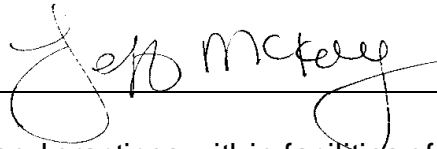
 <p>Corrections and Community Supervision</p> <p>DIRECTIVE</p>	TITLE Religious Programs and Practices		NO. 4202
			DATE 5/11/2023
SUPERSEDES DIR # 4202 Dtd. 10/19/15	DISTRIBUTION A B	PAGES PAGE 1 OF 14	DATE LAST REVISED
REFERENCES (Include but are not limited to) See Section II	APPROVING AUTHORITY 		

I. SCOPE: This directive concerns religious programs and practices within facilities of the New York State Department of Corrections and Community Supervision (DOCCS) and covers the religious rights and obligations of incarcerated individuals and Chaplains within these facilities.

II. REFERENCES:

- 42 U.S.C § 2000
- ACA Expected Practices:
 - 5-ACI-5C-07, 5-ACI-7F-01, 5-ACI-7F-03, 5-ACI-7F-05, 5-ACI-7F-06, 5-ACI-7F-07, 5-ACI-7F-08
 - 2-CO-5E-01, 2-CO-5E-02
- Directives #4022, #4200, #4572, #4911, #4913, #4914, #4750, #4752, #4930, #4933
- Annual Religious Calendar

III. BACKGROUND: The Division of Ministerial, Family & Volunteer Services (MFVS), which falls under the jurisdiction of the Deputy Commissioner for Program Services, is responsible for ensuring that all religious programs and practices are carried out in accordance with the established tenets and practices of the faiths, the United States Constitution, as well as the policies and procedures of DOCCS. For religions not represented by DOCCS Chaplains, the Director of MFVS will seek advice on matters of religious doctrine, practice, and tradition from recognized religious authorities in the outside community. Due to the large number of unfamiliar faith groups in the community, any incarcerated individual who wishes to practice one of these religions/faiths will be required to make an official request by using [Form #4202E](#), "Request for New Religion." The form must be completed in its entirety and submitted to the Coordinating Chaplain. The Chaplain will keep a copy on file and forward the original to the Director of MFVS. The Director's determination will be returned to the Coordinating Chaplain with a copy to the Deputy Superintendent for Program Services (DSP).

The Director reports to the Assistant Commissioner for Program Services and is responsible for its day-to-day activities and the involvement of facility Chaplains and their approved programs. The Coordinating Chaplain will be responsible for monitoring these activities for compliance. Facility Chaplains are responsible for carrying out all aspects of the religious programs of their respective faiths and for ensuring that the approved accommodations for each faith group are afforded to the adherents of other identified groups. This responsibility will include the supervision of religious volunteers.

Directive #4200, "Functions of the Division of Ministerial, Family & Volunteer Services," sets forth the mission and internal organization of the Division. DOCCS' Religious Calendar, in conjunction with this directive, Directive #4911, "Packages & Articles Sent or Brought to Facilities," Directive #4913, "Incarcerated Individual Property," and Directive #4914, "Incarcerated Individual Grooming Standards," sets forth DOCCS standards that must be adhered to when making religious accommodations for all incarcerated individual faith groups.

- IV. POLICY:** In recognition of the First Amendment right of "religious liberty" and in pursuit of the objective of assisting incarcerated individuals to live as law abiding citizens, it is the intent of DOCCS to extend to incarcerated individuals as much spiritual assistance as possible, as well as to provide as many opportunities as feasible for the practice of their chosen faiths, consistent with the safe and secure operations of the DOCCS correctional facilities. This includes provisions for religious volunteers who must be fully registered (see Directive #4750, "Volunteer Services Program") to participate in authorized facility religious programs.

In situations where an incarcerated individual's faith may not be represented by a Chaplain at their facility, the incarcerated individual may contact and refer an outside clergyperson to contact the Coordinating Chaplain for discussion. If appropriate, they may apply to become a religious volunteer. If a Chaplain or an outside religious volunteer is not available to serve the spiritual needs of a particular faith group, the facility Superintendent, in consultation with the Director of MFVS, may authorize a faith group member to facilitate a religious education class or congregate worship service with staff monitoring (see "Protocol; Incarcerated Facilitators," Attachment A). If an incarcerated individual wishes to follow an unfamiliar or new religion they must complete [Form #4202E](#), "Request for New Religion."

It should be clearly understood that DOCCS takes no position "acknowledging" any particular religion within its incarcerated population. DOCCS merely attempts to identify particular faiths within the population in an effort to accommodate the legitimate spiritual needs of its incarcerated individuals as reasonably as possible in a manner which is commensurate with its legitimate correctional interests and the safety and security of its respective facilities.

DOCCS employees, including Chaplains and volunteers, in addition to incarcerated facilitators, shall refrain from disparaging in any manner whatsoever either the doctrines, beliefs, practices, or teachings of any other religious faith or any incarcerated individual or group of incarcerated individuals who are adherents of any other religious faith or sect. Under no circumstances will proselytizing be permitted on the part of staff, volunteers, or incarcerated individuals.

In addition to the Religious Calendar, Ministerial Program Coordinators (MPCs) and facility Chaplains should be consulted with regard to the tenets, practices, holy day observances, etc. of their respective faiths. The MPC, in consultation with the Director of MFVS or designee, will provide all necessary information where a particular faith is not represented by an employee Chaplain.

V. RESPONSIBILITIES OF MINISTERIAL PROGRAM COORDINATOR (MPC): Ministerial Program Coordinators report to the Assistant Director of Ministerial Services. The responsibilities include but are not limited to:

- Serve as a liaison between Central Office Ministerial Services and the field
- Serve as the contact person for facilities with regard to all faith group inquiries
- Assist with facilitation of HUB Chaplains trainings and meetings
- Assist facility Chaplains to increase volunteer recruitment for all faith groups, but particularly for the emerging faith groups

VI. RESPONSIBILITIES OF THE FACILITY COORDINATING CHAPLAIN: Each facility should have a Coordinating Chaplain who will serve as the principal adviser to the Superintendent on religious programs and practices. In addition to the tasks performed by Facility Chaplains, in collaboration with all other Chaplains assigned to the facility, the Coordinating Chaplain will also oversee and monitor the religious programs that are offered at the facility. They will be responsible for informing the DSP of religious program progress as well as collecting [Form #3304](#), "Chaplain's Monthly Report," from all Chaplains and submitting them along with [Form MFVS-MCS](#), "Monthly Chaplain's Summary," on a monthly basis. The reports should be forwarded to the MPC via Outlook e-mail, as attachments, with a copy to the Division of Ministerial, Family & Volunteer Services (DOCCS.sm.MFVS), no later than the Monday of the last full week of each month.

The Coordinating Chaplain will coordinate the various religious functions and the use of designated religious space, in conjunction with the overall functions of the institution. They will act as the liaison between the facility administration and the Chaplains assigned to the facility to ensure that policy and policy changes are shared; Chaplain's meetings should be held at least once a month, in person or via telecommunication. Coordinating Chaplains are expected to attend Central Office trainings as required. In conjunction with the facility Chaplains, the Coordinating Chaplain will also be responsible for enhancing the facility religious activities through the presence of community volunteers.

The Coordinating Chaplain will not have direct supervision of other Chaplains assigned to the facility; however, they will be required to know other Chaplain's work schedules and religious schedules to coordinate the religious area more efficiently. This includes assisting with completing religious event packages for groups that are overseen by a Chaplain that is assigned to provide coverage to multiple facilities. The responsibilities of the Coordinating Chaplain may be divided among one or more Chaplains.

VII. RELIGIOUS WORSHIP SERVICES AND PROGRAMS

A. Chaplain's Leadership Role: Each facility Chaplain is responsible to personally lead the primary congregational worship and prayer services of their particular faith on a regular basis at their assigned facility(ies). Although the Chaplain is responsible for leading worship services for their faith group, a volunteer may conduct the religious educational class/group. In these instances, the material that is presented by the volunteer must be submitted to the Chaplain and approved in advance. In addition, each Chaplain shall share responsibility for assisting faith groups not represented by a facility Chaplain in the exercise of their faith's practices. Chaplains shall not defer their leadership role to any person from outside the facility except on rare or special occasions, and only with the expressed consent of the facility Superintendent.

In accordance with policy, incarcerated individuals may facilitate but shall not provide any leadership role for the worshipping in incarcerated community since this is properly the function of the facility Chaplains. Individuals who are themselves legitimately ordained clergy are not permitted to practice their profession while incarcerated.

- B. Chaplain Schedule and Coverage: Chaplain work schedules should be set according to facility need and capacity covering weekends and evenings to the extent possible. All chaplains are required to make weekly rounds to the extent possible, in general population and satellite areas, e.g., Special Housing Units (SHU), Residential Rehabilitation Units (RRU), Regional Medical Units (RMU), Residential Mental Health Unit (RMHU), Infirmary, Clinic, Housing Units (H.U.), etc. All chaplains are required to sign the logbooks.
- C. Delivery of Religious Programming
1. To the extent possible and consistent with the safety and security of the facility, registered adherents may submit a request to the Superintendent:
 - a. To observe their congregational worship services when led by employee Chaplains or outside religious volunteers, approved facilitators or
 - b. To attend religious classes facilitated by a Chaplain, an approved volunteer, or an approved facilitator.
 - (1) Facilitation by a facilitator will only be considered under the following conditions:
 - (a) The religious faith must have tenets that can be expressed, taught, or practiced in a group setting by a facilitator. No employee Chaplain or outside religious volunteer of this particular faith is available to serve in a leadership capacity.
 - (b) **The incarcerated facilitator must be specifically approved by the Superintendent after consultation with the Coordinating Chaplain and the Director of MFVS.** "Protocol; Incarcerated Facilitators," Attachment A, must also be completed with a copy placed in the correspondence section of the incarcerated individual's Guidance folder and with the Coordinating Chaplain.
 - (c) Due to the unique role that incarcerated individual facilitators perform, they should be reviewed on an annual basis and, for security reasons, they should serve terms not to exceed 36 months (see Attachment A for details).
 - (2) Congregational worship by each approved faith group shall be determined in line with the theological tenets of that faith. The facility will make the determination of the Congregational worship of each faith in consultation with the Chaplain or Coordinating Chaplain. If necessary, the MPC or Director of MFVS or designee shall be consulted.
 - (3) If the religious services are facilitated by a volunteer or approved facilitator, an outline of the discussion/service must be submitted to the designated Chaplain advisor for pre-approval.

- (4) The Superintendent shall make a determination on each request to form a study group or congregation within 14 days of the request. Factors to be considered include, but are not limited to, the total number of incarcerated individuals making the request, availability of space, and staffing. If approved, the number of religious groups will be determined in the following manner:
- Requests from five or less will be approved to meet once a month.
 - Requests from six – ten will be approved to meet twice a month.
 - Requests from 11 – 20 will be approved to meet three times per month.
 - Requests from more than 20 will be approved to meet weekly.
 - If a group requests more than the allotted number of meetings, the Superintendent has the discretion to approve such requests if the accommodation can be made without incurring any additional costs/resources.
- (5) Incarcerated individual facilitated meetings and incarcerated individual facilitated congregate worship will be conducted only with appropriate oversight by staff. This may include electronic recording (audio or videotaping) of the meeting or congregate worship for review by the Coordinating Chaplain or other person designated by the Superintendent. Questions regarding the appropriateness of incarcerated individual facilitated congregate worship should be addressed to the MPC or to the Director of MFVS or designee.
2. Ordinarily an incarcerated individual may attend only the religious programs of their designated religion as noted in facility records; however, it is acceptable for those who desire to learn more about the religious practices of another faith to request permission to attend up to three religious services per year from the Chaplain of that faith group. In case there is no Chaplain of that faith group, the request should be made to the Coordinating Chaplain (this does not include those interested in the Native American faith unless the incarcerated individual has met all conditions of the verification process). If attendance can be accommodated, the Chaplain will advise the DSP that the incarcerated individual will be placed on a call-out.
 3. Participation by an incarcerated individual in any religious celebration, service, or study group is voluntary. Therefore, it is the responsibility of the incarcerated individual to request to participate in all religious activities of interest. Once they have been placed on the call-out, it is their responsibility to attend. Completed call-outs and sign in sheets should be kept on file by the Chaplain. If an incarcerated individual does not regularly attend the program the Chaplain should meet with them to determine their interest in continued participation. If there is no further interest then a notation should be made and the incarcerated individual's name should be removed from the call-out.
 4. The Superintendent or designee, in consultation with the assigned Chaplain for the affected faith group and the Director of MFVS or designee, shall resolve any conflicts pertaining to the scheduling and conduct of worship services.

- VIII. RELIGIOUS CELEBRATIONS OR OBSERVANCES OF RELIGIOUS HOLY DAYS:** The Division of Ministerial, Family and Volunteer Services will compile a list of the approved dates of observance/celebrations, protocols, and accommodations for each identified faith group in the form of the annual Religious Calendar. The Division will also provide guidance and direction regarding the sacramental or ritual needs of each group.
- A. **Calendar:** The Deputy Commissioner for Program Services or designee will issue a Religious Holy Day Calendar on an annual basis. This Calendar will list by faith group, the **one** designated family event and the High Holy days or days of observance. It will also note if special accommodations, such as Off Work and Programs (OWP), Family Events (FE), and Menu Considerations (MC), are required. These may involve work prohibition or restrictions, special ceremonies, additional chapel time, etc.
- In addition to the yearly calendar of religious days of observance, specific faith group instructions may be issued preceding a specific holy day or day of observance when needed. These holidays should be noted on a facility events calendar so that all groups are afforded the designated accommodations. There should be no deviation from these instructions without Central Office approval.
- B. **Schedules and Arrangements:** Chaplains shall notify each religious community of upcoming celebrations along with a deadline to sign up to participate. This should be documented in writing and be included in the packet. The event packet must be submitted to the DSP **no less than 45 days prior to the event** (see Directive #4022, "Special Events Program," for policy regarding special/family event program administration). Incarcerated individuals are required to provide a separate written request to participate in each religious celebration or observance that they are interested in. If an incarcerated individual transfers into a facility after the deadline has passed and requests to participate in the observance, the request should be approved. It is the responsibility of the designated Chaplain to schedule the above activities and to document requests for attendance. Where a particular faith is not represented by a facility Chaplain, these responsibilities rest with the Coordinating Chaplain or assigned Chaplain.
- IX. CHANGE OF RELIGIOUS DESIGNATION:** After reception/classification, an incarcerated individual may request an initial change of their religious affiliation, as recorded in Departmental records, by completing [Form #4202C](#), "Change of Religious Designation Form," and presenting it to the facility Coordinating Chaplain. The Coordinating Chaplain will maintain a log of such requests and will ensure that the affected Chaplains are made aware of the change. The Chaplain of the incarcerated individual's former religion, if any, and the Chaplain of the incarcerated individual's newly designated religion, if any, shall both sign [Form #4202C](#). In the absence of a Chaplain of a particular faith group, this will become the responsibility of the Coordinating Chaplain. Native American designations can only be approved after appropriate verification of the incarcerated individual's ancestry by the Director of MFVS in consultation with the DOCCS Native American Chaplains. Upon approval, the Coordinating Chaplain will forward the completed form to the facility Inmate Records Coordinator (IRC) for entry into the Department's central computer system, and distribute a copy to the Offender Rehabilitation Coordinator (ORC) for placement in the guidance file and a copy to the incarcerated individual.

It is expected that the change will be accomplished within 14 business days. Subsequent changes of religion will be permitted only at 12-month intervals. There may be occasions when it is believed that there is a need to update a designation prior to the 12-month rule. These cases should be referred to the Director who will decide whether to approve an override or not. Incarcerated individuals may not change their religious designation while a Superintendent's hearing is pending, or any disciplinary confinement; however, if the confinement is 12 months or longer, the incarcerated individual may change their faith after the 12 months. [Form #4202C](#) is not to be handed out at religious services or classes.

Departmental guidelines must be adhered to when approving a religious designation. Whenever policy requires additional information in order to complete the verification process, it will be the incarcerated individual's responsibility to acquire it from outside religious authorities.

X. AREAS DESIGNATED FOR WORSHIP AND RELIGIOUS PROGRAMS

- A. The Superintendent, after consultation with the assigned Chaplain or Coordinating Chaplain, shall provide suitable areas for scheduled worship services and scheduled religious programs by the approved religious groups. Adequate time shall be allowed. All spaces in facilities that are designated as places for religious worship are to be reserved for religious uses only. Under some very extraordinary circumstances, the occasional use of such spaces for non-religious purposes may be permitted but only after consultation with the Coordinating Chaplain and Superintendent approval. Always, the spaces designated for religious purposes are to be dealt with in a respectful manner.
- B. In some facilities, because of space limitations, religious activities are now scheduled to be held at specific times in multipurpose or all-purpose spaces such as classrooms, gymnasiums, or meeting halls. Where this practice is required, respect should always be given to the sometime sacred and religious use of the space. The area should be large enough to accommodate the group and should be provided with the necessary furnishings such as chairs, tables, lecterns, cushions, altars, and rugs.
- C. Shared areas for worship and programs should not include fixed visible symbols, posters, wall hangings, mirrors, etc.
- D. If a serious question arises regarding the appropriateness of a given activity for a religious space, the Superintendent or designee should consult the Director of MFVS in order to decide how to resolve the issue.

XI. PRAYER OR DEVOTIONS

- A. Individual demonstrative prayer by incarcerated individuals will only be allowed in the privacy of their own living quarters and in designated religious areas whenever feasible, as determined by the Superintendent.
- B. Congregate or group prayer may only occur in a designated religious area during a religious service or at other times authorized by the Superintendent.

XII. RELIGIOUS MATERIALS: The Religious Land Use and Institutionalized Persons Act (RLUIPA), Pub. L. 106-274, **codified as 42 U.S.C § 2000 cc et seq.**, is a United States Federal Law that prohibits the imposition of burdens on the ability of prisoners to worship as they please. The general rule is that no government shall impose a substantial burden on the religious exercise of a person residing or confined to an institution unless the government demonstrates that imposition of the burden on that person is in furtherance of a compelling governmental interest and is the least restrictive means of furthering that compelling governmental interest. As a result, DOCCS will provide a list of approved religious items that incarcerated individuals may possess regardless of their designated faith group. These items will only be allowed for individual worship and may only be possessed as outlined in policy. In order to maintain the integrity of specific religions, the Calendar notes the only items that are allowed for congregate worship.

- A. In accordance with sound security practice and in the best interest of the safe, secure, and orderly operations of correctional facilities, **staff and volunteers may only bring religious items into a facility if they have been appropriately approved via a gate clearance by the facility administration. The gate clearance must include an accurate description of the item, what faith group it is associated with, and indicate the specific purpose of the item.**

Religious materials for a faith group can also be obtained via purchase request when deemed appropriate by the Chaplain, or the group's staff advisor, and upon approval by the DSP.

If religious materials are received via an outside donation, a facility Chaplain shall review the materials in consultation with the DSP and the MPC if necessary. Donated materials will be accepted in accordance with Directive #4752, "Receipt of Donated Material." In addition, approved items may be donated by family members as long as the facility Chaplain is notified in advance and the items are shipped to the facility directly from an approved vendor.

Whether via purchase requests, through a gate clearance, or from an outside donation, religious media, such as, but not limited to, books, DVDs, or magazines, must be submitted to the Media Review Committee for approval. If there are questions regarding the religious significance of the material a Chaplain should be consulted and if need be, the assigned MPC as well. If further clarification is required the MPC will consult with the Director of MFVS, or designee, to assist the facility with the review. The DSP has the final discretion as to whether the materials are approved for purchase or entrance into the facility.

NOTE: Please ensure that storage of media, such as DVDs, is in accordance with Directive #4930, "Tool Control."

- B. During the conduct of religious services, Chaplains and outside clergy may wear their religious vestments and/or insignia. Ceremonial candles should be affixed to candelabras and/or menorahs that are securely fastened to prevent overturning. Live candles will only be allowed when under the direct supervision staff. Incense should only be used during religious worship when the ceremony calls for it as noted in the Calendar. Electric or battery-operated menorahs will be available upon request during Chanukah for adherents in satellite areas, e.g., SHU, RMU, RMHC, RRU, etc. with the exceptions of RCTP.

- C. An incarcerated individual's use of or request for any particular religious article shall be limited to those items that have been approved by DOCCS. If the validity of a religious item is in question, a Chaplain must be consulted prior to confiscating the item. If a Chaplain is unavailable, then the MPC or Director of MFVS should be consulted.
- D. All religious items which are specific to the incarcerated individuals' religion of record may be worn within the facility and outside congregate worship as noted within the policies and procedures of DOCCS. Furthermore, in accordance with Religious Land Use and Institutionalized Persons Act (RLUIPA) if the incarcerated individual desires to wear items not specific to their Religion of Record, the items(s) may only be worn within the confines of their dorm, cell block, or housing unit.
- E. An incarcerated individual may be permitted items subject to the specifications set forth in Section XII-A. The following (1-8 and Letter F) only apply to Native Americans:
1. Medicine bag: An unsealed medicine bag, no greater than 2" x 3", with drawstring or leather cord closure. The bag must be worn under the clothing and be completely concealed. The bag may contain natural objects such as pebbles, small animal bones, and sacred herbs consisting of sweet grass, sage, cedar, sacred tobacco, calamus root, and kinnick-kinnick. In order to permit visual inspection of all contents of the bag, only small quantities of such objects may be included.
 2. Sacred herbs for religious practices: Sacred herbs, consisting of sweet grass, sage, cedar, sacred tobacco, calamus root, and kinnick-kinnick may be possessed on their persons or in their housing locations in such limited quantities as are necessary to accommodate religious practices as determined by the facility Chaplain.
 3. Sacred herbs may only be ordered, received, stored, and dispensed by the facility Chaplain at the request of the Native American group for congregate worship or any individual for individual worship. The expense shall be the responsibility of the group or individual. These items must be ordered from an approved commercial vendor.
 4. Personal smoking pipe: A personal smoking pipe, not to exceed six inches in length.
 5. Smudging ashtray: A small ashtray or shell for smudging, less than three inches in diameter.
 6. Although the ashtray may be possessed in living quarters, smudging can only be done in the area(s) designated by the Superintendent.
 7. Artifacts and symbols: Other religious artifacts or symbols such as clan or nature symbols or representations, or additional items needed for ceremonies, including items of ceremonial dress, as approved by the Director of MFVS.
 8. Incarcerated individuals may practice smudging and smoking (non-tobacco) subject to the following:
 - a. Incarcerated individuals may only smudge and smoke non-tobacco products within areas approved by each facility Superintendent.

- b. Smudging will be permitted two times per day for 15 minutes each time. Smoking (non-tobacco) will be permitted two times per day for 15 minutes each time. One 15 minute period will occur before the morning meal and the second 15 minute period will occur in the evening, the exact times to be determined by the Superintendent of the facility. In keeping with DOCCS' non-smoking policy, only non-tobacco substances consisting of sweet grass, sage, cedar, kinnick-kinnick (obtained from an approved commercial vendor), or calamus root may be used for smudging.
 - c. An incarcerated individual in general population is allowed to smudge a sweet grass braid of up to 22" and burn one teaspoon of non-tobacco herbs in their shell or ashtray.
An incarcerated individual in RRU/SHU/disciplinary housing/administrative segregation may only smudge a sweet grass braid of 1" and burn one tablespoon of smudging herbs.
 - d. In keeping with DOCCS' non-smoking policy, only non-tobacco substances consisting of sweet grass or kinnick-kinnick (obtained from an approved commercial vendor) may be used for smoking.
- F. Only incarcerated individuals who have a documented Native American designation will be allowed to participate in approved Native American ceremonies. Native Americans may wear long hair without it being tied back in a ponytail or fastened during ceremonies and study group meetings. During scheduled ceremonies only, they may braid the ponytail. Native American ceremonies may also include dance bells, a feather fan, an approved blanket of multi-color design, and ribbon shirts (so long as significant portions of these items are not of an unauthorized solid color), other religious artifacts or symbols such as clan or nature symbols or representations, additional items needed for the ceremony including items of ceremonial dress, and other items approved by the Director of MFVS.

XIII. RELIGIOUS HEAD-COVERINGS: Incarcerated individuals are permitted to wear religious head-coverings as permissible in a correctional setting and outlined in the Religious Calendar.

- A. A facility Chaplain is to determine whether the head-covering itself is legitimate and whether it is being worn appropriately as noted and approved in the directive and Religious Calendar. This is to be verified via noted policy and/or consulting the assigned MPC. If a Chaplain of the incarcerated individual's faith belief is unavailable, the Coordinating Chaplain should be consulted. If there are additional questions surrounding the validity of the item then the assigned MPC should be consulted.

XIV. RELIGIOUS MEDALLIONS, BEADS, AND SHRINES: The items are subject to the provisions of Directive #4911, "Packages & Articles Sent or Brought to Facilities." An item may not exceed the value as noted on the list of individual worship items, and shall not be of such size or design that it can be used as a weapon, used to conceal contraband, or otherwise constitute any threat to the safety and security of the facility.

- A. Religious Medallions: Incarcerated individuals may possess any religious medallion that has been approved in accordance with Department policy. Some examples of religious medallions include, Cross, Pentacle, Thor's Hammer, Star of David, Rosette, Crescents with stars and/or moons, and a Scapular.
1. All medallions must be worn underneath clothing and may not be visible.
 2. When worn, a medallion shall be affixed to a metal chain, except for the Rosette which shall be affixed to a fabric or leather cord.
 3. When carried, a medallion must be kept in a pocket with chain or cord attached.
- B. Rosary or Dhikr Beads: Rosary or Dhikr beads may be possessed in one's hands but not worn or displayed; Rosary beads for the purpose of prayer or Dhikr beads for the purpose of dhikring (remembering Allah's attributes). They may be carried to congregate worship in a pocket. Only the color black will be allowed into the facility.
- C. Other Beads: An incarcerated individual may request to possess any approved religious beads; colors and other specifications must be in compliance with Departmental policy.
- D. Altars
1. An incarcerated individual may request to have an altar. The altar is to be used in their living quarters, and shall not exceed 1' x 1' and 1' in height. The request shall be made by writing the facility Chaplain. Incarcerated individuals in SHU are allowed to request an altar, so long as the altar is composed of materials that are allowed in accordance with Directive #4933, "Special Housing Units."
 2. The materials from which the altar is constructed may consist of normally allowable items or materials, and shall not include any item which is contraband or which can be used as a weapon, used to conceal contraband, or otherwise constitutes a threat to the safety and security of the facility, or any food which is subject to spoilage. The altar may be openly displayed but shall not include any visible beads, and shall not be utilized in any manner which would constitute a threat to the good order, security, or environmental health of the facility. Altars may not be placed on top of cell furnishings where current local facility policy prohibit placing items on top of cell furnishings. The altar shall be located in a non-transitory area, so that it does not interfere with the entrance or exit to the cell or housing area.

XV. RELIGIOUS PUBLICATIONS AND TEXTS: Incarcerated individuals may subscribe to and possess any religious publication approved through the Media Review process. All books or publications are subject to review in accordance with Directive #4572, "Media Review." Prior to denying any religious literature, the Director of MFVS should be consulted. The quantity of literature incarcerated individuals may possess in their quarters is subject to Directive #4913, "Incarcerated Individual Property."

XVI. DIETARY CONSIDERATIONS: Incarcerated individuals may refrain from eating those food items served to the general population which are contrary to their religious beliefs. The Department offers a Kosher Diet as an alternative religious meal option for multiple religions. This menu shall be provided only after verification of the religious need for the alternate diet by the Director of MFVS and the Assistant Commissioner for Health Services. Additionally, any newly arriving incarcerated individual(s) or in-transit status incarcerated individual(s) claiming the need for the Kosher Diet or a Department approved religious holiday menu consideration for their faith group shall receive the meal if the religion of record has been approved to receive that diet/meal. If it is unknown whether the religion of record requires the Kosher Diet/holiday meal, temporary approval shall be given with an official request for the meal being forwarded to the DSP simultaneously. The request must be made using [Form #4202D1](#), "Request for Religious Meals Acknowledgment and Consent Form." The DSP will render a decision within two weeks. Once the incarcerated individual has been approved to have the religious diet or meals, they will be responsible for adhering to all established guidelines. Anyone found not to be in compliance may be subject to removal from the religious diet/menu program. Violations will be documented and sanctions will be imposed in accordance with established policy using [Form #4202D](#), "Religious Meal Plan Counseling." [Form #4202D1](#) must be used to request any of the religious meals and is not valid until all required parties have signed the consent form; the form only needs to be signed once.

The only time a Kosher Diet approved individual may eat a non-Kosher Diet meal is when there is an MC designated holiday for their religion of record and that meal is not off the Kosher Diet menu. In these cases, the individual must choose either the holy day meal or the Kosher Diet, but can not have both. If an incarcerated individual is not approved for the religious meals, they should be advised as well as informed that the Department does offer a meatless alternative menu that is available daily to all incarcerated individuals. The form may be updated periodically. Any incarcerated individual who is approved for a religious menu will be expected to fully comply with the most current revisions. The Superintendent will determine the best way to notify participants of these changes.

PROTOCOL INCARCERATED FACILITATORS

PREAMBLE

Directive #4202, "Religious Programs and Practices," allows for the assignment of an incarcerated facilitator for a scheduled activity in those situations when neither a DOCCS Chaplain nor a religious volunteer is available to provide the service.

The rationale for this policy is based on the fact that it is fiscally impossible for DOCCS to provide an employee Chaplain for the numerous religious groups represented by the incarcerated population. While recognizing the constitutional rights of all claims for religious practice, DOCCS' policy has consistently been to maintain the integrity of the religion by insisting that the religious practices conform to the standards as established and practiced by religious denominations/faith groups in the outside community. Thus, an incarcerated individual should be well positioned to assimilate back into their faith community upon return to society.

In light of the above, selection of an incarcerated individual as a facilitator for religious activities must be approached with serious deliberation to preserve the integrity and identity of the religion.

ARTICLE I

The selection and assignment of an incarcerated facilitator must adhere strictly to the provisions detailed in this directive. Approval for the assignment of an incarcerated as a facilitator must be finalized by the Superintendent, in consultation with the Director of Ministerial, Family and Volunteer Services. Incarcerated facilitators who have been in the position for a considerable time may demonstrate a tendency to assume an unauthorized programmatic leadership role for the faith group they are selected to facilitate. This could potentially lead to boundary breaking by the facilitator within the faith group and create tension within the facility. Therefore, all facilitators will be selected for a term up to 36 months. Extensions beyond the maximum timeframe may be considered on a case-by-case basis by the Superintendent or designee in consultation with the Director of Ministerial, Family and Volunteer Services. Incarcerated facilitators serve at the discretion of the Facility Administration and may be removed at any time if they are found to be in violation of Departmental rules and regulations for incarcerated individual behavior, institution policy, and Departmental directives and policies.

ARTICLE II

Incarcerated facilitators shall not be allowed to assume a leadership role in conducting services. This can only be provided for by a duly ordained or appointed clergy person. The assigned incarcerated individual's role is to facilitate an activity which is properly organized and set forth by a competent and authorized clergy person. Consistent oversight and evaluation must take place to ensure that the faith group is meeting for legitimate religious reasons. Chaplains must be vigilant in monitoring the performance of the facilitator and the dynamics of the group they are working with to prevent the development of inconsistent activities and the breaking of boundaries that jeopardize the integrity and credibility of the faith communities in the facility.

ARTICLE III

Qualifications for this assignment are:

- Acceptable disciplinary record
- Suitable programming record

- High School Equivalency (HSE) Diploma
- Demonstrated ability to positively interact with staff and peers
- Knowledge of the religion’s tenets and practices
- Ability to develop a lesson plan with assistance and oversight from a Chaplain and the skill set to deliver that information to the group

ARTICLE IV

Incarcerated facilitators will be evaluated every 12 months or when there is an indication that they are not in keeping with the standards of their position. If at any time the incarcerated facilitator is found to be lacking in any of the specifications detailed by this protocol, the Coordinating Chaplain will consult with the respective Chaplain, volunteer clergy, or facility staff, and submit a request for the removal of the facilitator to the Deputy Superintendent for Program Services.

Under normal circumstances, the performance of the incarcerated facilitator will be evaluated by the Coordinating Chaplain, designated Chaplain (to include Chaplains that cover multiple facilities), or volunteer clergy. The completed evaluation will be provided to the Coordinating Chaplain. Prior to assuming their positions and during the selection process, all incarcerated individuals who volunteer to be a facilitator will be informed of the fact that they will be evaluated and closely monitored in their position. They will be evaluated based on the conditions of ARTICLE III of the Facilitator Protocol:

- Effectiveness of staying within the theological concepts/tenets of the faith group.
- Disciplinary record for the 12 month evaluation period (frequency and types of misbehavior reports) can be grounds for early evaluation and removal.
- Ability to interact positively and consistently with peers, volunteers, security, and civilian staff.
- Suitable record in other areas of programming to include attendance, participation, and appearance.

If there are any weaknesses identified that can be overcome, the facilitator will be counseled and receive additional training. If the facilitator is found to be lacking in the ability to continue in the position due to a major breach in the conditions of ARTICLE III, removal from the position must be recommended to the Deputy Superintendent for Program Services.

ARTICLE V

The incarcerated facilitator must be trained by bona fide clergy of the religion, if available. Training may be provided by Chaplains or religious volunteer clergy from recognized religious congregations and faith groups in the community. **At no time will an incarcerated facilitator be allowed to present information or material that has not been pre-approved.** In the case of disputed materials, the matter will be referred to the Director of Ministerial, Family and Volunteer Services.

Incarcerated Facilitator: _____ Date: _____
Print Name, DIN, and Sign

Chaplain/Staff Advisor: _____ Date: _____

Faith Group: _____