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|  <p>State of Connecticut Department of Correction</p> <p>ADMINISTRATIVE DIRECTIVE</p> | Directive Number 10.8 | Effective Date 05/01/2024 | Page 1 of 8 |
| | Supersedes Religious Services, dated 8/11/2020 | | |
| Approved By  Commissioner Angel Quiros | Title Religious Services | | |

1. **Policy.** The practice of religion by inmates in accordance with the provisions of this Directive shall be consistent with the compelling governmental interest of preventing inmate conduct, which threatens security, safety and order.
2. **Authority and References.**
 - a. Public Law 108-79, Prison Rape Elimination Act of 2003.
 - b. 28 C.F.R. 115, Prison Rape Elimination Act National Standards
 - c. Connecticut General Statutes, Sections 18-81 and 52-571b.
 - d. Administrative Directives 6.1, Tours and Inspections; 6.10, Inmate Property; 6.12, Inmate Sexual Abuse/Sexual Harassment Prevention and Intervention; 9.4, Special Management; 10.7, Inmate Communications; 10.13, Offender Programs; and 10.18, Nutrition and Food Services.
 - e. American Correctional Chaplain Association Code of Ethics.
3. **Definitions and Acronyms.** For the purposes stated herein, the following definitions and acronyms apply:
 - a. **Administrative Chaplain.** An Associate Chaplain designated by the Director of Religious Services to provide mission support in the areas of staff-dedicated pastoral/spiritual care, Unit development and administrative functions.
 - b. **Associate Chaplain.** A chaplain with supervisory responsibilities over other chaplains in a lower grade, as designated by the Director of Religious Services, and responsible to organize, schedule and/or facilitate all approved religious programming activity within one or more correctional facilities.
 - c. **Chaplain.** A minister, priest, imam, rabbi, or other leader of a religious denomination who is authorized by the Department of Correction to perform religious functions for inmates.
 - d. **Collective Religious Activity.** Any gathering of more than four (4) inmates for religious purposes, including but not limited to congregate prayer or religious rituals, organized worship services, the study of sacred texts, and observance of holidays, and is held in a space designated for that purpose.
 - e. **Common Fare.** A diet which meets all nutritional requirements as determined by a Department of Correction licensed dietician, without the presence of food items forbidden by religious dogma.
 - f. **Director of Religious Services.** The chaplain responsible for the facilitation and oversight of religious programming within the Department.
 - g. **Disqualifying Custody Conditions.** A classification determination that an inmate's participation in collective religious activity would be detrimental to institutional or community security, safety or order.
 - h. **Facility Incoming Property Review Coordinator (FIPRC).** The Unit Administrator at each facility shall designate a Facility Incoming Property Review Coordinator. The Facility Incoming Property Review Coordinator shall be at the rank of Deputy Warden and be responsible for the authorizing or denying of all requests for incoming property items, including but not limited to, outside tapes and compact discs (CDs).
 - i. **Individual Religious Activity.** Religious practice(s), which are engaged in by inmates acting individually and not involving other inmates, staff or specially designated facilities.
 - j. **Inmate Conductor.** An inmate approved by the Director of Religious Services or designee to conduct approved collective religious activity in the absence of a DOC

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Chaplain or authorized Religious Volunteer and under the supervision of a DOC Chaplain of another faith or custody staff.

k. PREA. Prison Rape Elimination Act.

l. Religious Articles. Any inmate property, other than authorized published materials (i.e., written, audio or video), having religious significance, which is used in individual or congregate religious activity.

m. Religious Volunteer. A Department of Correction approved civilian, or an employee donating personal time, who assists and/or conducts individual or collective religious activity.

4. Factors to Consider in Determinations to be made under this Directive. Any determination to be made related to this Directive shall be based upon the following factors:

a. Does the determination further the compelling Department of Correction interests in maintaining security, order or safety either within a correction facility or within the community?

b. Does the determination follow the least restrictive means of furthering this compelling interest(s)?

5. Provisions Applicable to all Inmates regardless of Custody Status.

a. No inmate shall be required to profess a religious belief or to belong to a religious denomination.

b. All collective religious activity and participation in religious holidays is strictly by denomination. An inmate may participate in a collective religious activity only for the religious denomination indicated on his/her "Request for Designation of Religion Form". There is no collective religious activity or religious holiday, which includes inmates of different religious denominations.

c. An inmate shall be allowed to possess and/or use religious articles associated with their religious designation, which have been approved in accordance with Administrative Directive 6.10, Inmate Property. These religious articles shall not be displayed and shall be worn or carried under the clothing. Items not associated with an inmate's designation of religion shall be considered contraband.

d. Subject to the provisions of Section 4 of this Directive, an inmate may be allowed to engage in individual religious practices. An inmate may have the opportunity to participate in practices of his/her religious faith that are in accordance with that faith, limited only by documentation showing threat to safety of persons involved in such activity or that the activity itself disrupts order in the institution. Such practices may include, but are not limited to, access to religious publications, religious symbols, individual counseling, religious study and adherence to dietary requirements. In determining what constitutes legitimate religious practices, the Director of Religious Services should consider whether there is a body of literature stating principles that support the practices and whether the practices are recognized by a group of persons who share common ethical, moral or intellectual views. For institutional safety and security, all recommendations for religious practices shall require approval of the Deputy Commissioner of Operations or designee in consultation with the Director of Religious Services.

e. All chaplains shall serve the spiritual and pastoral needs of all inmates. They shall exercise their ministry without influencing individuals to change their religious preference or faith. Professionalism and safety and security considerations require that they conduct their ministry without communicating derogatory attitudes toward other faiths. They are responsible for ministry to inmates regardless of religious beliefs or affiliation.

f. An inmate may claim only one religion at a time, by completing CN 100801, Request for Designation of Religion. An inmate shall not be required to choose a religion, and may choose no religion at all.

i. An inmate may designate a change of religion not less than 180 consecutive calendar days from the date that his/her current religious designation became effective. The 180-day requirement shall remain in effect regardless of any change in facility.

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- ii. New inmates who designate a religion, for which there is collective activity, shall be placed on collective religious activity lists as soon as possible. To achieve this, as part of the admission process for all new inmates, a copy of the inmate's signed, current CN 100801, Request for Designation of Religion shall be forwarded to the Associate Chaplain or designee. The original shall be scanned and saved electronically to the appropriate Religious Services folder as determined by the Director of Religious Services and saved in storage by the Chaplains office.
 - 1. CN 100801, Request for Designation of Religion forms shall not be removed from the inmate master file even if/when new CN 100801, Request for Designation of Religion forms are added.
- iii. The inmate must observe the 180-day requirement when requesting a change in religious affiliation. The inmate shall submit a written notification using CN 100801, Request for Designation of Religion to the Associate Chaplain. If more than 180 consecutive calendar days have elapsed since the inmate's current religious designation became effective, the Associate Chaplain or designee shall confirm the change (which shall take effect on the last Monday of the month only) and return a copy of the completed form to the inmate. If fewer than 180 consecutive calendar days have elapsed since the inmate's current religious designation became effective, the Associate Chaplain or designee shall return the form to the inmate advising the inmate to resubmit once the 180-day requirement has been fulfilled. A copy of the completed form shall be placed in the inmate's master file as well as provided to the inmate.
- iv. There must be a current form CN 100801, Request for Designation of Religion, on file for each inmate, even if an inmate does not choose a religion that has collective religious activity, chooses no religion or refuses to sign the form. If an inmate refuses to sign form CN 100801, Request for Designation of Religion, the staff person shall note that fact on the form. The staff person shall sign, date the form, process it and distribute appropriate copies.
- g. Common Fare shall be offered to the general population as an alternative to the Main Cycle entrée offered under a 28-day menu. There are no restrictions as to who is allowed to participate in this special diet. The Common Fare menu shall meet all of the dietary requirements. Permission to be on this common fare diet shall be given by each Unit Administrator or designee. Inmates approved for Common Fare must remain on that list for a minimum of 30 days. Inmates requesting to be removed from Common Fare may not re-apply for Common Fare for six months.
- h. An inmate's religious practice may be considered in determining program assignments if they interfere with such work assignments.
- i. Inmates requesting to purchase religious articles not available through the Commissary must submit a CN 100804, Request for Religious Items Not Available through Commissary to the Director of Religious Services. Items ordered without permission shall be considered unauthorized and may be deemed contraband. Donated religious articles and religious items shall not be permitted from any source.
- j. Written religious material (i.e., Bible, Quran, Concordance, Religious Newspaper, etc.), may be purchased from the Commissary or from an outside vendor in accordance with the provisions of Administrative Directive 10.7, Inmate Communications. A staff chaplain may distribute appropriate donated written religious material (Bible, Quran, etc.), if available. This material must be in new condition only in accordance with Administrative Directive 10.7, Inmate Communications.
- k. Religious tapes/CDs not available through the commissary shall be purchased in accordance with the guidelines established in Administrative Directive 6.10, Inmate Property. Requests for Religious tapes/CDs not available through the commissary shall be made directly to the FIPRC. These requests shall not require the authorization of the Director of Religious Services or designee, but shall be reviewed in accordance with the provisions of Administrative Directive 10.7, Inmate Communications.

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1. All community involvement in inmate religious activities must be approved by the Director of Religious Services.
- m. Unless part of an official function, in accordance with this Directive, Department of Correction employees shall not serve as inmate religious volunteers or participate in an inmate religious activity without the written approval of the Director of Religious Services. No employee shall be authorized to be a religious volunteer if such approval might disrupt the safe, secure or orderly operation of the facility or is in conflict with the employee's duties.

6. Provisions Applicable to Inmates with no Disqualifying Custody Conditions.

- a. To the extent that institutional space, staff and resources permit, opportunities for collective religious activities shall be made available on an equitable basis at least once a week, to the various religious denominations to which inmates designate membership. An inmate may only participate in collective religious activity for the religion in which the inmate is registered. Additional collective religious activities may be approved by the Commissioner or designee if warranted by inmate interest and if consistent with institutional security and resources. The process used to approve new collective religious activities is described in A.D. 10.8, Attachment C, Additional Collective Religious Activities Policy.
- b. All collective religious activity shall be conducted and supervised by a Department authorized chaplain or religious volunteer who professes the same religion as the group gathering together.
 - i. In the absence of a Department authorized chaplain or religious volunteer of the same faith, collective religious activities may be supervised by a Department authorized chaplain of another faith.
 - ii. In the absence of a Department authorized chaplain or religious volunteer and under the supervision of custody staff, inmates may be assigned as conductors of collective religious activities for their designated religion.
 - iii. Inmates interested in becoming conductors of a collective religious activity must file an application using form CN 100806, Request for Inmate Conductor Assignment and process CN 100805, Memorandum of Understanding for Inmate Conductors.
 - iv. The inmate conductor must be approved by the Director of Religious Services or designee. Assessment of whether to approve each conductor will be based on an evaluation of relevant criteria including but not limited to:
 1. Disciplinary record;
 2. Programming record;
 3. Demonstrated ability to interact positively with staff and peers; and
 4. Ability to develop an outlined plan for a collective religious service or program.
- c. The Unit Administrator shall assign facility security staff as appropriate.
- d. Inmate conductors shall not be allowed to assume authority over other inmates, nor shall they be allowed to use any ministerial or religious titles. The assigned inmate conductor's role is limited to conducting the collective religious activity.
 - i. A collection of pre-approved outlined plans for collective religious activities created by Department authorized Chaplains and/or inmate conductors shall be assembled for the use of approved inmate conductors. If there is no appropriate pre-approved outlined plan available, an inmate conductor must submit an outlined plan for a collective religious activity to a Department Chaplain of the same religious faith or, if none is available, to the Associate Chaplain for approval prior to conducting the activity. Inmate conductors must adhere to the approved plan for the activity. At no time shall an inmate conductor be allowed to present materials that have not been pre-approved.
 - ii. To ensure that a collective religious activity does not violate Department policies, inmate conductors will be monitored by DOC staff. In addition, to direct (both auditory and visual) supervision by custody staff, the

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collective religious activity may be electronically recorded (audio or video) for review by DOC staff.

iii. Inmate conductors shall be reevaluated by the Director of Religious Services or designee, in conjunction with the Unit Administrator and Associate Chaplain, every six (6) months or at any time when there is any indication that the inmate is not acting in accordance with the role of conductor. Criteria to be considered in the reevaluation include but are not limited to:

1. Adherence to the pre-approved outlined plan;
 2. Disciplinary record for the last six (6) month evaluation period;
 3. Programming record for the six (6) month evaluation period; and
 4. Ability to interact positively and consistently with staff, peers, religious volunteers, and contacts in outside religious communities.
- e. There shall be no demonstrative public individual prayer or individual religious activity, such as in the work or school area, recreation area, day room, etc. All such prayer and religious activity must be done privately in one's cell or by one's bed, unless otherwise provided by this directive.
- f. When it is considered necessary for the security and order of the institution, the facility Unit Administrator may limit or prohibit attendance at, discontinue, or not approve a religious activity, provided that any such limitation, prohibition, discontinuation or disapproval is in furtherance of a compelling governmental interest and is the least restrictive means of furthering that compelling governmental interest.

7. Director of Religious Services. The Director of Religious Services shall:

- a. Supervise administration of this Directive within the Department.
- b. Oversee the appointment of Administrative Chaplains and salaried, contracted or authorized volunteer chaplains.
- c. Serve as a resource person for all matters pertaining to religion.
- d. Conduct religious programs and services as appropriate.
- e. Recommend to the Commissioner or designee each current religious service or program for re-approval or denial.
- f. Recommend to the Commissioner or designee each new request for current religious service or program for approval or denial.
- g. Establish, in consultation with the Commissioner or designee, job duties and assignments for the positions of Director of Religious Services, Associate Chaplain, Administrative Chaplain and Chaplain. Ensure compliance with such duties and assignments.

8. Associate Chaplain. An Associate Chaplain shall:

- a. Provide supervision for all chaplains in a lower grade in their own institution and for other chaplains in a lower grade in other institutions, as assigned by the Director of Religious Services.
- b. Serve as a religious resource to the Director of Religious Services.
- c. The Associate Chaplain shall notify the Director of Religious Services of any non-compliance with this Directive, propose new religious services and/or religious programs, facilitate all collective religious activities, provide for the exchange of information through the chain of command to other staff as necessary, supervise religious activities conducted by approved religious volunteers and inmate conductors.
- d. Perform other duties as needed by the Religious Services Unit.

9. Chaplains. A chaplain shall

- a. Provide non-anxious, empathic, and interreligious pastoral care to all inmates no matter their religious designation.
- b. Provide denominationally informed spiritual guidance to inmates of the same denomination.
- c. Supervise collective religious activities of a different denomination when deemed necessary pursuant to section 6(b) (i) of this Directive.

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- d. Facilitate religion in a manner that does not compromise safety and security, and includes facilitating clergy visits, generating lists for collective worship and programs, processing religious designation forms, responding to inmate written requests in a timely manner, generating monthly reports, and performing other administrative functions as needed.
- e. Supervise religious volunteers in a manner that increases alignment, collaboration, productivity and efficiency.
- f. Perform related duties as required including PREA Counseling and providing pastoral support to staff and their families.

10. Religious Visits.

- a. General Population Units. Chaplains shall visit all general population housing units at least once per week and upon request in accordance with Administrative Directive 6.1, Tours and Inspections.
- b. Specialized Housing Units. Chaplains shall visit each specialized housing unit (including, but not limited to, medical/mental health units, orientation/intake units, special management units, etc), at a minimum, once per week and upon request.
- c. Restrictive Housing Unit. Chaplains shall make visits in restrictive housing units, at a minimum, once a week in accordance with Administrative Directive 9.4, Special Management and shall schedule individual pastoral visits on a frequency to be determined by the chaplain to inmates with disqualifying custody conditions who make requests for religious services. Chaplains shall reasonably accommodate inmate requests within a professionally acceptable period of time. A chaplain may notify the Associate Chaplain or Director of Religious Services, if necessary, to request the assistance of additional chaplains or approved volunteers to accommodate such requests.

11. Cancellation or Denial of Collective Religious Activities.

- a. Before a request for a collective religious activity is denied or a scheduled collective religious activity is cancelled or postponed, the facility must consider whether the activity can be conducted by an authorized volunteer. If not, the facility must consider using an approved inmate conductor who shall be supervised by a Department Chaplain of another faith or custody staff. If it is practical for the collective religious activity to be supervised according to any of the options provided therein, the service or program will be rescheduled or held as previously scheduled.
- b. The Associate Chaplain or designee must document any collective religious activity that is denied, cancelled, or postponed, using Form CN 100807, Collective Religious Activity Cancellation Report. The documentation must include the date; reason for cancellation, postponement, or denial; and steps taken to prevent the denial, cancellation, or postponement.
- c. Both centrally and at the facility level, denials of requests for collective religious activities, cancellations, and postponements of scheduled collective religious activities shall be documented, compiled and tracked.
 - i. Centrally, each Associate Chaplain is responsible for ensuring that the data related to his/her facility is collected and compiled. On a quarterly basis, the Associate Chaplain shall compile the data in a report, which will be submitted to, reviewed by, and signed by the Director of Religious Services or designee.
 - ii. On an annual basis, the Religious Services Unit shall compile a memorandum, signed by the Director of Religious Services, assessing and analyzing the previous year's quarterly reports and including:
 - 1. An assessment of the causes and impacts of denials, cancellations, and postponements of collective religious activities, including the proportion of denials, cancellations, and postponements due to the unavailability of adequate supervision;
 - 2. An assessment of any disproportionate impacts of current policy and practice on specific facilities, religions, types of collective religious activities;

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3. An assessment of whether policy is having the effect of increasing access to religious activities, including an analysis of relevant data, and whether any additional alternative forms of supervision for collective religious activities may be warranted; and
4. As appropriate, proposals for changes to policy and practice to increase access to collective religious activities as necessary.
- iii. As part of the review and assessment, the Director of Religious Services shall solicit input from all DOC Chaplains, and shall consider any input in determining whether changes to policy, procedures, trainings, or other practices are necessary to increase access to collective religious activities.
- iv. Quarterly reports and annual memoranda shall be available for review to all DOC Chaplains, Associate Chaplains, and Wardens, upon request.
- v. At the facility level, on an annual basis, each facility Warden shall review the data from his or her facility, and make the same assessments and proposals described above in Section 11(c) (ii), to determine whether any substantial burdens exist to access collective religious activities at the facility and, if so, what steps should be taken to mitigate any burden. The Warden, in consultation with the Director of Religious Services, shall be responsible for promptly implementing any mitigation or improvements that are determined to be appropriate based on the review.

12. Suspension, Modification, Termination of Religious Practice. The practices provided for by this Directive may be suspended, modified or terminated by the Unit Administrator or designee for an individual inmate(s), or for an entire correction institution or any portion thereof when necessary to accommodate the factors stated in Section 4 of this Directive. Any such action shall be reported to the Commissioner or designee for review and approval within three (3) business days.

13. Denial of Religious Practice. No religious practice shall be permitted if the Commissioner or designee determines that such practice is contrary to the factors stated in Section 4 of this Directive.

14. Smudging.

- a. Inmates who have designated themselves to a religion that participates in the Individual Smudging Program shall comply with all provisions of this Directive as well as form CN 100802, Memorandum of Understanding and Use Agreement for Individual Smudging and Attachment D, Smudging Policy.
- b. Inmates who have designated themselves as Native American and who wish to participate in the Individual Smudging Program shall comply with all provisions of this Directive as well as CN 100802, Memorandum of Understanding and Use Agreement for Individual Smudging and Attachment A, Native American Smudging Policy.
- c. Smudging is an individual religious activity that is normally facilitated away from an inmate's cell or bed for safety and security.

15. T'fillin. Inmates who have designated themselves as Jewish and who wish to participate in the Individual T'fillin Program shall comply with all provisions of this Directive as well as CN 100803, Memorandum of Understanding and Use Agreement for Individual Smudging, and Attachment B, Jewish T'fillin Policy. T'fillin is an individual religious activity that is facilitated away from an inmate's cell or bed for safety and security.

16. Religious Services Food Policy. For health, safety and facility security reasons, all food necessary for essential religious worship services and programs shall be provided exclusively through the Department's Food Services Unit in accordance with Administrative Directive 10.18, Nutrition and Food Services, or may be available for purchase through the commissary. No outside food or beverages shall be permitted within the facility.

17. Use of Media in Religious Programming. All media used in religious programming must be authorized by the Director of Religious Services or designee prior to use in accordance

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with Administrative Directive 10.13, Offender Programs. All requests to use media must be submitted on form CN 101303, Media Information and Request to View Form. Review may include referral to the Media Review Board in accordance with Administrative Directive 10.7, Inmate Communications, or other subject matter expert, as appropriate.

18. Treatment of Religious Articles and Items. All religious articles and religious items, including but not limited to the Holy Bible, the Qur'an, and the Torah, shall be respected by staff and inmates at all times. Religious articles and religious items shall not be carelessly handled by staff when conducting searches or other authorized operational or security activities. Special care shall be taken to respect religious articles and religious items.

- a. Religious articles and religious items may be confiscated for cause in accordance with Administrative Directive 6.10, Inmate Property. Any questions or concerns regarding any religious article or item shall be referred to the appropriate chaplain and/or other subject matter expert, as appropriate.
- b. Native American medicine bags shall not ordinarily be handled by staff. In cases where a medicine bag and/or its contents require examination by staff, staff shall instruct the inmate owning the medicine bag to empty its contents on to a surface for inspection.

19. Religious Review Committee.

- a. The Religious Review Committee shall be chaired by the Director of Programs and Treatment and shall be composed of the following additional members:
 - i. Director of Religious Services;
 - ii. Director of Security or designee;
 - iii. Director of Nutrition and Food Services or designee;
 - iv. Director of Legal Affairs or designee; and,
 - v. Two (2) Correctional Wardens as designated by the Deputy Commissioner of Operations and Rehabilitative Services.
- b. The Religious Review Committee shall advise the Deputy Commissioner of Operations and Rehabilitative Services on matters relating to practice of religion by inmates in correctional facilities.
- c. Matters that may be referred to the Religious Review Committee shall include, but shall not be limited to:
 - i. Requests for religious articles not sold in Commissary or outside the property matrix (in accordance with Administrative Directive 6.10, Inmate Property);
 - ii. Religious diets; and
 - iii. Religious Practices.

20. Forms and Attachments. The following forms are applicable to this Administrative Directive and shall be utilized for the intended function:

- a. CN 100801, Request for Designation of Religion;
- b. CN 100802, Memorandum of Understanding and Use Agreement for Individual Smudging;
- c. CN 100803, Memorandum of Understanding and Use Agreement for Individual T'fillin;
- d. CN 100804, Request for Religious Items Not Available through Commissary;
- e. CN 100805, Memorandum of Understanding for Inmate Conductors;
- f. CN 100806, Request for Inmate Conductor Assignment;
- g. CN 100807, Collective Religious Activity Cancellation Report;
- h. Attachment A, Native American Smudging Policy;
- i. Attachment B, Jewish T'fillin Policy;
- j. Attachment C, Additional Collective Religious Activities Policy; and
- k. Attachment D, Smudging Policy

21. Exceptions. Any exceptions to the procedures in this Administrative Directive shall require prior written approval from the Commissioner.