

KERN COUNTY SHERIFF'S OFFICE

Detentions Bureau Policies and Procedures

TITLE: RELIGIOUS SERVICES

G-600

EFFECTIVE:	REVIEWED:	REVISED:	UPDATED:
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REFERENCE: Title 15, Section 1072, C.C.R., Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA), DBPPM Section I-200

POLICY

The Sheriff's Office will provide or arrange for religious services to afford reasonable opportunities for incarcerated people to exercise their religious beliefs. Incarcerated people in Sheriff's Office custody maintain their freedom of religion and the ability to participate in, or abstain from, religious services.

Religious activities may be restricted if necessary to meet a compelling governmental interest, such as the safety and security of the facility. Such activities will be restricted only so much as is necessary to meet the compelling governmental interest.

DEFINITIONS:

For the purpose of this policy, the following definitions shall apply:

- **Religious Service:** A gathering of a religious provider and one or more incarcerated people for the purpose of hearing/receiving a religious teaching, study and/or to engage in worship and prayer conducted in an effort to meet the spiritual needs of incarcerated people.
- **General (Non-denominational) Religious Service:** A service that identifies no particular faith denomination and is open to all who want to participate (Classification security levels permitting).
- **Specific Religious Service:** A service or ceremony unique to members of a specific religious group.

- **Religious Publications:** Reading material (holy books, tracts, study guides, books, pamphlets, periodicals, teachings etc.) that is religious in nature and is intended to spiritually encourage and/or educate individuals about a religion.

DIRECTIVE #1

The Sheriff's Office facilities do not have the resources, nor is there a requirement, to provide religious services for every existing or new religion. Therefore, the Detentions Bureau Chaplain shall coordinate general, non-denominational religious services for general population and/or any other incarcerated person classifications (protective custody, etc.) that can attend in a group setting.

Incarcerated people wishing to attend general religious services at their housing facility may do so when requested, provided that incarcerated person's classification security level permits.

General religious services will be held at a time designated by the Bureau Chaplain and at a location designated by the Section Manger or their designee.

DIRECTIVE #2

The Sheriff's Office recognizes there may be individuals or small groups of individuals within the incarcerated person population who may wish to attend a specific religious service. However, those services may not be readily available, regularly scheduled or provided, due to limited resources, a minimal amount of requests received or small number of practicing incarcerated people in custody.

Incarcerated people wishing to attend a specific religious service may request such a service by submitting a request to the Bureau Chaplain.

DIRECTIVE #3

In the interest of facility security, safety, order, and discipline, incarcerated people who are medically isolated, on suicide watch, housed in a safety cell, or administratively separated will not be allowed to attend religious services and must make arrangements through the Bureau Chaplain for individual visits with the religious provider of their choice in accordance with procedure B. Such requests will be evaluated for approval on a case-by-case basis in consideration of incarcerated person and staff safety.

Procedure A: Processing incarcerated person Requests for Specific Religious Services

Staff receiving an incarcerated person request slip from an incarcerated person requesting a specific religious service will:

- Forward it to the Detentions Bureau Chaplain.

The Detentions Bureau Chaplain will:

- Review, research and make a recommendation on the incarcerated person request by verifying that:
 - The requested specific religious service is based on a religion (i.e., known history, leaders, artifacts, holy books, beliefs in deity/deities, origins, purposes);
 - The incarcerated person has demonstrated a sincerity of their belief (as determined by interviews with the Chaplain);
 - The incarcerated person demonstrated that the request is religious in nature.

Note: If the Chaplain is unable to verify a religion, they will make a recommendation based on the sincerity of the incarcerated person requesting the specific religious service. The Chaplain will document specific incarcerated person behavior observed and relevant facts which will assist the Incarcerated person Services Section Manager in making the decision to approve the request.

- Based on the criteria above, provide a written recommendation for approval or denial;
- Route the written recommendation and the incarcerated person's request slip to the Inmate Services Section Manager or their designee.

The Inmate Services Section Manager or their designee will:

- Review the provided recommendation, the incarcerated person's request slip, and any other relevant information;
- If necessary, discuss the matter with the Detentions Bureau Chaplain and or the manager of the facility in which the incarcerated person is housed;

- Approve or deny the request;

Note: Any denial of a requested service must be made in the furtherance of a compelling governmental interest (e.g., security, safety, cannot be reasonably accommodated, or the request is cost prohibitive) and the denial of the request must be the least restrictive means of furthering that interest.

- Provide the determination to the Detentions Bureau Chaplain.

The Detentions Bureau Chaplain will:

- Provide the requesting incarcerated person with the approval or denial.
- If the incarcerated person wishes to appeal the decision, they may do so using the grievance process as described in section I-200 of this manual.

Procedure B: Processing Approved Requests for Specific Religious Services

Upon receiving an approved request for a specific religious service, the Detentions Bureau Chaplain will:

- Attempt to make contact with a representative of the specific religious organization requested by the incarcerated person;
- Ascertain if the religious organization is willing and able to comply with the incarcerated person's request;

If the religious organization is willing and able to comply with the incarcerated person's request, the Detentions Bureau Chaplain will:

- Make arrangements with the representative of the organization and the housing facility of the requesting incarcerated person to facilitate the requested religious service, visit or ceremony in the best and least restrictive manner possible;
- Advise the requesting incarcerated person of the situation and decisions, including the ability or inability to comply with the request;
- Maintain a written record of the request and the service(s) provided, if any, and retain it for a minimum of five years;
- Advise the Inmate Services Section Manager if the requested specific religious service was able to be provided.

Procedure C: Religious Publications

Detentions Bureau Chaplains rely on donations for all religious material provided to incarcerated people. All materials distributed by the chaplain are received from either local or national religious organizations. Additionally, incarcerated people may purchase their own publications in accordance with DBPP F-100.

Incarcerated people wishing to receive donated Religious Publication(s) must submit a request to the Detentions Bureau Chaplain.

Upon receiving a request for a religious publication, the Detentions Bureau Chaplain will:

- Verify that the requested publication is religious in nature and that the content is not detrimental to the safety, security, order, discipline and other governmental/penological interests of the Detentions Bureau.
- Unauthorized publications include (but are not limited to) any materials which;
 - Are racially divisive;
 - Inspire violence or revolts;
 - Promote sexual activities/rituals/photos.
- Ensure that the requested item is not already available from on-hand donated stock. If not, contact the appropriate religious organization and attempt to arrange for a donation of the requested publication;
- Make arrangements for delivery of the publication(s) to the requesting incarcerated person's housing location;
- Maintain a written record of the transaction and retain for a minimum of five years.

If the Chaplain is unable to fulfill a request for a publication due to:

- A lack of donations or cooperation from an organization;
- A lack of publication availability; or
- A safety or security concern as described above,

The Detentions Bureau Chaplain will:

- Notify the Inmate Services Sergeant or their designee.

The Inmate Services Sergeant or their designee will:

- Review the findings of the Chaplain and determine if there are other publication alternatives available to fulfill the request;
- Notify the requesting incarcerated person of the outcome/results.

If the incarcerated person wishes to appeal the decision, they may do so using the grievance process as described in section I-200 of this manual.

DIRECTIVE #C-1

Detentions Bureau Chaplains shall inspect all donated publications received from a religious organization to ensure that they meet all Detentions Bureau safety and security protocols.