

**Cumberland County Sheriff's Office
Policy and Procedure**

Title: Religious Services

No. F-330

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Standard: 4-ALDF-5C-17-24**

Associated With: F-100 Inmate Rights



Sheriff's Signature

Policy F-330 Religious Services

The Corrections Division and the Programs Unit will ensure that inmates within the Cumberland County Jail be afforded the opportunity to practice the organized religion of their choice. It is the policy of the Corrections Division to make available to confined inmates a range of religious services and programs that, to the extent practical, satisfies the beliefs of most major faith groups confined therein. The Corrections Division and Programs Unit will provide inmates with the opportunity to:

- A. Assemble and worship the religion of their choice
- B. Receive individual religious counseling
- C. If possible, attend religious services in the community

PROCEDURE A Religious Services, General

1. No employee or official of the Cumberland County Sheriff's Office will deny any inmate of their right to worship and practice the religion of their choice. Restrictions pertaining to the worship and practice of a religion will be subject only to those limitations necessary to maintain the order and security of the Jail.
2. The Corrections Division will make arrangements for an inmate to receive religious counseling upon written request from the inmate. Written requests will be given to the housing officer, and then forwarded to the appropriate staff member.
3. The Corrections Division will permit inmates who are eligible to attend religious services in the community, as authorized by Title 34 MRSA, Section 1007.
4. The religious programs offered will be under the general direction of the Captain of Administration and Support. A Chaplain will oversee the equitable delivery of religious services to all faith groups.
5. The Chaplain will have physical access to all areas of the facility to minister to inmates and staff. (4-ALDF-5C-21)
6. Religious services and counseling will be available to all inmates. Inmates who wish to do so will have the opportunity to participate in those practices of their religion that are deemed essential by the governing body of that faith, subject to reasonable constraints necessary to ensure the safety of staff, religious workers, and inmates or the jail's security and good order.

7. No inmate will be compelled to attend any religious program, service, or activity.

PROCEDURE B Resources

1. Space will be made available for all necessary programs and for all equipment, supplies, vestments, and other items incidental and necessary to the religious program. Ordinarily, religious services and activities will be held in the Pod classroom. Individual counseling activity may be held in the pod.
2. To the degree practical, all faith groups will be granted equal access to the facilities of the jail for their worship activities.
3. Inmates may wear religious medallions or ornaments if these do not interfere with the safe and orderly conduct of the jail.

PROCEDURE C Staffing

1. The Chaplain will have a verified Clinical Pastoral Education or equivalent specialized training and carry the endorsement of his or her religious certifying body. The Chaplain will have access to all areas of the jail and will be required to tour all locked and medical units in accordance with Policy D-243. (4-ALDF-5C-19)
2. The Chaplain, in cooperation with the Jail Administrator and/or designee plans, directs, and supervises all aspects of the religious program, including approval and training of both lay and clergy volunteers from faiths represented in the inmate population. (4-ALDF-5C-20)
3. Representatives of all faiths will be available to all inmates. When a representative of the faith to which an inmate subscribes is not available in the jail, then to the degree practical, the inmate will be permitted contact with a properly credentialed representative of that faith via visits, phone, or correspondence.
4. Additional staff resources will be provided to support the jail's religious programs, including non-inmate clerical support and security staff supervision of selected large-scale activities.

PROCEDURE D Pastoral Services to Inmates

1. Religious programs in the jail will include, but not be limited to, the following:
 - Religious services and prayer
 - Baptism, communion, and other sacramental rituals
 - Religious education and classes
 - Religious counseling
2. The Chaplain will post a schedule of all religious activities in locations available to all inmates; all such activities will be supervised by staff.
3. The Chaplain will maintain ongoing communication with community religious groups to ensure that the jail's programs are appropriately managed and that when additional resources are needed, they are provided by properly credentialed representatives of that faith group.
4. The Chaplain may, subject to the Administrative and Support Captain's approval, accept donations of supplies, vestments, and other religious materials from community sources, including Spanish-language reading materials.

5. Special religious services may be authorized by the Jail Administrator or designee, providing all groups generally have equivalent access to such programs if they are available. Special diet and religious banquet programs may be approved by the Jail Administrator or designee.

PROCEDURE E Inmate Request for Religious Counseling

1. Local clergy are available to counsel inmates who request religious counseling. Counseling must be requested in writing.
2. Inmates who request religious counseling will document their request on an inmate request form.
3. Housing officers will make request forms readily available.
4. Housing officers will ensure that the inmate requests for religious services are delivered to the Chaplain.
5. The Chaplain will contact local clergy and relay the inmate's request, if the inmate has not specified a particular clergy person.
6. When an inmate specifies a particular clergy, the Chaplain will contact him/her.
7. Religious counseling will take place in a visiting room or other approved areas.
8. Officers will not remain in the visiting room or other approved area unless requested to do so by the clergy person.
9. The Chaplain will place all inmate requests for religious services in the inmate's active file.

PROCEDURE F Personal Services

1. Chaplains will interview inmates who are referred to them by jail staff or who request such an interview.
2. Personnel making such requests will provide the Chaplain with enough information so the Chaplain may proceed with counseling in an appropriate manner.
3. Inmates may ask to see the Chaplain at any time. Chaplains will respond to these requests as promptly as possible, as indicated by the urgency of the situation.
4. The Chaplain will be immediately notified when information is received concerning death or serious illness in an inmate's family or events that may be disturbing to the inmate and will notify the inmate.

PROCEDURE G Services to Locked Units

1. Inmates in segregation may be visited in their housing units by approved, escorted representatives of their faith group.

PROCEDURE H Publications and Other Materials

1. Inmates may receive, through the Chaplain, religious publications and other materials that do not have security implications.

2. The Chaplain will solicit materials for all faith groups and in all languages represented in the inmate population. All such items will be opened and inspected in a non-inmate-contact area of the jail per normal package processing procedures. The Chaplain will confer with the Administrative and Support Captain regarding any questionable items.

PROCEDURE I Change of Religious Preference or Faith

1. The Chaplain will not attempt to influence an inmate to change religious preference or faith.
2. If an inmate expresses a desire to change religious preference or faith, the Chaplain will encourage that inmate to seriously consider all implications of such a change. If an inmate declares a religious preference upon entry to the facility and wishes to change that preference, there will be a minimum of a 60 day reflection period. The inmate will be encouraged to seek council with the facility Chaplain.
3. The inmate must confirm the conversion in a written statement to the Chaplain, citing the former religious designation and the affiliation under which he or she would like to be recorded.

PROCEDURE J Attending Religious Services in the Community

1. MRSA 30A, Section 1605 (1.C) authorizes the Sheriff to release inmates of the Jail to attend religious services in the community if:
 - A. Approved by the Sheriff
 - B. The inmate is classified a minimum security risk
3. The Administrative Support Captain will implement release procedure C-210; A-1, 2, 3, 4; C-1B; F-3, 8, 9, 10; for inmates allowed to attend services in the community.

PROCEDURE K Inmate Marriage

1. The covenant of marriage is a solemn ceremony not to be taken lightly. The inmate will first submit a request slip to the Jail Administrator or designee. After meeting with the Chaplain, the inmate is responsible for:
 - Obtaining the Marriage License
 - Filling out the paperwork
 - Notary Public Service
 - Administrative Fee (As set by the facility's administration)
 - If the inmate is a Federal Inmate or an immigration detainee, the inmate must contact the proper agencies listed below.
2. After these steps are completed, contact the Chaplain to set a day and time for the ceremony. *The policy at CCJ does not allow family members or other inmates as witnesses to the ceremony.* Two facility personnel will have to be available or the service cannot take place. After the ceremony, the Chaplain is responsible for mailing in the marriage license.
3. Federal Inmates must contact the Marshal's Service (780-3355) to state their intentions and the name of their fiancée. I.C.E. Detainees must contact the Boston Office (617-565-3304).
Addresses are:

Attorney General
C/O U.S. Marshal's Service
156 Federal Street
Portland, ME 04101

U.S. Department of Homeland Security
Immigration & Customs Enforcement
Detention & Removal Operations
JFK Federal Building #1775,
Government Center
Boston, MA 02108

4. When the Chaplain denies the request on the basis of his/her own denominational requirements; the Chaplain will make arrangements with another facilitator to perform the ceremony. Arrangements of date and time etc. will be made through the Chaplain.

Intentions of Marriage and Social Security Forms need to be picked up at the inmate's local City Hall. Fill out forms. Inmate must check with jail regarding forms to be notarized.

Procedure L Religious Items

1. Liturgical apparel such as skullcaps, head-shields, and prayer shawls may be worn during the religious activity, while conforming to established procedures for maintaining security, safety, and orderly conditions in the jail.
2. When a request for services or religious items is submitted from an unrecognized religion, the claim will be reviewed by the appropriate staff member. If it is determined that the request is authentic, then reasonable accommodations will be made. If denial is in order, it will be done in writing.
3. **Religious Headwear for Men.** A standard color and style generally will be issued at time of arrival during the intake process. The Sheriff's Office shall attempt to accommodate the religious rights of inmates and eliminate religious discrimination and/or violations of religious freedom and privacy while maintaining security and order. To achieve uniformity, inmates who have a documented religious preference listed below are authorized to wear the following religious headwear throughout the institution including A-Pod housing unit:

Jewish	yarmulke	black or white crochet cap
MST of A	kufi	black or white crochet cap
Muslim	kufi	black or white crochet cap
Nation of Islam	kufi	black or white crochet cap
Sikh	turban (dastar)	white, light blue
Native American	headband	multi-colored
Rastafarian	crown	multi-colored (red, running through a black cap)

Headwear worn throughout the institution may not contain graphics or writing. Crowns may not have a bill. Headbands can be worn only in a circle, covering the forehead but not the crown of the head. Inmates are authorized three items of religious headwear.

Note: MST of A refers to the Moorish Science Temple of America.

4. **Ceremonial Headwear.** In addition, inmates who have a pertinent religious preference may wear the following ceremonial headwear in the designated worship area. These are not worn to and from the designated worship area or in any other area of the institution:

MST of A	fez	red
Odinist/Ásatrú	hlath (hlad)	brown with one or more embroidered runes

The authorized hlah must contain embroidered runes. Plain headbands without runes are not authorized. Inmates are authorized one item of ceremonial headwear.

5. **Religious Attire for Women.** Scarves, turbans, and headwraps (hijabs) are appropriate for female inmates who have identified a religious preference of Muslim, Jewish, Sikh, Native American, Rastafarian, and those of the orthodox Christian tradition:

Jewish	scarf	black or off-white
MST of A	scarf	black or off-white
Muslim	hijab	black or off-white
Nation of Islam	scarf	black or off-white
Sikh	turban (dastaar)	white, light blue
Rastafarian	scarf	black or off-white
Orthodox Christian	scarf	black or off-white
Native American	headband	multi-colored

Inmates are authorized two scarves, turbans or head-wraps.

Procedure M Training/Procedural Guidelines

1. Security staff will be trained and understand what is necessary to accommodate women who wear headscarves for religious reasons.
 - The training shall provide that, when a woman who wears hijab (headscarf worn for religious reasons) is arrested or detained and brought to a facility or other setting controlled by security staff, the woman will not be required to remove her headscarf except while she is in a private area under supervision of a female officer, out of view of any men, including male officers.
 - When the arrested person removes and surrenders her headscarf, she will be issued the facility’s temporary headscarf, and will be allowed to put the temporary headscarf on her head before entering an area where she can be seen by men.
 - **At no time will the arrested, detained, or imprisoned woman be required to have her headscarf off while she is visible to men.**
2. When staff possess reasonable suspicion that a female wearing a headscarf is secreting contraband in the headscarf, and no female staff are available the male staff may remove and search the headscarf. Shift Lieutenant is to be notified of such an incident
3. When a female, declares herself to be a member of the above faiths, comes to the facility and a photograph is required, a female staff member will take a picture with the headscarf removed and one with it on, in such a way so no male inmates or male staff may view the subject while the headscarf is removed.
4. Upon release, each woman will receive her own headscarf and will be afforded an opportunity to change from the facility issued headscarf back in to her own headscarf in an area where she cannot be seen by men.
5. **Arrested and detained women will not be required to remove headscarves in the presence of men in any facility or area in the facility over which the jail has control, including transportation facilities and including those portions of any courthouse holding facility that is controlled by jail staff.**
6. The Cumberland County Jail will procure an appropriate number of temporary headscarves that meets the religious requirements of the Muslim religious authority.