

GEORGIA DEPARTMENT OF CORRECTIONS Standard Operating Procedures		
Policy Name: Religious Accommodations		
Policy Number: 106.11	Effective Date: 11/6/2017	Page Number: 1 of 3
Authority: Commissioner	Originating Division: Inmate Services Division (Chaplaincy)	Access Listing: Level II: Required Offender Access

I. Introduction and Summary:

The purpose of this policy is to describe guidelines pertaining to religious accommodations and special religious requests and provides for religious programming for offenders/juveniles/residents, including: program coordination and supervision.

II. Authority:

- A. United States Constitution, First and Fourteenth Amendments;
- B. Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA), 42 USC § 2000 cc., et seq.;
- C. HOLT v. HOBBS, et al., 135 U.S. 853 (2015);
- D. GDC SOPs: 106.04 Chaplaincy Services, 106.08 Islamic (Muslim) Guidelines, 106.12 Wicca (Witchcraft) Guidelines, 106.13 Native American Guidelines, 206.01 Offender Personal Property Standards, 227.06 Offender Receipt of Mail, 228.02 Facility/Center Barber/Cosmetology Shops, and 409.04.28 Alternative Entrée Program; and
- E. ACA Standards: 2-CO-5E-01, 4-4514, 4-4517, and 4-4519.

III. Definitions: None.

IV. Statement of Policy and Applicable Procedures:

- A. Religious Accommodations: The Department allows religious paraphernalia and practices that are specifically permitted by policy. Additional religious accommodation guidelines are as follows:
 - 1. Worship: Chaplaincy shall provide worship services in accordance with SOP 106.04 Chaplaincy Services and as provided in other SOPs, including 106.08 Islamic Guidelines, 106.12 Wicca Guidelines and 106.13 Native American Guidelines. Subject to the facility's interests in maintaining security and order, offenders may pray individually or engage individually in religious practices in their assigned cells or by their assigned beds. Offenders should be considerate of how their prayer or religious practice might interfere with other offenders in their living area. Overt religious conduct that unduly imposes on other offenders is not allowed in the dorms or living units.
 - 2. Religious Representatives:
 - a. Chaplains are provided at each state facility and are granted access to all

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areas of the facility. Each chaplain is responsible for their facility's overall religious program, including supervising and conducting or coordinating all religious programs in accordance with policy. Chaplains serve the entire population, not only offenders of that chaplain's religious affiliation or denomination. When a religious leader of an offender's faith is not represented through the chaplaincy staff or volunteers, the chaplain or designated staff member assists the offender in contacting a person who has the appropriate credentials from the faith judicatory. That representative ministers to the offender under the supervision of the chaplain. The distribution of resources among faith groups authorized to meet shall be commensurate with their representation within the population. This includes the use of space and equipment.

- b. Chaplains ensure that all offenders are permitted access to pastoral visits and allowed access to religious services. Chaplains will verify that visiting religious representatives are in good standing with their religious faith group or denomination, and are bona-fide religious representatives or clergy.
3. Diet: Offenders shall be allowed access to diets that are sanctioned for religious needs. The Department shall provide Vegan and Restricted Vegan meals. All efforts shall be made to prepare the meal pursuant to SOP 409.04.28 "Alternative Entrée Program," to maintain the integrity of the meal.
4. Literature: Offenders may only possess approved religious publications, and such publications must also conform to the guidelines of SOP 206.01 Offender Personal Property Standards. Any exceptions to these guidelines shall be requested through the Special Religious Request procedure.
4. Personal Grooming: Any special religious grooming requests beyond the requirements of SOP 228.02 Facility/Center Barber/Cosmetology Shops shall be requested through the Special Religious Request procedure. In all cases it shall be the offender's responsibility to specify all religious requirements that necessitate special consideration.
5. Religious Medallions: Religious medallions, symbols and paraphernalia shall comply with SOP 206.01 Offender Personal Property Standards. Special requests for unusual items that do not fit the guidelines of SOP 206.01 Offender Personal Property Standards shall be requested through the Special Religious Request procedure.

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B. Special Religious Requests:

1. **Least Restrictive Means.** The Department endeavors to accommodate all special religious requests. The Department will apply the least restrictive means approach when evaluating a special religious request that is considered to create a security issue, conflict with current policy or that may cause a disruption in the normal operation of the facility. A least restrictive means approach looks for accommodations or alternatives instead of complete bans.

2. **Approval Process.** All special religious requests shall be initiated using Attachment 1, Special Religious Requests. The offender shall obtain the Special Religious Request form from their assigned Counselor. The offender shall complete the form in full and submit it to the Counselor, who shall immediately issue the offender a receipt and enter the request into SCRIBE as a case note. The Counselor shall forward the form to the Facility Chaplain. The Facility Chaplain shall maintain a copy of the original request. (For facilities that do not have an available Chaplain, forms shall be forwarded to the Chief Counselor). After review by the Facility Chaplain, the form shall be reviewed by the Warden, Regional Director, Director, Field Operations or Designee, Director of Chaplaincy Services, and General Counsel to ensure consistency, continuity, and constitutional compliance. The Director, Field Operations Designee, Director of Chaplaincy Services and General Counsel/Designee may meet as a panel to review the request and issue a decision. Once a decision is issued, the form shall be returned to the facility and maintained in the offender's institutional file. The review process shall be completed not more than 30 days from the date the counselor receives the original request.

3. **Religious Paraphernalia.** Religious paraphernalia may be requested and approved through the Special Religious Request procedure. Offenders are responsible for purchasing, at their own expense, any items approved through the Special Religious Request procedure. These items shall be purchased through an approved vendor and the items will be inspected, after purchase, to ensure that it meets all security requirements.

4. **Donations.** Outside faith groups, community members, volunteers, religious service Providers and approved vendors may donate approved sacred objects or other religious items for either individual or communal use, provided these donations are approved by the Warden or Superintendent and do not jeopardize the security of the facility. Donations of these items may not be earmarked for

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individual offenders. All religious items are subject to security search and may be kept by the Facility Chaplain or Security Staff when not in use.

V. Attachments:

Attachment 1, Special Religious Request

VI. Record Retention of Forms Relevant to this Policy:

Upon completion, Attachment 1 shall be maintained in the offender's institutional file and maintained according to the State of Georgia's retention schedules.