly operation of the facility, offenders will be excused weekly from mandated programs or work to attend a religious activity of their choice.
 - a. Except in weeks in which multiple activities are scheduled for a single faith group, offenders will not be excused more than once per week.
 5. Restricted consumable religious substances (e.g., altar wine) must be pre-approved by the Chaplain and may only be used by the religious group's sponsor.
 6. Ritual or ordinance elements, such as communion or sacrament, will be provided by the faith group through the Chaplain's office.
 7. Hobby craft items may be donated to the facility for offender use at religious activities by community members.

E. Religious Items


1. Offenders may possess religious items as outlined in Attachment 1, with some exceptions for offenders in Intensive Management Units (IMUs) and RDCs.
 - a. RDC offenders will only be allowed one religious medallion and one religious text which must meet the description in Attachment 1.
 - b. The Chaplain will work with IMU employees on a case-by-case basis to determine religious items available in IMU based on the offender's behavior and security concerns.
 - 1) The Chief of Security/designee and the Headquarters Program Manager for Religious Programs will work together to make the decision on an item in the event the Chaplain and IMU employees cannot agree.

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- c. With the exception of bone beads, no animal fur, claws, or bones are authorized on or for any religious item.
 - d. Offenders may retain religious items they make, decorate, or embellish with prior approval from the Chaplain/designee.
 - 1) Each facility will establish a process for Native American offenders to make Pow Wow gift items for outside guests.
2. Religious items may be obtained as follows:
- a. The offender may purchase items through a Department approved vendor.
 - 1) Approved vendors will be determined by the Headquarters Program Manager for Religious Programs in cooperation with appropriate religious authorities.
 - 2) Packages will comply with DOC 450.120 Packages for Offenders.
 - b. The offender's immediate family may purchase items for the offender through a Department approved vendor. Exceptions for non-immediate family may be requested in writing and require Chaplain approval.
 - 1) Packages must come into the facility directly from the vendor and comply with DOC 450.120 Packages for Offenders.
 - c. The offender may receive items donated by community members.
 - 1) [4-4521] Items must enter the facility through the Chaplain/designee, who will determine if they meet the requirements of this policy. Department employees will inspect items to prevent introduction of contraband or any other material that threatens safety or security.
 - 2) Items donated to the facility will be available for offenders who have attended the majority of the programs offered for the religious faith group in the previous 6 months.
 - 3) Except as specified in Attachment 1, items may not be donated to specific offenders.

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- 4) An offender cannot donate/hand down an item to another offender.
3. Religious items will be issued by the Chaplain/designee and documented on DOC 05-062 Offender Property. Any alterations will be noted in the item description.
 4. Religious items will be stored in an approved religious items box, with the exception of oversized items (e.g., prayer rug), clothing, and books. Chaplain/designee approval will be required to store any other religious items outside the religious items box. These items will comply with DOC 440.000 Personal Property for Offenders and/or DOC 440.050 State Issued Clothing/Linen.
 - a. The religious items box is marked “Religious Items” on the top and sides.
 - b. The box will be labeled with the offender’s first and last name and DOC number. No other alterations of the box are allowed.
 - c. The box and/or items may be carried to and from applicable religious activities.
 - d. Only religious items and the copy of the offender’s DOC 05-062 Offender Property will be stored in the religious items box. When used to store other items, including contraband, an infraction will be issued and the box and contents will be confiscated. The box and items will be disposed of per DOC 440.000 Personal Property for Offenders and DOC 420.375 Contraband and Evidence Handling. The Disciplinary Hearing Officer will determine whether:
 - 1) The box and religious items will be returned, or
 - 2) A new box and religious items will be issued at the offender's expense. A new box will only be issued when the offender has been authorized and issued new religious items.
 - e. Except as allowed by this policy, offenders must ensure that their combined authorized religious items fit in the box. Offenders must store these items in the box when not in use and when leaving their cell or unit.
 - f. The box itself is not sacred. However, religious items will be handled with respect.

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5. Chaplain/designee approval will be required for all religious items that require special handling per Attachment 1.
 6. Religious items and clothing will be inspected per DOC 420.310 Searches of Offenders, DOC 420.320 Searches of Facilities, and DOC 440.000 Personal Property for Offenders.
- F. Group Religious Property
1. Religious items for group use may be allowed as inventoried on DOC 05-813 Group Religious Property. The Chaplain/designee will review the inventory quarterly for accuracy.
 2. All group property will be stored in the Chapel, Religious Activity Center, or other area designated by the Chaplain.
 - a. Pipe and drum carriers may store the group sacred pipes/drums and related equipment in their assigned living area with Chaplain approval. The Chaplain will maintain an inventory available to custody employees which lists these items and the designated offenders.
 3. The Superintendent/designee may approve free or donated religious items for group use (e.g., books, tapes/CDs) sent from ministries, religious organizations, and Department approved vendors per DOC 210.060 Donations. [4-4521]
- G. Restriction of Religious Activities and/or Items and Dispute Resolution
1. Restriction of a religious activity must be related to legitimate facility safety and security concerns.
 2. Any restriction of a religious activity and/or item will be justified in writing, citing the security, safety, and health reasons for the denial. Employees, contract staff, and volunteers will forward the reasons for denial to the Chaplain.
 3. Disputes of a religious nature will be resolved by the Chaplain whenever possible. When necessary, the Chaplain will consult with the Headquarters Program Manager for Religious Programs to ensure uniformity of religious practice throughout the Department.

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4. The Headquarters Program Manager for Religious Programs will consult with outside religious authorities and advisory groups in an effort to evaluate a religious issue being questioned.
 - a. The outside religious authorities will:
 - 1) Be recognized as having special knowledge or insight relevant to the dispute,
 - 2) Have the standing within their own religious community to direct, lead, or perform any activity in question, and
 - 3) Not be currently under Department supervision.
 - b. The Headquarters Program Manager for Religious Programs will advise the Superintendent/designee and the Chaplain of the results.
5. If there is a conflict between a legitimate religious interest and a facility interest related to security, safety, health, or orderly operations of the facility, the matter will be resolved by the Superintendent, in consultation with the Chaplain and the Headquarters Program Manager for Religious Programs.

H. Community Volunteer Involvement

1. Clergy or religious faith group representatives who had a professional ministerial relationship with an offender prior to incarceration will be authorized to visit the offender in a professional religious capacity no more than 4 times annually, unless otherwise approved by the Chaplain.
 - a. Religious program volunteers who are ordained clergy or have qualifications consistent with community standards of the faith group to which they belong may request professional clergy visitation with an offender who moves to another facility, only with written permission from the Chaplains at both facilities and the approval of both Superintendents/designees.
 - b. Clergy visits will comply with DOC 450.300 Visits for Prison Offenders or DOC 530.100 Volunteer Program.
 - c. Clergy may bring pre-authorized religious items and may perform sacraments/religious ministrations consistent with facility safety and security. Appropriate accommodations for observing religious confidentiality will be provided.

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2. Specific religious representatives may have access to offenders to administer religious guidance and services, with the approval of the Chaplain and the Superintendent. Reasons for denying access to a religious representative must be documented and submitted to the Headquarters Program Manager for Religious Programs.
3. At the conclusion of any program that includes both volunteers and offenders, volunteers will remain until employees are available to secure the area.

V. [5A-22] Religious Freedom in Work Release

- A. Offenders will be permitted to attend religious services of their choice in compliance with DOC 300.550 Monitoring Graduated Community Access.
- B. Offenders may be provided a religious diet as approved by the Community Corrections Supervisor, who may consult with the Headquarters Program Manager for Religious Programs. [4A-03]
- C. Offenders may possess and use religious items listed in Attachment 1, provided such possession/use does not infringe upon the rights of others or pose a threat to facility operation.
 1. The burning of incense is prohibited inside a Work Release.
- D. Questions of a religious nature will be directed to the Community Corrections Supervisor, who may consult with the Headquarters Program Manager for Religious Programs.

DEFINITIONS:

The following words/terms are important to this policy and are defined in the glossary section of the Policy Manual: Immediate Family. Other words/terms appearing in this policy may also be defined in the glossary section.

ATTACHMENTS:

[Allowable Individual Religious Items \(Attachment 1\)](#)

DOC FORMS:

- [DOC 05-062 Offender Property](#)
- [DOC 05-813 Group Religious Property](#)
- [DOC 20-428 Religious Diet Request](#)
- [DOC 21-142 Religious Requirement Information Sheet](#)