

INTERNAL DOCUMENT

This documents identifies the procedures for implementing the Vermont Department of Correction’s (DOC) directive on Religious Services. This document identifies rights, roles, and responsibilities of faith services and accommodations for inmates who are incarcerated.

Management Responsibility

1. Statewide responsibility for the management of any faith observance program shall be under the direction of the Director of Facility Operations, or designee, in collaboration with the Restorative and Community Justice Executive, or designee.
2. Facility responsibility for the coordination and management of the facility-based faith observance program shall be under the direction of the facility Volunteer Services Coordinator (VSC) in collaboration with the Superintendent (Superintendent), or designee.

Inmate Access to Faith Programs and Services

Faith Preference

1. At the time of their admission to the DOC, an inmate may elect to fill out an inmate faith preference designation form, and designate any one or no faith preference.
2. An inmate may request to change their designation at any time. Superintendent shall process changes monthly.
3. An inmate’s faith designation shall be entered into the booking info tab within the Offender Management System (OMS) and shall be updated as needed.

The screenshot shows the 'Booking Info' tab in the OMS. The 'Religion' field is highlighted with a red box and is open, showing a list of religious options. The visible options are: African Methodist Episcopal/Zion, Apostolic, Assemblies of Yahweh, Assembly of God, Baptist, Buddhism, and Christian Science. Other fields in the form include Booking # (105017472), SSN #, Jacket # (140481), Birth Date (1/1/1900), First Name (Janey), Middle Name (Doe), Last Name (Doe), and various contact and identification details.

**INTERNAL DOCUMENT****Individual Access**

1. All regularly scheduled faith services shall be open to all general population inmates.
2. To maintain security and order, and to prevent abuse or disrespect of the faith beliefs of others, the Superintendent may require inmates to sign up in advance to attend regularly scheduled faith services.
3. No inmate shall be required or expected to attend any faith program or service, or be required to adhere to any faith belief.

Restriction of Faith Activities or Practices

1. Inmates shall not be discriminated against because of faith beliefs and practices.
2. There shall be no substantial burden placed on an inmate's right to practice their faith, unless in furtherance of a compelling governmental interest and it is the least restrictive means of furthering that compelling governmental interest.
3. Any act of abuse or disrespect, (violation of facility rules, activities that are not relevant to faith observance, disruptive/disrespectful misbehavior) which gives rise to a safety or security risk toward a faith during an activity/service may result in the inmate being asked to leave the activity or service. The inmate may be subject to a disciplinary report (DR), and may be restricted from attending future services of that faith.
 - a. The inmate may request the restriction to be lifted using the grievance process.
 - b. If a restriction of a faith practice, including individual demonstrative prayer, has been placed on an inmate, the restriction may be lifted after:
 - i. Consultation with the Director of Facility Operations;
 - ii. Corrective action has been taken; and
 - iii. There is no longer a perceived threat to safety and security.
 - c. If the restriction is not lifted, the inmate shall be notified of the decision, and provided reasons for the decision in writing, by the Superintendent, or designee, within seven days of the decision. The Director of Facility Operations shall receive a copy of the decision.
4. When behavior presents a safety and security risk, the Superintendent shall document the specific safety and security risk to the inmate in writing within seven days, and notify the Director of Facility Operations. This shall go into the inmate's record in the OMS in the incident report that documents the behavior.
5. Inmate possession of security threat group (STG) materials or symbols is prohibited. First Amendment free exercise of faith protection applies to faith ideas and symbols by faith groups whose only purpose is faith; it does not extend to STG use of faith ideas and symbols as a means of organizing and meeting.
6. Proselytizing by any faith representative, volunteer, staff person, inmate, or visitor to an unwanted recipient is prohibited. This however, does not prohibit the invitation of one to another to explore a faith.

INTERNAL DOCUMENT**Faith Accommodations**

1. An inmate may request a faith practice accommodation, using the Inmate Faith Accommodation Request Form. Upon receipt of the request, staff shall:
 - a. Upload the request into the inmate's OMS record;
 - b. Enter the information the information into the Inmate Faith Accommodation Request custom form within the inmates OMS record.
2. An inmate's request for a faith practice accommodation must be supported and verified by the faith's recognized sacred text, historical established procedures, or outside faith authorities, which the inmate must provide.
3. Superintendents, or designees, shall check the *Faith Accommodation Report* to determine whether the faith practice accommodation has been previously requested, and whether the request was approved or denied.
4. Whenever an inmate requests a faith practice accommodation that has not been previously approved at that facility, the Superintendent, or designee shall consult with the Director of Correctional Facilities prior to deciding.
5. If an inmate's request for a faith practice accommodation is denied by the Superintendent, the Superintendent shall forward the completed request to the Director of Correctional Facilities for review of the denial, in consultation with the DOC's Legal Division. Upon approval or denial, the Director of Correctional Facilities shall send a copy to all Superintendents and VSCs. Additionally, the Superintendent shall document the faith accommodation using the *Faith Accommodation Report* along with the rational for the approval or denial.
6. Upon completion of the review, staff shall:
 - a. Upload the completed request form into the inmates OMS record;
 - b. Enter the decision into the Inmate Faith Accommodation Request custom form within the inmate's OMS record.

The Faith Accommodation Report shall be used to ensure consistency with approvals and denials. This report shall always be checked prior to approving or denying any request.

Faith Space

1. Inmate faith groups shall have equal access to the physical space, dependent on the number of adherents, equipment, and services, which the institution normally provides for faith purposes.
2. The Superintendent and/or designee shall ensure that a designated area is made available for conducting worship services, faith education, and activities. Assignment and availability of the designated area shall be at a reasonable time, place, and manner and in conjunction with other facility activities, events, and needs.
3. Faith program space shall be kept free of faith objects or symbols.

**INTERNAL DOCUMENT****Coordination and Management**

1. The VSC and/or designee, in conjunction with the Superintendent and/or designee, shall schedule all faith programs and activities. Scheduling shall be coordinated among the various faith groups, other facility operations or activities, taking into consideration the security needs and constraints of the facility.
2. Facility staff shall have access to all faith services and programs to ensure the security requirements of the facility are being met.

Range of Faith Activities and Services

Each facility shall make all reasonable efforts to establish and maintain faith activities and services for all inmates.

Clergy Services

The Superintendent/designee shall make all reasonable efforts to ensure that a representative of an inmate's faith is available to provide formal or informal services to inmates who request them. If the Superintendent, or designee is unable to provide formal or informal services to the inmate by a representative of the inmate's faith, then the Superintendent shall notify the inmate in writing, and the effort to find a representative to provide services shall be ongoing until one is made available to the inmate

Faith Groups

An inmate who is affiliated with, and wishes to participate in, a faith group not currently functioning at a facility should inform the facility VSC in writing. The VSC, in consultation with the Superintendent and/or designee, shall make all reasonable efforts to arrange for the requested services.

Faith Activities

Faith activities include, but are not necessarily limited to, worship services, faith instruction, reading and study, faith discussion groups, and spiritual counseling, and will be led by a DOC approved volunteer faith representative.

Please note that any DOC approved volunteer faith representative may lead a service regardless of what their faith and/or what the service they are leading is.

Faith Visit

An inmate may request a special visit with a faith representative using the DOC's policy on visitation.

**INTERNAL DOCUMENT****Faith Diets**

Inmates may refer to the [DOC policy on Food Services](#) for information on requesting a faith diet.

Faith Rights and Observances

1. Individual demonstrative prayer shall be allowed unless there is a compelling governmental interest/s that is furthered by a restriction/s on individual demonstrative prayer, and the restriction/s are the least restrictive means of furthering that governmental interest/s. In making this determination staff shall consult with the Director of Facility Operations, or designee, to ensure constitutionality of the restriction.
2. Formal group prayer may only occur in a designated faith area during a faith service or at times authorized by the Superintendent and/or designee, and in a manner, that does not interfere with the safety and security of the facility.
3. Inmates shall not be allowed to act in a position of leadership, supervision, or authority over other inmates during faith programs, services, or rites.
4. When a faith group representative or faith volunteer is not present to facilitate a faith program, service, or observance, that faith group shall not be allowed to meet as a group until appropriate faith group supervision is available.
5. The Superintendent and/or designee may limit participation in group faith programs where an individual poses a threat to the safety and security of staff, other inmates, or other persons. Documentation of the individual's conduct which disrupts the security or safety of the facility, is required.

Work and Program Restrictions Due to Faith Beliefs

1. Each inmate shall have a certain day of the week in which work is not required. Faith activities shall normally be scheduled during what is regarded as "non-working" hours for inmates, usually weekends, and after 4:00 p.m., Monday through Friday. Inmates shall not be excused from normal work or program responsibilities to attend faith services or activities except under the following conditions:
 - a. When it is mandated by the faith that they abstain from work on a certain day or must participate in a faith service at a specific time, which conflicts with their normal work or program schedule;¹
 - b. When it is in the best interest of the facility to hold a faith service or activity during normal work or program hours;
 - c. As approved on an individual basis.

¹ The Facility VSC shall maintain a list of faith observances, which require such accommodations. That list shall be made available to all staff and volunteers.

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Inmates excused from a work or any corrections risk and needs service's assignment for reasons of attending a faith service may be required to make up the missed time.

Faith Holy Days & Seasons

1. The Director of Facility Operations and/or designee shall provide guidance to facilities regarding the sacramental or ritual needs of individual faiths for each holy day and season, or faith day of celebration, including special preparations needed, food, and times of day, or any restrictions on work, program, or other considerations.
2. An inmate must request approval to participate in any holy day or faith season from the VSC and/or designee fifteen business days prior to the approved holy day or faith season. If the number of participants needs to be limited, first consideration shall be given to those who have a documented faith group affiliation associated with the holy day and season program.
3. The VSC and/or designee shall approve all program participants.
4. Food items purchased or provided from outside sources for holy day and season observances shall be allowed if one of the following applies:
 - a. The Superintendent has pre-approved the item(s), and an approved volunteer provides food items and is present to conduct the observance;
 - b. Where security permits, inmates may be allowed to purchase and bring food from commissary stock items to holy day observances when requested in advance of the observance.
5. Donated food items may not be designated for a particular inmate, but shall be available for the entire faith group.
6. Any remaining or unused food items brought into the facility for a holy day and season observance must be entirely removed by the volunteer coordinating the observance immediately after the observance. No food items shall be allowed to be brought back to the living units. All food items must be factory sealed.

Ceremonial or Holy Day Meals

Inmates may refer to the [DOC policy on Food Services](#) for information on requesting ceremonial or Holy Day Meals.

Supervision of Inmate Faith Programs and Services

1. All formal group faith activities and programs shall be conducted and supervised by volunteers.
2. Volunteers must apply for a volunteer position within the DOC.
3. Faith volunteers may deliver faith services and programs including:
 - a. leading study groups;
 - b. supervising collective prayer;
 - c. administering the spiritual rites of a faith;

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- d. providing pastoral counseling.

Faith Materials

Any faith article that is used in a manner other than its intended purpose, or is used to designate affiliation with a security threat group is subject to confiscation.

Faith Group Property

1. The DOC shall permit faith group property, ritual supplies, and other articles as necessary to conduct group faith services. All articles are subject to being searched. If an article is found to be contraband, the article shall not be permitted to enter the facility. While conducting faith services, chaplains, faith representatives, and outside clergy may wear their faith vestments and/or insignia.
2. Facilities with appropriate space may designate a secure location for the storage of faith group-related program materials. Where storage exists, there shall be an inventory list of all stored items, approved by the Superintendent and/or designee, located in the storage area.
3. For items, not on the approved inventory list, prior approval from the Superintendent and/or designee must be obtained or the item shall be considered contraband.
4. Faith-specific reading materials, videos, music, and books may be stored with faith group items. No personal inmate items may be stored with faith group property.

Inmate Faith Property Items

Only approved faith personal property may be possessed by an inmate. These items are subject to considerations of safety and security. Once approved, all faith property authorized for an inmate becomes part of an inmate's personal property, subject to any limitations contained in any DOC administrative directives.

1. Inmates may receive and retain possession of personal faith items/symbols.
 - a. All personal faith items, except those items approved at the time of an inmate's admission, shall be purchased through a source approved by the Director of Facility Operations.
 - b. Faith Volunteers may bring in approved faith items for a faith group. Donated faith items may not be designated for a particular inmate, but shall be available for the entire faith group. The faith items must meet the standard for faith property as stated in this directive and the property directive, pass facility security inspection, and have prior approval of the Superintendent.
2. Items not previously approved may be requested by an inmate. The Superintendent, in consultation with the Director of Facility Operations, shall approve or deny the request.
 - a. When an inmate requests a change in faith preference, the inmate must dispose of any

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- b. the items associated with the previous faith preference by mailing, at their own expense, to their home or by waste disposal, prior to requesting items associated with the change.

Faith Medallions and Symbols

1. Approved faith medallions and symbols pertaining to an inmate's designated faith may be worn about the neck on a jewelry-type chain. Each inmate shall be permitted only one faith medallion subject to approval.
2. All medallions must be listed on the inmate's personal property inventory.
3. Medallions that are designed with a pin to be worn on clothing are not permitted.
4. Medallions may be made of metal, wood, cloth, or plastic and may be round in shape or in the shape of the appropriate faith symbol.
5. Medallions not allowed include: swastika, iron cross, inverted cross, or any item identified as gang-related or security threat group-related.
6. Medallions shall not exceed two inches in length or width.
7. Medicine Bag
 - a. An inmate practicing Native American faith beliefs shall be permitted one medicine bag as their medallion.
 - b. A medicine bag may not exceed a maximum length of 2.5 inches. It must be made of leather, may not be embellished after purchase, and must be suspended from a leather strap no longer than 24 inches.
 - c. A medicine bag may not be worn to the visiting room or while working in food service.
 - d. Any contents of a medicine bag must be approved.
 - e. If staff search the contents of the medicine bag, the contents shall be placed on a piece of paper and visually inspected. If an item is called into question, staff shall remove the item and place it in an evidence bag for examination by the facility Security and Operations Supervisor and the Vermont Commission on Native American Affairs to determine its appropriateness for inclusion.

Faith Articles

Faith articles shall be consistent with the inmate's designated faith preference.

1. Prayer rugs - Inmates of faiths that use prayer rugs are permitted to possess only one prayer rug. It shall be commercially made and no larger than 30 inches by 40 inches.
2. Faith head coverings
 - a. Inmates are permitted to wear faith head coverings in accordance with their faith beliefs and as their security level permits.
 - b. Inmates shall be permitted to wear faith head coverings in all areas of the facility.
 - c. Staff may require an inmate to remove and may search faith head coverings at any time for security reasons.
 - d. Faith head coverings shall be searched upon entering and exiting the visiting room.

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- e. A faith group's faith volunteer or representative shall be consulted if there is any question whether the inmate's practice and the head covering itself are legitimate.
- f. Examples of approved faith head coverings include, but are not limited to:
 - i. *Fez* – a brimless, cone-shaped, flat-crowned hat that usually has a tassel and is made of red felt.
 - ii. *Hijab* – an approved cloth head covering (not to cover the face) for female members of the Islamic faith measuring four feet (4') by four feet (4').
 - iii. *Kufi* – approved faith head covering worn by Muslim men. A hemispheric head cap that may be made of cloth, knitted or crocheted. The kufi must fit close to the head (hair).
 - iv. *Tsalot-Kob* – approved faith headwear for members of the Rastafarian faith. A Taslot-Kob is a hemispheric head cap that may be made of cloth, knitted, or crocheted. Only the smallest size is permitted. It measures 12 inches long at its longest point to cover all locks. It must fit as close to the head as the locks permit.
 - v. *Turban* – a head covering formed by wrapping a long cloth sash around the head or a cap and which is worn especially by Muslim and Sikh men. A small version of the turban known as a *keskis* and *patkas* may be substituted for Sikh inmates if security concerns deem it necessary.
 - vi. *Yarmulke* – approved faith head covering worn by Jewish men. A close-fitting skullcap that may be made of cloth, knitted or crocheted.
3. Faith Beads – An inmate may be permitted to possess and wear faith beads. All requests for faith beads must go through the Inmate Faith Accommodation Request Form.
4. Oils – oils are permitted only during formal faith group services. No inmate may be in personal possession of oils.

Faith Publications and Texts

Inmates may subscribe to and possess any faith publication approved through the provisions established in the administrative directives governing inmate mail and publications, inmate property, security threat groups, and contraband and searches.

Inmates in Restrictive Housing

1. Approved faith volunteers may visit restrictive housing units with prior approval of the Superintendent and/or designee.
2. Inmates in restrictive housing status may have a book of faith or other faith publications per the allowable limits of their restrictive status.
3. Allowable inmate faith property may be limited on an individual basis if it is proven to be a security risk or provides an inmate with the means to injure themselves.

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Training

Superintendents shall ensure all uniformed staff receive training regarding this directive.

Quality Assurance

1. The Hearings Administrator shall report quarterly on grievances regarding faith observance to the Executive Management Team Quality Council.
2. The Director of Correctional Facilities shall incorporate the verification and validation of local procedures into facility Security and Compliance Audits.
3. The Director of Correctional Facilities and the Superintendents shall use the information gathered through local and statewide quality assurance procedures to develop improvements or corrective plans.



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INMATE FAITH PREFERENCE DESIGNATION FORM

Check one (1) category or, where offered, the one sect or denomination that you intend to practice while incarcerated. If you do not intend to practice a faith, check None. If you would like assistance in completing the form, submit a request to a staff person.

You may change a selection of None to a specific group at any time.

This is an original request.

This is a change of faith preference.

Table with 2 columns: Faith Category and Faith Name. Rows include Buddhism, Protestant, Christian Science, Advent Christian, Church of Jesus Christ Christian, African Methodist Episcopal/Zion, Church of Jesus Christ of Latter Day Saints (Mormons), Apostolic, Hinduism, Assembly of God, Islam, Baptist, Nation of Islam, Lost-Found, Episcopalian, Nation of Islam, Farrakhan, Evangelical, Sunni, Lutheran, Shi's, Methodist, Other (specify), Pentecostal, Jehovah's Witnesses, Presbyterian, Judaism, Quaker, Native American, Seventh-day Adventist, Neo-pagan or Earth-based Traditions, United Church of Christ, Odinism, Asatru & Norse Germanic Traditions, Other (specify), Orthodox, Rastafari, Eastern, Roman Catholic, Greek, Sacred Name Groups, Russian, Assemblies of Yahweh, Other (specify), House of Yahweh, NONE, Sikhism, DECLINE TO ANSWER, Wicca.

Inmate Name: _____ DOB: _____

Inmate Signature: _____ Date: _____

Facility: _____

Cc: Facility Volunteer Services Coordinator, Property Officer Inmate, OMS

INMATE FAITH ACCOMMODATION REQUEST FORM

If more than one inmate is filing a request, each inmate must submit a form. If this is a group request, information must be submitted to the facility Volunteer Services Coordinator who shall compile information about the group request and forward the information to the DOC of Corrections Facilities Executive and the Superintendent. **NOTE:** Do not use this form to request a faith diet. See administrative directive #354.05, *Inmate Alternative Diets*, for the correct form. Please attach additional pages if needed.

Inmate Name:	DOB:	Date:
Name of Faith:		
1. Describe, in detail, your faith's basic tenets or beliefs which you feel require that you be provided with the requested accommodation:		
2. Give a detailed description of the requested accommodation or property source:		
3. List any publications, which explain the faith significance of the requested accommodation. Provide a copy of the publication(s) to the Volunteer Services Coordinator.		
4. Is there a recognized governing body for this Faith Group? If so, please provide contact information.		
Inmate Signature:		
Superintendent Signature:		Date:
Comments and/or Recommendation: <input type="checkbox"/> Approved <input type="checkbox"/> Denied (& Reason – <i>Use back if needed.</i>)		
Facilities Executive Signature:		Date:
Comments and/or Recommendation: (<i>Use back if needed.</i>)		

Cc: Facility Volunteer Services Coordinator, Property Officer, Inmate, OMS

THIS IS AN INTERNAL DOC OF CORRECTION'S GUIDANCE DOCUMENT TO ASSIST IN UNDERSTANDING THE REQUIREMENTS OF THE DOC'S DIRECTIVE 380.01. IT SHOULD NOT BE CONSTRUED TO BE THE DOC'S POLICY BUT RATHER A WORK PRODUCT.

Dated: 3/9/2017