



WYOMING DEPARTMENT OF CORRECTIONS

Policy and Procedure # 5.600 Inmate Religious Activities

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Authority: Wyoming Statute(s): 25-1-104; 25-1-105 ACA Standard(s): 4-4512 to 4-4521	Effective Date: February 1, 2006 Revision/Review History: Summary of Revision/Review: Revises previous WDOC regulations and establishes a uniform WDOC policy and procedure.	
Cross Reference of Policy: P&P #1.601, <i>Volunteers and Student Interns</i> ; P&P # 3.013, <i>Searches</i> ; P&P #3.301, <i>Management of Security Threat Groups</i> ; P&P # 4.201, <i>Inmate Hygiene and Grooming</i> ; P&P #5.401, <i>Inmate Mail</i> ; P&P #5.601, <i>Inmate Religious Diets</i> ; P&P #6.003, <i>Death of an Inmate</i>	Supersedes Existing Policy : A.R. # 2.401, <i>Religious Activities</i>	
Approved: /s/R.O. Lampert Robert O. Lampert, Director		12-14-05 Date

REFERENCE

1. ATTACHMENTS
 - A. WDOC Form #500: *Inmate Declaration/Change of Faith Group Affiliation*
 - B. WDOC Form #501: *Notification to Inmate Form: Family Emergency*
 - C. WDOC Form #502: *Emergency Notification Form: Offender's Health Status*
 - D. WDOC Form #503: *Establishing and Amending Faith Group Practices*
2. OTHER – None Noted



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I. PURPOSE

- A. Conditions and Guidelines for Inmate Religious Exercise and Activities.**
The purpose of this policy is to establish uniform rules that serve to define the conditions and guidelines for inmate religious exercise and activities, and religious programming in Wyoming Department of Corrections (WDOC) facilities.

II. POLICY

- A. General Policy.** Within the inherent limitations of resources and the need for facility security, safety, health and good order, it is the policy of the WDOC to:
1. Offer inmates incarcerated in WDOC correctional facilities the opportunity to practice the religion of their choice;
 2. Provide for the orderly management of inmate religious activities through supervision by facility chaplains and other Department of Corrections employees, and with the assistance of approved religious volunteers;
 3. Seek methods to encourage and foster understanding and appropriate due respect for the diversity of all religious beliefs, objects and practices by WDOC inmates, volunteers and staff;
 4. Ensure that WDOC policies, procedures and practices with regard to religious exercise and activities and religious programming are consistent with relevant provisions of the state and federal constitutions, statutes and regulations; and
 5. Ensure that inmates have the opportunity to participate in practices of their religion of choice that are deemed essential by the governing body of that religion, limited only by documentation showing threat to the safety of staff, inmates or other persons involved in such activity, or that the activity itself disrupts the security or good order of the facility.

III. DEFINITIONS

- A. Chaplain:** A person employed full time or contracted by the Wyoming Department of Corrections to provide religious programming and services to inmates in Wyoming Department of Corrections' correctional facilities.



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- B. Chief Executive Officer (CEO):** A CEO is identified, but not limited to, the following positions: Director, Deputy Director, division administrators, deputy administrators, wardens, district supervisors, adult community corrections coordinator, and adult community corrections directors.

- C. Compelling Governmental Interests:** Overriding concerns driven by the Wyoming Department of Corrections' Mission Statement that must be maintained, regardless of other issues or requests. These include, but are not limited to: safety, security, consistency, health and discipline. The Wyoming Department of Corrections shall use the least restrictive means in order to further a compelling governmental interest.

- D. Correctional Facility:** Any adult correctional facility operated by the Wyoming Department of Corrections or correctional facilities and county jails under contract with the Wyoming Department of Corrections.

- E. Department of Corrections' Employee:** Any person employed full-time, part-time, or under temporary appointment by the Wyoming Department of Corrections; any person under contractual arrangement to provide services to the Wyoming Department of Corrections; any person employed by private or public sector agencies who is serving under department-sanctioned special assignment to provide services or support to Wyoming Department of Corrections' programs.

- F. Emergency Situation:** The occurrence of an unforeseen circumstance requiring immediate or remedial action.

- G. Handbook of Religious Beliefs and Practices:** A handbook maintained by the Support Service Division Administrator and the facility chaplain(s) containing information regarding the beliefs and practices central to particular religions, supplied by authoritative sources:
 - 1.** The Handbook of Religious Beliefs and Practices is intended to provide staff members with a central source for authoritative information on various religious beliefs and practices of particular religions/spiritual traditions of inmates in Wyoming Department of Corrections' correctional facilities.

 - 2.** The Handbook of Religious Beliefs and Practices does not delineate Wyoming Department of Corrections' policy regarding religious exercise by inmates in Wyoming Department of Corrections' correctional facilities.

 - 3.** Each facility shall maintain a copy of the Handbook of Religious Beliefs and Practices in the chaplain's office for consultation and review.



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- H. Inmate:** Any person under the supervision of the Wyoming Department of Corrections who is not on parole or probation status. An inmate is a person who is incarcerated in any Wyoming Department of Correction's correctional facility, county jail, municipal jail or in-state/out-of-state contract facilities, to include adult community corrections centers, who is committed to the custody and supervision of the Wyoming Department of Corrections.
- I. Religious Activity:** Any rite, ceremony, event or program that is customarily associated with the practices of a religion, including but not limited to, corporate gatherings of adherents of a religion for purposes of worship, prayer, teaching and/or sharing.
- J. Religious Mentor:** (*For this policy only.*) A person who has been approved by a faith-based group and the Wyoming Department of Corrections to serve as an individual spiritual guide and mentor for the inmate upon his release from incarceration. Religious mentors shall be listed on the inmate's approved visitor's list and may meet individually with the inmate as an approved visitor during normal visitation hours or as otherwise approved during formalized inmate re-entry programming.
- K. Religious Representative:** (*For this policy only.*) A member of the clergy, medicine person, Imam, Rabbi, spiritual advisor, or other religious authority of sufficient rank to provide authoritative information to the Wyoming Department of Corrections regarding their religion. For purpose of Wyoming Department of Corrections' policy, a religious representative shall not be an inmate or on probation, parole or post-prison supervision, or otherwise disqualified from acting as a volunteer in a Wyoming Department of Corrections' correctional facility under WDOC Policy & Procedure #1.601, *Volunteers and Student Interns*.
- L. Religious Volunteer:** (*For this policy only.*) A member of the clergy, medicine person, Imam, Rabbi, spiritual advisor, or other religious authority qualified to direct, lead and/or conduct others in the rites, ceremonies or other practices of a religion, who has been approved by the Wyoming Department of Corrections to assist inmates in requested religious activities in Wyoming Department of Corrections' facilities in accordance with WDOC Policy & Procedure #1.601, *Volunteers and Student Interns*. For purpose of Wyoming Department of Corrections' policy, a religious volunteer shall not be an inmate or on probation, parole or post-prison supervision, or otherwise disqualified from acting as a volunteer in a Wyoming Department of Corrections' correctional facility under WDOC Policy & Procedure #1.601, *Volunteers and Student Interns*.
- M. Search:** A close inspection, including the physical touching in an impartial manner, of a person, a person's cell or other living unit, vehicle, possessions,



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or other property, or buildings or premises, to check for contraband. (See WDOC Policy & Procedure # 3.013, *Searches*.)

- N. Security Threat Group (STG):** Any group of two or more individuals who:
1. Have a common name, identifying symbol, or characteristic which serves to distinguish themselves from others.
 2. Have members, affiliates, and/or associates who individually or collectively engage, or have engaged, in a pattern of illicit activity or acts of misconduct that violates Wyoming Department of Corrections' policies or rules.
 3. Have the potential to act in concert to present a threat, or potential threat, to staff, public, visitors, inmates, offenders or the secure and orderly operation of the institution.
- O. Security Threat Group Activity:** Any conduct or behavior which has been determined to be related to a security threat group. (See WDOC Policy & Procedure #3.301, *Management of Security Threat Groups*.)
- P. Shift Commander:** The ranking correctional supervisor responsible for the overall supervision of a scheduled correctional shift for a correctional facility.
- Q. Special Housing:** Housing for an inmate whose assignment is administrative segregation, disciplinary segregation, protective custody, infirmary or Death Row.
- R. Support Services Division Administrator:** (*For this policy only.*) The person assigned responsibility for administering the Support Services Division including oversight responsibility for religious programming, activities and services for the Wyoming Department of Corrections.

IV. PROCEDURE

- A. General Principal.** WDOC acknowledges the inherent and constitutionally protected rights retained by incarcerated offenders to believe, express, and exercise the religion of their choice. The WDOC, therefore, shall extend to individuals under its custody and/or supervision those opportunities necessary to practice religious freedoms that are consistent with the prudent requirements of facility security, safety, health, and orderliness.
- B. Proselytizing Prohibited.** Chaplains, other WDOC staff, volunteers from the community, religious mentors and offenders may not proselytize (i.e., attempt



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to persuade another individual, against that individual's wishes, to convert to one's belief) or criticize the religious beliefs of others within the confines of any WDOC office or facility. Nothing in this provision shall prohibit the sharing of information regarding religious beliefs in a manner authorized by policy.

C. Chaplains/Religious Volunteers

1. A chaplain or designee in each WDOC correctional facility shall be responsible for coordination, facilitation and supervision of inmate religious activities occurring at that facility.
2. Chaplains/designees shall attend to the religious/spiritual requests of each inmate, regardless of the inmate's religious belief or affiliation.
3. Chaplains/designees shall coordinate access to appropriate facility space and equipment, religious publications (e.g., print, audio and audio-visual), religious objects/symbols, and the opportunity to adhere to dietary and other requirements of an offender's faith, as outlined in the Handbook of Religious Beliefs and Practices and WDOC Policy & Procedure # 5.601, *Inmate Religious Diets*.
4. Chaplains/designees shall administer the relevant planning, supervision and programming of any community resource or faith-based religious activities occurring at that facility. They shall coordinate the activities of religious leaders, volunteers and faith-based groups from the community to provide for offender religious needs.
5. Chaplains/designees shall provide a systematic method of allowing each offender an opportunity to identify his/her religious beliefs and practices. (See WDOC Form #500, *Inmate Declaration/Change of Faith Group Affiliation*.)
 - i. Each inmate shall be given the opportunity to declare a faith group affiliation during the intake and assessment process.
 - ii. Inmates may change their faith group affiliation once and then up to once annually thereafter by submitting WDOC Form #500 to the facility chaplain or designee. The WDOC Form #500 may be accompanied by a written request justifying the change.
 - iii. No inmate shall be required to document their ethnicity in order to declare a faith group affiliation.



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6. Chaplains/designees shall provide a systematic method for receiving and for evaluating requests related to inmate religious activities. They shall approve or deny the requested religious practice, activity or article, considering the least restrictive alternative consistent with institutional security, safety and good order. They may also approve such requests with modifications or restrictions as necessary. (See WDOC Form #503, *Establishing & Amending Faith Group Practices.*)
7. Chaplains/designees shall publish a schedule of faith-based activities and services, post that schedule in areas of the institution that are accessible by inmates, and submit faith-based schedules and activity reports to the Support Services Division Administrator on a monthly basis.
8. For those facilities which are served by a contract chaplain, the chaplain shall perform the following functions, in addition to those listed above:
 - i. Conduct religious services and minister to any offender when requested, regardless of the offender's religious belief or affiliation;
 - ii. Give religious and moral instruction to offenders;
 - iii. Interview and provide requested counseling assistance to offenders concerning their spiritual, social, and family problems;
 - iv. Advise facility administration and staff about spiritual, moral welfare, moral and ethical/social concerns;
 - v. Participate in offender case planning, as part of an interdisciplinary team when requested to do so by the inmate's case manager;
 - vi. Timely notification of offenders in cases of serious family illness, accident, or death, when verified (See WDOC Form #501, *Notification to Inmate Form: Family Emergency*);
 - vii. Notification to the offender's designated point of contact, established in accordance with WDOC Policy & Procedure #6.003, *Death of an Inmate*, in the event of serious illness or injury, hospitalization, or death of an offender at the request of facility administration (See WDOC Form #502, *Emergency Notification Form: Offender's Health Status*).
 - viii. Participation in the recruitment, interviewing, selection, WDOC required training, orientation, monitoring and supervision of



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religious volunteers who desire to provide religious programs for inmates, along with the coordination of all religious volunteer programs and the maintenance of accurate records related to the volunteer programs and volunteers.

9. When a chaplain or designee is not qualified according to the tenets of a particular religion to conduct an approved religious activity requested by an inmate, the chaplain or designee will, with the assistance of the Support Services Division Administrator or others as needed, seek out and invite a qualified individual from the community to conduct the religious activity as a religious representative or religious volunteer.
10. Facilities which do not have a contract or staff chaplain may arrange for such services through the local clergy.
11. Inmates incarcerated in WDOC facilities shall not be permitted to direct, lead or conduct other inmates in religious activities.
 - i. Inmates possessing religiously-based credentials or titles obtained prior to or during incarceration in WDOC shall have such credentials or titles deemed inactive during the term of incarceration and shall not be authorized to serve as a religious leader or group facilitator.
 - ii. When a facility or contract chaplain or approved religious representative or volunteer is not present to facilitate a scheduled program, it may be cancelled at the discretion of the facility shift commander with notice of the cancellation given to the inmates whenever feasible.
 - a. The program may be allowed to take place as scheduled, if and only if the program is directly supervised by a security staff member or other staff member previously approved to do so by the facility CEO.
 - b. In such an event, only inmates listed as affiliated with that religious group to which the program pertains will be allowed to attend.
 - iii. Inmates may engage in individual private worship in lieu of a cancelled religious program.
12. If neither the chaplain or designee, nor a qualified religious representative or religious volunteer, are available to conduct an approved religious activity requested by an inmate, the inmate's request will be denied until



such time as a qualified religious volunteer becomes available to conduct the approved religious activity. Religious mentors shall not be authorized to lead group activities.

D. Religious Activities

1. Inmates should have the opportunity for reasonable access to religious activities which may include, but are not limited to, the following:
 - i. Regular religious services and ceremonies;
 - a. All religious services and ceremonies shall be conducted in English, except:
 - (1) Formulaic prayer cycles which may be conducted in the native language appropriate for the group and religion; or
 - (2) Services or ceremonies conducted by or directly supervised by an approved staff member or contract chaplain who is fluent in the native language appropriate for the group or religion; or
 - (3) The religious service or ceremony is a pre-recorded prayer service or scripted sermon reviewed and pre-approved by the chaplain or approved staff member who is fluent in the native language used in the pre-recorded service or sermon.
 - b. Religious services and ceremonies may be subject to increased technical monitoring and/or recording.
 - ii. Special ceremonies, holiday services, and/or sacraments;
 - iii. Individual and group pastoral counseling;
 - iv. Inmate religious/spiritual group meetings;
 - v. Religious and moral instruction, including access to printed and audio-visual materials of a religious nature; and,
 - vi. Marriage, family and/or parenting counseling, if contracted for and approved by WDOC.



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2. Inmates may attend any religious program facilitated and supervised by a chaplain or religious representative or volunteer, regardless of their personal religious affiliation, unless it is determined that access to that program would create a threat to the safety, security and good order of the facility, in which case attendance can be limited to those inmates listed as being affiliated with the religious faith group to which the religious program pertains.
3. Dietary accommodations will be made within the context of WDOC Policy & Procedure # 5.60, *Inmate Religious Diets*, for inmates who have been approved for participation in the Food Service Operation's Inmate Religious Diet Program.
4. Dietary accommodations for inmates not approved for participation in the Food Service Operation's Inmate Religious Diet Program shall be limited to those available within the Food Services cyclical menu and on the food service main line for the inmate to satisfy the requirements of his/her religion.
5. An inmate whose religious expression includes fire, odor or smoke producing substances (e.g., candle, tobacco or kinnikinnick, sage, sweet grass, and incense) may be authorized to burn small amounts of these substances as part of an approved religious activity and in a manner consistent with facility security, safety, health and order. Such items shall not be approved for use inside any inmate living area or cell. Upon full implementation of WDOC's tobacco-free policy, kinnikinnick, but not tobacco, will be approved for individual religious expression. Small amounts of tobacco or kinnikinnick may be stored as group religious material and only used for group activities as required by religious mandates.
6. **Inmates Assigned to Special Housing:** An inmate assigned to special housing may be authorized to participate in an approved religious activity on an individual, private worship basis and in a manner consistent with facility security, safety, health and order. An inmate assigned to special housing shall not be permitted to participate in group religious activities with other inmates outside their assignment.
7. **Security Threat Groups:** Inmates who have been validated as affiliates of a recognized security threat group in accordance with WDOC Policy & Procedure #3.301, *Management of Security Threat Groups*, may be restricted from group religious activities with other inmates if there is credible evidence that the inmate's participation in group religious activities is the result of his/her affiliation with a security threat group or prohibited security threat group activity, or if the inmate's participation is



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determined to present an undue risk to the safe, secure, orderly and/or efficient operation and management of the facility.

8. Visual or Overt Expression:

- i. An inmate may be authorized to overtly express his/her religious customs and beliefs in appropriate ways consistent with facility security, safety, health and good order, including:
 - a. Participating in individual and group religious activities;
 - b. Observing religious requirements relating to head, body and/or facial hair in styles consistent with their religious tradition provided reasonable hygiene is also maintained and as consistent with WDOC Policy & Procedure # 4.201, *Inmate Hygiene and Grooming*;
 - c. Wearing or carrying of religiously relevant apparel and paraphernalia, including one (1) religious emblem, medal, medallion or other religious item (e.g., medicine pouch, religious medal, rosary, headband, prayer feather, or head covering) in a manner prescribed by policy and/or religious tenet and subject to reasonable inspection and search procedures. (See WDOC Policy & Procedure # 3.013, *Searches*.)
 - (1) Inspection procedures shall be administered, to the extent reasonably practicable under the circumstances, in a manner which reflects an awareness of and sensitivity to individual religious beliefs, practices and objects/symbols used in the exercise of those religious beliefs and customs.
 - ii. **Inmates Assigned to Special Housing:** An inmate assigned to special housing, except Protective Custody and Death Row, shall not be permitted to wear a religious emblem, medal, medallion or other religious item around his/her neck, but may possess such in his/her special housing cell.
9. Each WDOC correctional facility will post a current schedule of all religious activities, programs and services available in the facility. The schedule will be posted in designated religious activities area(s) and other appropriate areas readily accessible to inmates.

E. Inmate Requests to Participate in Religious Activity



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1. **Religious Activity Currently Available in the Facility:** An inmate desiring to participate in a religious activity that is currently available in the facility where he/she is confined may obtain information on the scheduled activity, and how to participate in it, by submitting his/her request to the facility chaplain or designee using an inmate communication form. Participation in such activities may require pre-approval and advanced scheduling or may allow for open attendance if otherwise authorized by the chaplain or CEO.
 - i. Inmates desiring to amend current faith group practices may request changes to current practices by filling out WDOC Form #503, *Establishing & Amending Faith Group Practices*, and submitting it to the facility chaplain or designee.

2. **Religious Activity or Religious Property Not Currently Available in the Facility:** An inmate desiring to participate in a religious activity or to obtain religious property items not currently available in the facility where he/she is confined may request to do so by submitting to the facility chaplain or designee a completed WDOC Form #503, *Establishing & Amending Faith Group Practices*, with the following information:
 - i. The name of the religion;
 - ii. The title of religious activity or property requested;
 - iii. A brief description of the religious activity including:
 - a. The significance of the activity in the practice of the religion;
 - b. How often or under what circumstances the religious activity would be held if it were taking place within the community;
 - c. Minimum time and any physical requirements within which the religious activity may take place, including those of any defined segments of the activity;
 - d. Any materials which are required for the religious activity and their purpose or use, including a list of any items associated with the religious activity which the inmate would retain in his/her personal possession, if any; and



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- e. The title (if any), function, and eligibility requirements for participants in the activity.
 - iv. Any additional information necessary to an understanding of the nature or function of the religious activity; and
 - v. The name, address and phone number of a recognized religious representative of the religion who can authoritatively verify the above information.
3. Requests for religious activity or property not currently available in the facility will be evaluated on factors including the legitimacy of the religion, whether the requestor(s) are sincere adherents of the religion, the availability of a chaplain or qualified religious volunteer to lead the activity, whether the requested practices/articles/activity are established central tenets or requirements of the religion, and whether the requested practices/articles/activity are consistent with the maintenance of security, safety, health and good order within the institution. Religious objects/symbols, property, and/or practices may be restricted or prohibited when they are considered to be a threat to the security, safety, health or good order of the institution and no less restrictive means are reasonably available, or when they are otherwise determined to be illegitimate or pretextual as determined by the above listed factors.

F. Religious Activity Areas

- 1. **Designation:** The CEO of each facility shall designate an area or areas appropriate for approved religious activities.
- 2. **Access to Religious Activity Areas:** The use of religious activities areas within the facility will be scheduled by the chaplain or designee in coordination with other users of that activity area.
 - i. Religious activity areas shall be subject to reasonable and respectfully administered observations and inspections by institutional staff, as is necessary to maintain facility safety, security and orderliness.
 - ii. Access to religious activity areas shall not be restricted on the basis of race, religious affiliation, national origin, handicap, or political belief. Scheduled access may be restricted on the basis of legitimate religious beliefs (i.e., privacy of the confessional or sweat lodge) or for legitimate concerns of security, safety, health and good order.



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- iii. In scheduling designated religious activities areas, the chaplain or designee will seek to accommodate individual religious beliefs, including those that call for particular times, and calendar or lunar dates.
 - iv. Scheduling of religious activity area(s), as much as possible, shall be accomplished to accord all approved religious practices equal status and protection, and to ensure that religious activities are conducted between regularly established hours.
 - a. If use of the area during the period of time requested would present an immediate threat to the safety, security or good order of the facility (e.g., use of an outdoor area after hours of darkness), the activity may be denied or an alternate time for use may be required.
 - b. If scheduling of designated religious activities conflicts with other formal programming that utilizes the same activity area, and the other formal programming is required by inmate case plans (e.g., basic adult education, cognitive-behavioral therapy, substance abuse group counseling, etc.), the designated religious activity will be re-scheduled for a time that is more conducive to the penological needs of the facility.
 - 3. **Access by Chaplains:** Chaplains will be provided with office space, religious service space, supplies and the support services necessary to carry out their assigned responsibilities and shall routinely have access to all areas of the facility and to all offenders.
- G. Provisions of Religious Items for Conduct of Religious Activities.** Items required for the conduct of a religious activity that are not faith specific or used by multiple faiths (i.e., chairs, tables, podiums, white boards, baptismal, or other furnishings) may be purchased and supplied by WDOC. Religious based property may also be donated by a religious representative, religious volunteer or other approved source at the discretion of WDOC. As space allows, reasonable, accessible, secure, and separate storage space for group religious objects/symbols shall be maintained or provided upon request.
- 1. Items must be approved by the chaplain and are subject to search.
 - 2. Items not approved shall be considered contraband and subject to confiscation.

H. Inmate Religious Items



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1. Inmates may receive and retain individual possession of approved religious objects/symbols essential to their declared religious belief provided the object/symbol is not viewed as a threat to the security and good order of the institution or to the safety of any individual in the area in which the inmate is housed and that item fits within the approved property matrix for that classification of inmate.
 - i. Inmate religious items shall be limited to those approved for individual possession and practice of religious traditions of the offender's declared faith, as outlined in the Handbook of Religious Beliefs and Practices.
 - ii. Access to items available in general population may be restricted within special housing areas, or in accordance with the property matrix.
2. Approved religious emblems, medallions, symbols or other items authorized for inmates to possess in a WDOC correctional facility shall be purchased from the facility canteen or otherwise approved for receipt by the inmate through the facility chaplain in conjunction with the institution security manager/designee.
3. Specific approved religious items not available for purchase from the canteen (e.g., medicine bag, eagle feather) may be provided by a religious representative or religious volunteer with approval of the facility chaplain or designee. Such items shall be sent to the facility chaplain who shall be responsible for bringing the item into the facility and assuring that the items are added to the inmate's property list prior to distribution of the items to the inmate.
4. All previously approved religious items, purchased or otherwise approved prior to this policy, shall be subject to individual review for compliance with this policy and individual approval by the facility chaplain and/or may be retained until the inmate is regressed to a classification where the item is not authorized in accordance with the property matrix.
5. Inmates may obtain religious reading and study materials, including correspondence courses through the mail in accordance with WDOC Policy & Procedure #5.401, *Inmate Mail*, or may obtain religious reading and study material from the facility chaplain or the facility library, as available. Religious reading and study material received, which contains personal, non-religious information, including but not limited to personal correspondence other than from the sending recognized church or organization, shall be refused.



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6. Inmates shall normally be required to store all inmate religious items within their assigned property container. Inmates are encouraged to store religious items in a manner marked “religious property items”.
 7. As space allows, reasonable, accessible, secure and separate storage space for group religious objects/symbols will be maintained or provided upon request within the religious activity area.
- I. Searches of Religious Activity Areas/Religious Items.** All designated religious activity areas and religious items shall be subject to search conducted in accordance with WDOC Policy & Procedure # 3.013, *Searches*, and in a manner that reflects an awareness of and sensitivity to individual religious beliefs, practices, and respect for the objects/symbols used in the religious practice.
1. When reasonable, searches of religious group property may be conducted in the presence of the facility chaplain or designee.
 2. When reasonable, searches of personal religious property may be conducted in the presence of the inmate.
 - i. Upon request, all religious property will be opened and presented for inspection by the inmate.
 - ii. Refusal to open religious property and present it for inspection shall result in confiscation and subsequent inspection outside the presence of the inmate.
 3. Searches of personal religious property and/or religious group property may be conducted outside the presence of the inmate or the facility chaplain or designee when that person is not reasonably available for security or other reasons. Such searches shall be conducted while wearing gloves and in the presence of at least one (1) other staff witness or Shift Commander.
- J. Restriction of Religious Activity/Items**
1. An inmate's participation in approved religious activities and possession of approved religious items may be restricted by WDOC in emergency situations or when deemed necessary to maintain facility security, safety, health and/or order.
 2. Any restriction of an inmate's participation in approved religious activities and/or possession of approved religious items should be the least



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restrictive means necessary in the CEO's, facility chaplain's/designee's judgment to protect facility concerns.

3. All denials or restrictions of requested items or practices should be documented in writing with an explicit statement of the reason for such denial or restriction by the facility chaplain or facility CEO.

K. Religious Exercise Dispute Resolution

1. Issues of a religious nature (e.g., whether a requested religious item or activity is central to the practice of a particular religion or eligibility under religious law or custom for an offender to participate in a particular religious activity, etc.) will be resolved by the facility chaplain or designee whenever possible, in consultation with the Support Services Division Administrator, to ensure consistency of interpretation and application of WDOC policy and procedures regarding inmate religious exercise and religious programming.
2. When the chaplain, in consultation with the Support Services Division Administrator, is unable to satisfactorily resolve a religious dispute, offenders shall use the WDOC inmate grievance procedure.
 - i. In responding to inmate grievances regarding approval or restrictions on religious practices or articles, the CEO and/or the Support Services Division Administrator will consult with appropriate religious representatives and/or other authorities as needed to clarify issues of religious doctrine and practice.
 - ii. The Support Services Division Administrator, in conjunction with the facility CEO or designee, shall determine whether the requested religious activity and/or item in question presents a threat to the security, safety, health or order of the facility, including budgetary or other administrative concerns.
 - iii. Whenever there is a conflict between a legitimate religious exercise request and a facility interest relating to security, safety, health or order, including budgetary and other administrative concerns, the matter will be resolved by the CEO in consultation with the Department's Deputy Director and Support Services Division Administrator.
 - iv. Use of the inmate grievance procedure is the complete and exclusive due process right created or intended to be created by this policy, and no constitutionally protected, property, privacy,



freedom of religion, freedom of speech, or other interests are intended to be created, either expressly or impliedly, by this policy.

V. TRAINING POINTS

- A. Are individuals within a WDOC facility permitted to attempt to persuade another individual, against that individual's wishes, to convert to one's belief?
- B. Who is responsible for the coordination, facilitation and supervision of inmate religious activities occurring within a WDOC facility?
- C. What is the Handbook of Religious Beliefs and Practices?
- D. How often is an inmate allowed to change his or her faith group affiliation?
- E. What happens if a chaplain is not qualified according to the tenets of a particular religion to conduct an approved religious activity requested by an inmate?
- F. May inmates direct, lead or conduct other inmates in religious activities?
- G. Are fire, odor, or smoke producing substances allowed as a part of a religious activity?
- H. What restrictions are placed on inmates assigned to special housing when it comes to authorized religious activity?
- I. What restrictions are placed on inmates who have been validated as affiliates of a recognized security threat group when it comes to authorized religious activity?
- J. Are religiously relevant apparel and paraphernalia permitted?
- K. How is an inmate to request a religious activity not currently available at the facility?
- L. Who is responsible for the provision of religious items?
- M. What must be done when a religious activity is denied or restricted?
- N. How are disputes regarding religious activity to be addressed?