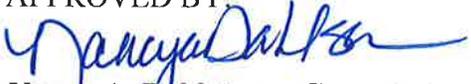


STATE OF ALASKA DEPARTMENT OF CORRECTIONS  POLICIES & PROCEDURES	SECTION: Institutions		PAGE: Page 1 of 7
	CHAPTER: 816	NUMBER: 816.01	P&P TYPE: Public
	TITLE: Faith-Based Programming and Chaplaincy Services		
	APPROVED BY:  Nancy A. Dahlstrom, Commissioner		DATE: 12/20/2019
ATTACHMENTS / FORMS: A. Religious Accommodation Request B. Handbook of Religious Beliefs and Practices		AUTHORITY / REFERENCES: 18 AAC 31 AS 33.30.011 22 AAC 05.115 AS 33.30.021	

POLICY:

- I. It is the policy of the Department to allow prisoners to participate in faith-based programs and practices consistent with facility security and available resources.

APPLICATION:

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

DEFINITIONS:

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

Chaplaincy Coordinator

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

Faith-Based Program

A program which addresses a prisoner's social, emotional, spiritual, or other life experiences from a faith or spiritual perspective.

Faith Group Activities

Activities that occur with two or more prisoners gathered for the purpose of undertaking an approved, scheduled activity related to the observance of a faith group.

Faith Group Volunteer

An individual who assists in facilitating institutional religious practices without compensation which includes Religious Volunteers, Lay Leaders, and Clergy Volunteers. Religious volunteers must be accompanied by a Lay Leader or Clergy Volunteer.

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Faith Practice (personal)

Activity by a prisoner that is undertaken alone and is related to the observance of a faith group.

Holy Day Observance

A faith-based set-aside of a single day, or group of days, for the practice of the tenets of a faith group.

Institutional Chaplain

An employee or faith group volunteer endorsed by a recognized faith group and approved to work within secure areas.

Proselytize

Using any form of coercion, real or implied, to compel or unduly persuade others to attend services, programs or special activities that are religious in nature or to make individuals follow a particular religion because its value is seen as significantly greater, more important, and more rewarding than the faith commitment, or lack thereof, currently held by another.

Recognized Faith Group

Any faith group supported by written documentation that has defined faith principles and practices that has been approved by the Chaplaincy Coordinator.

PROCEDURES:

I. Faith Practices

- A. Prisoners shall designate their faith group affiliation within thirty (30) days of admission to a facility by submitting a written request to their institutional probation officer. This designation shall be recorded in the offender management system and shall remain in effect for six (6) months at which time the prisoner may elect to complete another written designation to change their faith-group designation. A prisoner may elect to change their religious designation by submitting a written request to their institutional probation officer.
- B. Prisoners who select a recognized faith group shall be allowed to practice that faith consistent with guidelines provided by the Chaplaincy Coordinator, including services, property, special events and special dietary needs for that faith group. Prisoner may request recognition of faith group not included in the Chaplaincy Coordinator's guidelines by submitting documentation from the faith group which specifies the beliefs and practices of that faith group.
- C. A prisoner who wishes to participate in any faith practice that is not addressed in the guidelines provided by the Chaplaincy Coordinator shall follow the procedures listed below to request the accommodation of this request:
 - 1. The prisoner shall complete the Religious Accommodation Request Form (Form 816.01A) and submit this form to the Institutional Chaplain or the Superintendent for those facilities which do not have a chaplain.

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2. If the form is not completed with sufficient specificity, the Institutional Chaplain or Superintendent shall require the prisoner to resubmit the request with more information.
3. The Institutional Chaplain or Superintendent shall discuss the request with the security sergeant or other appropriate institutional staff to determine whether the requested accommodation is made pursuant to a sincerely held religious belief.
4. The Institutional Chaplain or Superintendent's designee shall discuss the request with the security sergeant or other appropriate institutional staff to determine whether the requested accommodation presents security, administrative, or resource allocation issues.
5. Denials made based on security reasons, administrative or resource allocation issues shall be made by security staff or other appropriate institutional staff and not the Chaplain.
6. Denials based on sincerely held religious beliefs, shall be made by the Chaplain and not security staff.
7. The Institutional Chaplain or Superintendent shall submit a written response to the prisoner on the Religious Accommodation Request Form (816.01A) granting or denying the accommodation. A denial of the accommodation shall include a specific reason for the denial.
8. If a request for an accommodation is denied by the Institutional Chaplain, the request will be routed to the Chaplaincy Coordinator for final review. The Chaplaincy Coordinator shall direct the prisoner to provide a written request for an alternative accommodation that addresses the reasons for the initial denial. The Chaplaincy Coordinator shall respond to this request as provided in section 4 above.
 - a. The Chaplaincy Coordinator will evaluate the request in accordance with the Religious Land Use and Institutionalized Persons Act. The requested accommodation will be taken as a whole and not be rejected solely because the accommodation sought does not accord with the generally held tenets or beliefs of the religion for which the accommodation is sought.
 - b. If the Department determines that the requested accommodation should not be granted because of a compelling governmental interest, the Department will make reasonable efforts, in collaboration with the person requesting the accommodation, to determine whether denying the request is the least restrictive means to promote the governmental interest and whether some other form of accommodation can be granted to satisfy the interest.
9. If the prisoner disagrees with the response made under this section, a grievance may be filed under DOC P&P 808.03 (Prisoner Grievances) and the grievance investigation and appeals procedure shall be followed to reach a final decision regarding the requested accommodation.
10. If the accommodation is granted, the Institutional Chaplain or Superintendent shall develop a

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procedure for the accommodation which shall be subject to approval by the Superintendent.

- D. A daily or weekly schedule of all faith group activities shall be posted in a manner that is accessible to all prisoners.
- E. Prisoner participation in organized faith group activities where there is supervision of an Institutional Chaplain, Lay Leader, Clergy Volunteer or qualified DOC Staff Member shall not be limited except by documented threat to the secure and orderly operation of the institution.
1. Prisoner faith group activities shall be monitored by Department staff or an approved faith group volunteer.
 2. The Superintendent shall ensure that adequate space is provided for approved regularly scheduled faith group activities. Structures or equipment unique to a specific faith group shall be temporary and removed after the faith group activity.
 3. Faith group activities shall be led by a Faith Group Volunteer unless direct supervision is available. It is the responsibility of prisoners in a particular faith group to make arrangements for a Faith Group Volunteer to lead faith group activities.
 4. In the absence of Faith Group Volunteer, prisoners may facilitate their group activities provided that it is directly supervised by DOC staff and is approved under the procedures of this policy. Prisoners who possess faith-based credentials or titles shall have such titles or credentials deemed inactive during periods of incarceration.
 5. Prisoners may attend any faith group activities conducted by a chaplain or volunteer regardless of the prisoner's faith group affiliation unless the program required participants to conduct advance preparation that the prisoner seeking to attend did not complete.
 6. Prisoners shall not be allowed to participate in faith group activities if the prisoner's participation presents a threat to the safety or staff, volunteers, prisoners; the security of the institution or the orderly administration of the institution.
- F. Prisoners shall be allowed to possess faith property items consistent with the guidelines provided by the Chaplaincy Coordinator.
1. Prisoners shall follow the procedures set forth in this policy to request property which is in excess of that listed in the guidelines provided by the Chaplaincy Coordinator. This process shall include a determination of whether the personal faith property will be stored in the prisoner's cell or in a secure storage area. If personal faith property is stored in a secure storage area, a determination shall be made as to when the prisoner may access this property and how the property may be used.

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2. Prisoners shall be allowed to possess and wear head coverings and other religious attire consistent with the listing for a recognized faith group contained in the guidelines provided by the Chaplaincy Coordinator with the exception of head coverings or attire that may undermine safety and security as determined by the Superintendent. Approved head coverings may be worn throughout the institution but shall be subject to search under normal security procedures. Head coverings and religious attire must be purchased from an approved vendor. Prisoners shall follow the procedures set forth in this policy to request headgear which is in excess of that listed in the guidelines provided by the Chaplaincy Coordinator.

3. Prisoners shall be allowed to possess and wear one faith medallion or pendent or medicine bag which must be worn under the clothing and suspended from an approved chain or strap pursuant to DOC P&P 811.05 (Prisoner Personal Property).
 - a. Prisoners may possess personal copies of religious books and periodicals consistent with DOC P&P 811.05 (Prisoner Personal Property) and which are obtained through direct order from an approved vendor or from an approved donation from an approved source. Hardcover books are not allowed unless approved by the Superintendent.
 - b. Group faith property shall be stored in a secure area, and the Superintendent shall develop procedures to control when and how this property may be used.
 - c. The Department is not responsible for the procurement of any faith group property or equipment. All faith group property or equipment must be approved using the procedures of this policy.
 - d. Faith group property may be donated for use in the institution by an approved faith group organization using the procedures of this policy. Faith group property may not be donated by prisoners unless authorized by the Superintendent.
 - e. Searches of group or personal faith property may be conducted with or without the prisoner being present. Prisoners shall open and present all faith property for inspection when requested and refusal may result in disciplinary action, including confiscation of the property.
 - f. Prisoners shall not be allowed to possess faith property or written materials which contain prohibited content under DOC P&P 810.03 (Prisoner Mail or Policy) and DOC P&P 811.05 (Prisoner Personal Property).
 - g. Scented oils may be used for congregate use.
 - i. Each religious group may pick a scent of their choice, based on textual or traditional guidelines for their respective faiths. This scented oil must be procured by

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donations from the congregate membership or by an approved, outside, religious support group. Any and all orders placed by the congregate must be from a vendor approved by the facility and must be ordered through the commissary department.

- ii. The oil must be in plastic vials and kept in an additional airtight container that is approved by the facility but procured by the congregate. This container will be kept in the chaplaincy.
- iii. All scented oils must be checked out and in at the start and finish of each ceremony. The oil will be transported outside in the airtight container. The container can only be opened while inside the designated outdoor area of the congregate. After use, the remaining oil is to be placed back inside the container and sealed prior to leaving the designated outdoor area and will be returned to the chaplain's closet after use.
- iv. All participants of the ceremony are required to wash the oil off the affected portions of their bodies when the ceremony is complete. Anyone who does not follow this procedure will receive an IDR and may also receive an incident report for noncompliance.

G. Prisoners shall request accommodation for special faith group related activities such as holy days and shall follow the procedures set forth in this policy to request these accommodations of their group or individual faith-related events.

- 1. Any use of altar wine at a faith group related event must be approved by the Superintendent after consultation with the Institutional Chaplain or Chaplaincy Coordinator under the procedures in this policy and shall only be consumed by the clergy member who is conducting the activity. The use of a non-alcoholic substitute (juice) for altar wine may be considered.

II. Chaplaincy Services

- A. The Chaplaincy Coordinator, Institutional Chaplains and Faith Group Volunteers shall be subject to all administrative regulations, Department Policies and Procedures and facility Standard Operating Procedures.
- B. The Chaplaincy Coordinator shall maintain a list of approved faith groups and faith group guidelines which shall be used by Institutional Chaplains to evaluate requests for accommodation per this policy. These guidelines shall include a description of the basic tenets of an approved faith group and a listing of approved faith group activities and property.
- C. When requested by the Superintendent, or their designee, the Chaplaincy Coordinator or Institutional Chaplains shall notify a prisoner's designated contact person of the prisoner's death.

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- D. When requested by the Superintendent, or their or designee, the Chaplaincy Coordinator or Institutional Chaplain shall notify a prisoner of the death, serious illness or injury of a family member or members.
- E. Institutional Chaplains and Faith Group Volunteers shall have physical access to areas of the institution as necessary to minister to prisoners and as approved by the Superintendent or designee.
- F. Institutional Chaplains shall serve without prejudice and be available to all prisoners regardless of faith-group affiliation.
- G. Institutional Chaplains are subject to DOC P&P 202.01 (Code of Ethical and Professional Conduct), and DOC P&P 202.15 (Standards of Conduct).
- H. Communication between Institutional Chaplains and Faith Group Volunteers and prisoners is privileged and subject to confidentiality, however a communication must be shared with the Superintendent or security staff if it contains information of a threat to institutional or public safety or the orderly operation of the institution.

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