

MARYLAND DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES

## **DIVISION OF CORRECTION**



## **RELIGIOUS SERVICES MANUAL**

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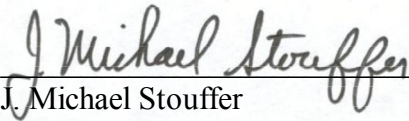
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## Foreword

The Religious Services Manual represents a continuous effort on the part of the Division of Correction to accommodate the First Amendment rights of inmates. Inmates have the right to freely exercise their religious practices, subject to the secure and orderly operation of the correctional institution and facilities.

The policies and procedures by which the religious services program operates are contained in this manual. Also included in the manual are descriptions of how the authorized religions are accommodated.

The chaplain is responsible for implementing the religious services program. Volunteers assist the chaplain. The Director of Religious Services oversees the Division-wide effort.

  
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J. Michael Stouffer  
Commissioner

# RELIGIOUS SERVICES MANUAL

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## **DIVISION OF CORRECTION**

### **RELIGIOUS SERVICES PROGRAM POLICY AND PROCEDURES**

#### **I. References:**

- A. MCCS Standard .05 D.
- B. ACA Standards 4-4512 through 4-4521
- C. COMAR 12.02.10
- D. DCDs 75-7, 135-4, 170-4, 195-1, 220-004, 250-1, 270-1
- E. Salaam v. Collins, Civil No. K 76-1676
- F. Pasha v. Robinson, Civil Action No. WN 92-3119

- II. Applicable to: All Division of Correction (DOC) Institutions and Facilities and Inmates, except Central Home Detention Unit inmates, and as otherwise provided in this manual.

- III. Purpose: To establish policy and procedure by which the religious services program will operate.

#### **IV. Definitions:**

- A. Director: Director of Religious Services
- B. Mentor Volunteer: A registered volunteer whom the warden or designee has approved to be on an inmate's visiting list for the purpose of providing assistance in planning re-entry into the community.

#### **V. Policy:**

It is the policy of the Division of Correction to provide inmates of all faiths with reasonable and equitable opportunities to pursue religious beliefs and practices within the constraints of budgetary limitations, and consistent with the secure and orderly operation of the institution or facility.

All religions and religious beliefs are equally respected. Religions shall be accommodated equitably. Proselytizing and evangelizing are prohibited. An inmate is not required to profess a religion or a religious belief. Attendance at religious activities is voluntary. Religious activities shall be open to inmates of the relevant registered religious preference.

#### **VI. Procedures:**

- A. Registered religious preference

1. An inmate may change registered religious preference bi-monthly using the religious preference registration form. The change shall become effective the first week of the following bi-monthly calendar period. The bi-monthly calendar periods are January – February, March – April, May – June, July – August, September – October and November - December.
2. The chaplain shall forward the religious preference change form to case management staff for entry on OBSCIS and placement in the inmate base file.

B. Congregate worship and study forums

1. Except at MRDCC and MCAC, congregate worship and study forums shall be made available weekly unless:
  - a. the religion calls for less frequent congregation; or
  - b. institutional resources cannot accommodate weekly congregation.
2. In scheduling approved worship and study forums, chaplains shall consider both the availability of staff supervision as well as the need to share the time and space available among the eligible groups.
3. Two inmates shall constitute a group.
4. Congregate worship and study forums shall be held on protective custody, subject to B.1. above.

C. Holy day or seasonal observances

1. The warden shall authorize the equitable observance of holy day or seasonal observances among authorized religious groups. Such observances shall be part of the annual religious services plan.
2. Consistent with maintaining security, safety and the orderly operation of the institution, the warden shall attempt to facilitate the observance of religiously required fasts at the timely request of inmates.
3. Ceremonial meals
  - a. A holy day or seasonal observance may be held with a meal if a meal is part of the observance by religious tradition or mandate.
  - b. Each religious group may have one such ceremonial meal yearly.

- c. An inmate may attend one such ceremonial meal yearly.
  - d. Ceremonial meals shall be served in the food service facility unless the warden approves otherwise.
  - e. The food service department shall be the only source of procurement for all meal items. Food may not be donated or catered.
  - f. The chaplain shall work with the food service department to ensure that appropriate ritual foods are included and that at least 60 days is afforded for necessary preparations.
4. Holy day or seasonal observances shall be held on protective custody, subject to the provisions of C.3. above.

#### D. Special Programs

- 1. Except at MRDCC and MCAC, the chaplain may schedule additional religious activities that promote the spiritual well-being of inmates or that support the mission of the institution.
- 2. Such activities shall be included in the annual religious services plan.
- 3. Special programs may be held on protective custody, subject to institutional resources, security and staffing.

E. The chaplain shall communicate the schedule of religious activities to the inmate population.

F. When considered necessary for the secure and orderly operation of the institution, the warden may limit attendance at or discontinue a religious activity.

G. Chaplains will visit segregation and the infirmary bi-weekly (every two weeks).

H. Chaplains shall have access to all areas of the institution, to the extent necessary to perform their duties.

#### I. Sacraments

##### 1. Sacramental wine

- a. Only the Commissioner may authorize a religious group to bring in wine for the purpose of administering the wine as a sacrament.
- b. A religion which has such authorization shall be identified in relevant appendices to this manual.

- c. For a religion which has such authorization, no more than one ounce of wine in a clear plastic container may be brought in, to be consumed by the officiator only.
  2. Normally, sacraments shall be administered to inmates during an approved worship service.
  3. Sacraments on segregation
    - a. The chaplain shall make arrangements for sacraments to be administered to inmates on segregation, subject to institutional resources, security and staffing.
    - b. Sacramental wine shall be administered in accordance with the provisions of I.1. above.
- J. Approved personal religious property
  1. Inmates may possess approved personal religious property items for the religion for which they are registered in quantities authorized in allowable inmate property directives. The approved personal religious property items are identified in relevant appendices to this manual..
  2. Inmates may wear approved religious head wear at all times except when a photo ID is being taken.
  3. Other approved inmate religious clothing may be worn to, during and from authorized religious services only.
  4. Approved religious jewelry may be worn at all times except in the visiting room.
  5. Inmates may possess reading material in accordance with inmate mail directives.
- K. Visits with certified religious visitors shall be conducted in accordance with the provisions of inmate visiting directives.
- L. Service providers
  1. Chaplains and registered volunteers shall be considered the primary service providers in the religious services program.
  2. Registered volunteers who conduct worship services and/or who administer sacraments shall provide credentials authorizing them to perform these services for placement in their volunteer file.
  3. Inmates may not place volunteers on their visiting lists or telephone lists. The only



exception is by specific written permission of the warden in the event a volunteer is the mentor volunteer of an inmate.

4. Registered volunteers and citizen participants for the religious services program shall be managed in accordance with the provisions of volunteer services directives.
5. The administrative chaplain, with the approval of the Director, may train and utilize inmates to act as mentors for conducting religious activities, presenting group issues to the chaplain and mentoring educational programs.

#### M. Pastoral care

1. Chaplains may provide pastoral counseling in accordance with their faith tradition where appropriate and in a less faith-specific manner with inmates not of their faith tradition.
2. Individual pastoral care includes counseling inmates and their families in times of crisis, such as the death of an inmate's family member. Chaplains may facilitate telephone calls in such emergency situations. Chaplains shall maintain a telephone log that includes:
  - a. name and DOC number of the inmate;
  - b. date, person called and telephone number; and,
  - c. reason called.
3. Notification of the family of inmate death
  - a. In accordance with procedures for handling inmate deaths, the chaplain shall notify the next of kin when an inmate dies or is in serious medical condition.
  - b. Each warden shall develop procedures for such notification.

#### N. Inmate marriage

1. An inmate shall submit a request to marry to the chaplain.
2. The chaplain shall instruct the inmate to have his or her intended spouse write the chaplain of the intent to marry the inmate, and of the intended spouse's responsibility to obtain a marriage license from the court of the county where the institution is located, as required by law.
3. It is the responsibility of the inmate to obtain an officiator for the marriage ceremony. A registered volunteer may not officiate the ceremony.

4. The chaplain shall use the inmate marriage information sheet to coordinate the inmate marriage ceremony.
- O. Participation in correspondence courses must be approved in accordance with the provisions of directives governing correspondence courses.
- P. Authorization of new religions and new components to authorized religions
1. An inmate shall submit a request to observe an unauthorized religion, or to amend the observance of an authorized religion, to the Director.
  2. The Director shall research the request. Generally, the Director shall consider whether a body of literature exists stating religious principles that support the religion's practices and whether the practices are recognized by a body of believers who share common ethical, moral or intellectual views.
  3. The Director shall make a recommendation for disposition to the Commissioner.
  4. The Commissioner's decision will be applicable Division-wide. The specific manner of accommodation for each approved religion is included as an appendix to this manual.
- Q. If necessary, the warden may identify alternative religious practices and implement the least restrictive alternative consistent with the secure and orderly operation of the institution.
- R. Annual Religious Services Plan
1. Each October, the chaplain shall submit to the Director a plan for annual religious events for the upcoming calendar year.
  2. The plan shall include:
    - a. holy days or seasonal observances by religion; and
    - b. special programs by religion.
  3. The chaplain may submit amendments to the plan during the calendar year.
- S. The chaplain shall accept donations in accordance with the provisions of directives governing gifts, contributions and donations.
- T. Quarterly Reports

The chaplain shall submit the quarterly reports to the Director by the 20<sup>th</sup> of the month following the end of each fiscal quarter:

U. Chaplains shall maintain the following on file:

1. Attendance sheets for religious activities
2. Inmate request slips
3. Inmate marriages
4. Notification of the next of kin of an inmate's death or illness
5. Notification of an inmate of a family member's death or illness

V. Each warden shall develop institutional directives necessary to implement and comply with the provisions of this manual.

VI. Rescission: DCD 140 Series