

STATE OF ALASKA DEPARTMENT OF CORRECTIONS  POLICIES & PROCEDURES	SECTION: Institutions		PAGE: Page 1 of 11
	CHAPTER: 805	NUMBER: 805.03	P&P TYPE: Public
	TITLE: Special and / or Religious Diets and Meals		
	APPROVED BY:  Nancy A. Dahlstrom, Commissioner		DATE: 12/20/2019
ATTACHMENTS / FORMS: A. Religious Meal Log		AUTHORITY / REFERENCES: 18 AAC 31 AS 33.30.015 22 AAC 05.115 AS 33.30.021 22 AAC 05.155 AS 44.28.030 22 AAC 05.550 AS 33.30.011	

POLICY:

- I. It is the policy of the Department of Corrections (DOC) to have in place procedures to accommodate special meals and diets for prisoners to the extent that is reasonably possible within an institution and when Department resources permit.
- II. It is the policy of the Department to provide medical / therapeutic diets to prisoners when medically required and when prescribed by health care staff. Medical / therapeutic meals will be prepared according to the instructions of the health care staff.
- III. It is the policy of the Department to provide religious diets to prisoners who request them, subject to the instructions and certification of the Religious Coordinator along with the approval of the Superintendent or their designee.
- IV. It is the policy of the Department to provide vegetarian / vegan diets to prisoners who request them in accordance with a selected category of non-meat items identified by the institution's food service staff. Requests for vegetarian / vegan meals must be approved by the Superintendent or their designee on a case-by-case basis.
- V. It is the policy of the Department to provide special meals (such as potlatches, meals with traditional wild or native food, and holiday meals) to prisoners at the discretion of the Superintendent. These special meals will be provided in accordance with DOC P&P 805.01 (Food Service Standards), DOC P&P 805.02 (Food Service Safety and Sanitation) as well as guidelines set out in this policy.
- VI. It is the policy of the Department that the content of special and / or religious diets and meals must approximate the cost, quantity, quality and nutritional adequacy of diets and meals provided to the institution's general population.

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APPLICATION:

This policy and procedure will apply to all Department employees and prisoners.

DEFINITIONS:

As used in this policy, the following definitions shall apply:

Approved Food:

Foods and / or food items under the surveillance of the State of Alaska, United States Department of Agriculture (USDA) or the United States Food and Drug Administration (FDA) which are certified as acceptable for preparation and consumption-based upon conformance with appropriate standards and good public health practices.

Contamination:

Contact by food and / or food items with dust, insects, rodents, unsanitary equipment or utensils, coughs or sneezes, flooding, drainage, leakage, or any substance, organism, or entity which may threaten public health or the health of prisoners, visitors or staff of an institution.

Fajr:

The morning prayer scheduled for the beginning of dawn.

Food Service Equipment:

Stoves, ranges, ovens, hoods, slicers, mixers, meat blocks, tables, counters, refrigerators, microwave ovens, sinks, dishwashing machines, steam tables, and similar items, other than utensils, used in the operation of a food service unit in an institution.

Food Contact Surface:

The surfaces of equipment and utensils with which food normally comes in to contact with, and those surfaces which may drain, drip or splashback onto surfaces which contact food.

Iftar:

The meal eaten by Muslims after sunset during Ramadan.

Maghrib:

The evening prayer scheduled at sundown.

Medical / Therapeutic Diet:

Special meals or food prescribed by a physician, dentist, or other health care staff as part of a prisoner's treatment at an institution.

Potentially Hazardous Food:

Food that consists in whole or in part of wild mushrooms, bivalve shellfish such as clams and mussels (except from an approved source); the meat and / or organs of bear, fox, walrus or other wild marine or land animals

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(except fresh fish, whale, seal, beaver, moose, caribou or reindeer from a lawful source); fermented vegetable, meat, seafood, or egg products; home-canned foods or non-commercially vacuum-packed foods; non-commercial smoked fish products; rendered oil; or other ingredients, including synthetic ingredients, in a form capable of supporting rapid and progressive growth of infectious or toxigenic micro-organisms.

Potlatch:

A culturally themed, special meal comprised of traditional foods, food items, or the like consumed in a group setting and in an atmosphere of celebration. Also, an Alaska native festival meal sometimes associated with gift-giving in conjunction with the meal. The cost of any food or associated items for the special meal will be covered by the group holding the special meal, and the food must be ordered from an approved vendor or source.

Ramadan:

The ninth month of the Muslim year, during which strict fasting is observed from sunrise to sunset.

Religious Coordinator:

An employee of the institution designated by the Superintendent and assigned the responsibility of reporting, reviewing, and scheduling in co-operation with the Department's Statewide Chaplaincy Coordinator, all religious programs in the institution.

Religious Diet:

A prescribed allowance or selection of food for consumption with reference to a particular recognized religious belief.

Single Service Articles:

Cups, containers, lids, closures, plates, knives, forks, spoons, stirrers, paddles, straws, napkins, placemats, toothpicks, and similar articles designed for one-time, one-person use.

Statewide Chaplaincy Coordinator:

A DOC employee who is responsible for the planning, implementation, administration and evaluation of Department chaplaincy services and faith-based programs provided in institutions and community residential centers. The Statewide Chaplaincy Coordinator is responsible for the screening, orientation, and supervision of institutional chaplains, volunteer clergy, and laypersons.

Special Diet:

A diet requested by (or proscribed for) a prisoner based on their medical, religious or cultural beliefs.

Special Meal:

Meals or food prepared for special occasions, e.g., holiday or potlatch meal, that may accommodate cultural preferences; "finger-foods" prescribed for a prisoner who requires especially prepared foods and / or extraordinary limits on access to utensils due to suicidal, assaultive, or other conduct abusive to self, others or items to which the prisoner has access.

Suhur:

An Islamic term referring to the meal consumed early in the morning by Muslims during fasting.

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Tableware:

Multi-use eating and drinking utensils.

Utensil:

A tool used in the service, preparation, transportation, or storage of food.

Vegan Diet:

Meals prepared exclusively from plant-derived foods. A vegan diet does not include the consumption or use of any animals or animal products, including flesh (land and sea animals), milk, eggs, or honey.

Vegetarian Diet:

Meals prepared from vegetable sources or a combination of plant food and dairy products exclusive of meat to sometimes include eggs.

PROCEDURES:

I. Food Service Staff Responsibilities:

- A. The institutional Food Service Supervisor will ensure the preparation of special diets in compliance with the written instructions per Procedures section II, below.
- B. Special diets ordered per Procedures section II below, will begin with the first meal following receipt of the order by the Food Service Supervisor.
- C. The Food Service Supervisor shall maintain individual records of medical and therapeutic diets served to all prisoners, which will reflect meals refused by the subject prisoner. Such records must be forwarded to the Superintendent, health care staff and must be incorporated into the subject prisoner's case record.
- D. Special meals which are approved by the Superintendent will be prepared and served in accordance with the guidelines in Procedures section III, below. Food items for special meals must be ordered from approved vendors, and the cost of items ordered must be covered by the group requesting the special meal.
- E. Special meals and diets served to prisoners housed in segregation units will be served in conformance with procedures established by the Food Service Supervisor as approved by the Superintendent. Restrictions for the safety and security of the prisoner and staff may take precedence over special meal and diet accommodations on a case-by-case basis.
- F. The Food Service Supervisor shall be responsible for cross-checking all special diets being served to prisoners. Any new requests for a special diet by a prisoner shall be cross-checked with existing special diet requests for that prisoner. When a potential conflict is discovered, the Food Service Supervisor shall notify the Superintendent as well as the Religious Coordinator or the health care staff, as appropriate.
- G. Medical or therapeutic diet orders will be valid for 30 days unless:

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1. Specifically ordered for a shorter or longer-term by health care staff;
2. Canceled prior to completion; or
3. Reviewed and renewed by health care staff.

II. Special Diets:

A. Medical and Therapeutic Diets:

Authorization for medical and therapeutic diets must be prepared in writing by the health care staff prescribing the medical and therapeutic diet. Health care staff may prescribe one (1) of the approved options for a medical and therapeutic diet. The practitioner responsible must:

1. Explain the diet and its importance to the prisoner's condition or health;
2. Explain other diet restrictions with regard to commissary or provisions of the special diet;
3. Establish the duration of the diet and the procedure for renewal, if necessary;
4. Document all medical / therapeutic diet orders in the medical record;
5. Not write orders for diet preferences where no medical necessity exists (i.e. no gravy, no white bread); and
6. Write diet orders in duplicate with one (1) copy to the Food Service Supervisor, and one (1) copy to be placed in the prisoner's medical file. The diet order shall contain the following information:
 - a. The full name of the prisoner;
 - b. The prisoner's offender number;
 - c. Housing status;
 - d. Expiration date of the order;
 - e. Title of special diet;
 - f. Known food allergies; and
 - g. Amount of nutrients, calories, or other information necessary to clarify the order.
7. Medical / therapeutic diets will take precedence over other special diet accommodations when a conflict exists.

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8. Health care staff may also prescribe a medical / therapeutic diet based on a prisoner's documented serious food allergy. The allergy must first be confirmed and documented according to established Division of Health and Rehabilitation Services (HARS) procedures before any diet modifications can be requested.

B. Religious Diets:

1. A request for a religious diet shall be made by an inmate through the institution's Religious Coordinator via a Religious Accommodation Request Form (DOC P&P 816.01A). The Religious Coordinator will review the request and make a recommendation to the Superintendent.
2. The Superintendent will approve or deny the diet request within seven (7) days of the request. The verified needs of the requesting prisoner and the resources of the institution shall be considered in the determination of whether to approve or deny a religious diet. If the diet request is denied, the reasons for the denial shall be provided in writing to the inmate.
3. If the diet is approved, the Food Service Supervisor must be notified in writing of the specifics for provision of the diet.
4. Regular menu food items consistent with the religious diet (e.g., no pork) will be used unless otherwise approved by the Superintendent.

C. Vegetarian and Vegan Diets:

1. An inmate may request a vegetarian or vegan diet by submitting a Request for Interview Form (DOC P&P 808.11A) to the Superintendent through the Institutional Probation Officer (IPO) who will include a diet history of the requesting prisoner.
2. The Superintendent will review and approve or disapprove the request with regard to the verified needs of the prisoner and resources within the institution. If the diet request is denied, the reasons for the denial shall be provided in writing to the inmate.
3. If the diet is approved, the Food Service Supervisor will be notified in writing.
4. Regular menu food items consistent with the vegetarian or vegan diet (e.g., no meat, no dairy) will be used unless otherwise approved by the Superintendent.

D. Special Diet Removal:

1. A prisoner may request to be removed from their special diet at any time. A prisoner request to be removed from a medical or therapeutic diet must not be approved before consultation with the health care staff who prescribed the diet.

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2. Prisoners who voluntarily request to be removed from their special diet must wait a period of 30 days before they can request a new special diet.
3. In the event that staff notice (either by video recording, direct observation or other evidence) that a prisoner is intentionally no longer following their special diet, the prisoner may be removed from the special diet. Reasons for removal may include:
 - a. The prisoner is observed or detected eating, trading or possessing unauthorized food items from the regular menu food items served to the general population;
 - b. The prisoner is observed or detected giving away or trading food items from their special diet;
 - c. The prisoner purchases or is observed eating food items inconsistent with the dietary requirements of their special diet; or
 - d. The prisoner has not attended appropriate services or other religious activities at least twice per month, if services were available.
4. The Superintendent must approve the discontinuance of special diet accommodation for cause, and shall document the removal.
5. Any prisoner removed from their special diet for cause must wait for a period of time before they can request a new special diet:
 - a. First offense: Prisoner must wait 90 days before being eligible for special diets again.
 - b. Second offense: Prisoner must wait 180 days before being eligible for special diets again.
 - c. Third offense: Prisoner must wait 1 year before being eligible for special diets again.
6. After removal from a special diet for cause, prisoners must re-apply before starting any new special diet per Procedures section II., B, and C, above.

E. Temporary / Multi-Day Religious Fasting / Dietary Prohibitions:

1. In so far as the Department resources permit, each Superintendent shall develop SOP in coordination with the DOC Statewide Chaplaincy Coordinator that allow for the temporary accommodation of multi-day religious fasting or dietary prohibitions. Examples of such accommodations may include:
 - a. Kosher meals for Passover;
 - b. Fasting for Ramadan; and
 - c. Fasting for Yom Kippur.

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Note: Temporary multi-day religious fasting or dietary prohibitions may not exceed four (4) days per year, per recognized religious group, unless otherwise approved by the Superintendent.

2. SOP developed for the above must include the following:

- a. A method of notifying prisoners of an upcoming religious meal accommodation, with appropriate dates.
- b. A method for prisoners to sign-up for religious meal accommodations, including specific sign-up periods, deadlines and review or participant lists.
- c. Notice to prisoners that the cost of any special food ordered from approved vendors will be covered by the requesting group.

F. Special Diets Upon Release:

Upon release, any special diet that the prisoner is currently subscribed to will immediately end. If a prisoner returns to an institution following release, they must re-apply for any special diets that they used to subscribe to per Procedures section II., B, and C, above. Special diets shall not be automatically re-instated for prisoners returning to an institution. However prior information on diets that is available shall be considered in subsequent requests for special diets.

G. Ramadan:

Muslim inmates may observe Ramadan and receive the Ramadan menu without any restrictions, including any time before or during the month of Ramadan. Those who opt-in for the fasting Ramadan meal plan will have a hot breakfast served for Suhur just prior to Fajr and a hot dinner at Iftar just after Maghrib.

1. The days and meal times are to be determined by the Office of the Chaplain for the Department.
2. The daily average of calories will not be less than 3000 calories.
3. A prisoner shall not be removed from the fasting Ramadan meal plan due to the prisoner breaking their fast with commissary items.
4. A prisoner who receives regular meal service in addition to their fasting Ramadan meals will not be removed from their special diet but are subject to disciplinary proceedings.
5. A daily log during Ramadan will be kept and reviewed by the Department on a daily basis to ensure that Muslim inmates are observing Ramadan receive all their meals for the day between sunset and dawn. This log will include times meals are served and inmate signature.

III. Special Meals:

A. General Guidelines:

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Special meals and foods shall be served in accordance with DOC P&P 805.01 (Menu Planning and Meal Service), and at the discretion of the Superintendent or their designee. The Superintendent must approve all such meals for consumption within the institution and ensure that potlatch/special meals utilizing traditional, wild harvested or native foods are prepared and served in conformance with the following guidelines:

1. Foodservice regulations, including the Department of Environmental Conservation (DEC) regulation 18 AAC 31, Alaska Food Code, require that food used in foodservice facilities such as institutions be obtained from approved sources.
2. Traditional, wild-harvested, native foods and food items such as wild game or fish are not normally produced or obtained under inspected circumstances and therefore cannot be considered approved unless they are inspected and approved by a DEC agent on behalf of DOC.
 - a. Where there is a DEC Sanitarian stationed close in proximity to a DOC institution, the local state Sanitarian must be contacted at least one (1) week in advance of receipt or utilization of wild-harvested or native foods to schedule a date and time for inspection of wild-harvested or native foods for approval prior to their being utilized by institutional food service personnel.
 - b. For the Yukon-Kuskokwim Correctional Center in Bethel, the Chief Sanitarian for DEC in Juneau (465-2628) must be contacted at least two (2) weeks in advance of the scheduled inspection in order to arrange for the Federal Sanitarian stationed in Bethel to assist the DEC to complete the inspection.
 - c. For the Anvil Mountain Correctional Center in Nome, the Norton Sound Health Corporation Sanitarian (443-5411) is under contract with DEC and may complete the inspection on their behalf.
3. If there is reasonable assurance that the food item has been lawfully obtained by the donor, has been dressed, butchered, and stored without contamination or loss of quality as outlined under Procedures section III, B, below, and the food item has been inspected and approved by a DEC agent, certain wild-harvested and native foods, excluding potentially hazardous foods, may be obtained, processed, prepared and served within an institution in connection with an authorized special meal.
4. At least once a year, when appropriate to the mission of the institution, the Superintendent may authorize a potlatch or other culturally themed special meal in accordance with DOC P&P 805.01 (Menu Planning and Meal Service) and the following guidelines:
 - a. Potentially hazardous foods as defined and applied in this policy are prohibited for institutional preparation and use; and
 - b. Certain wild-harvested and native foods such as fresh fish, whale, seal, beaver, reindeer, caribou, and moose which are approved per above or acquired from an approved source may be utilized for foodservice providing the conditions in Procedures section III, B, below, are met.

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Note: Wild harvested and native foods directly procured under the auspices of this Department such as the salmon obtained through the prisoner work program subsistence fishery in Bethel are exempt from the inspection per Procedures section III, B, below, but are subject to handling and service per Procedures section III, C and D, below.

B. Inspection, Control, and Record-Keeping:

1. Institutional food service personnel shall coordinate and schedule an inspection by the local state Sanitarian or DEC agent to coincide with the arrival of the wild-harvested food item(s) at the institution and to ensure inspection of the food item(s) prior to it's being utilized within the institution to approve the food and establish a reasonable determination that the food is not diseased and the animal or fish was butchered, dressed and transported in such a manner as to prevent contamination or loss of quality.
2. At any time following the food item coming into the possession or control of institutional food service personnel, any signs of adulteration with potentially hazardous food(s) or other questionable substances, spoilage, contamination with gross particles of soil, animal hair, intestinal waste, disease, etc., constitute grounds for rejection.
3. Products received must be minimally processed (i.e. received in the round, as quarters or as roasts).
4. Fish received must be at least scaled, slimed, gilled and gutted, or intact without any processing, and of the quality acceptable under 1 and 2, above.
5. Food products received frozen should be kept frozen and fresh foods should be iced or otherwise refrigerated to maintain a holding temperature of less than 45 degrees F.
6. If fish is frozen, freezing temperature should be at 0 degrees F. or lower for 24 hours or at 14 degrees F. or lower for 72 hours to destroy any viable parasites.
7. Wild harvested and native foods received by food service personnel per this policy, whether accepted or rejected, will be recorded in the Institutional Log in accordance with DOC P&P 803.11 (Permanent Record Logs), as other information deemed appropriate by the Superintendent. The log entry must include the date and time of receipt, source, purpose and pertinent comments regarding the condition of the food product to include the identity and findings of the DEC agent performing the inspection per B., 1, above.

C. Handling And Processing On-Site:

1. The processing of wild-harvested and native foods must occur separately from other foods to prevent cross-contamination of foods, utensils, and food contact surfaces. Separation is accomplished by physical separation or separation by time. Food contact surfaces, utensils, and equipment will be cleaned and sanitized following the processing of wild foods.
2. Wild-harvested and native foods will be stored separately from other foods. Separation can be

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accomplished by storage in a separate freezer / refrigerator or compartment or shelf in the same freezer / refrigerator.

3. Such foods must be labeled with the identification of the food, date received and source (i.e. Moose/7-14-86/ADF&G).
4. If fish or game are received in the round or unprocessed per B, 3, above, skinning, scaling, sliming, gilling, gutting and butchering must be done in a manner which prevents cross-contamination of foods or food contact surfaces.
5. Foodservice personnel shall ensure that all parts of wild-harvested meat being prepared for consumption are thoroughly cooked without interruption in the cooking process and to a minimum internal temperature of 150 degrees F.
6. Foodservice personnel shall ensure that all parts of fish being prepared for consumption are thoroughly cooked to reach a minimum internal temperature of 133 degrees F. for at least five (5) minutes.

D. Service And Consumption:

1. Potlatch and special meals comprised in whole or in part of wild-harvested or native foods and which are prepared for consumption by foodservice personnel in conformance with Procedures section III, A, B, and C, above may be served within the institution in accordance with DOC P&P 805.01 (Menu Planning and Meal Service).
2. Potlatch dishes prepared outside the institution and by persons other than food service personnel of the institution may not be received as part of a potlatch, or special meal.

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