

 <p style="text-align: center;">KENTUCKY CORRECTIONS Policies and Procedures</p>	Policy Number	Total Pages
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Authority/References KRS 196.035, 197.020, 197.270, 197.275 ACA 5-ACI-3A-08, 5-ACI-5C-07, 5-ACI-7F-01 through 5-ACI-7F-08, 2CO-5E-01, 2CO-5E-02 CPP 10.2, 14.3, 17.1, 26.1 501 KAR 6:080	Subject RELIGIOUS PROGRAMS	

I. DEFINITIONS

"Chaplain" means a correctional employee or approved volunteer authorized to provide religious counsel, instruction, and advice to inmates and to provide a system of services or religious volunteers, ecclesiastical visitors, and guests for inmates.

"Institutional Religious Center" or "IRC" means the designated area where religious services are conducted.

"KDP" means Kosher Diet Program.

"Religion Reference Manual" means the "Kentucky Department of Corrections Religion Reference Manual," incorporated by reference in 501 KAR 6:080.

"Religious items" means items associated with a particular religious faith.

"Religious practice" means outwardly observable manifestations of religious beliefs including:

- (a) Participating in congregations and meetings;
- (b) Engaging in rituals and ceremonies;
- (c) Praying, chanting, and singing;
- (d) Wearing special items of clothing, jewelry, hairstyles, or beards;
- (e) Adhering to special diets; and

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- (f) Participating in special activities characteristic of a particular religion or adherents of a particular religion.

II. POLICY and PROCEDURE

A. Religious Practice

1. An inmate may participate in practices of his religious faith. The Religion Reference Manual shall be used for religious practice questions. If a religious item or practice is not represented in the Religion Reference Manual, an inmate may request a religious item or practice by following the procedure in Section II.C.10. of this policy.
2. The religions listed in the Religion Reference Manual shall be treated in an equal manner. The institution shall assist in the research of a religion or religious practice not addressed in the Religion Reference Manual;
3. Religious practices shall be limited only by articulated facts showing a threat to the safety of persons involved in an activity, the safety of the institution, or that the activity itself disrupts order in the institution.
4. Religious practices shall include religious publications, religious symbols, congregational religious services, individual and group counseling, and religious study classes.
5. The following religious practices and activities shall not be authorized:
 - a. Animal sacrifice;
 - b. Language or behavior that may reasonably be construed as a threat to safety, security, or the orderly running of the institution;
 - c. Nudity;
 - d. Self mutilation;
 - e. Use, display, or possession of a weapon or an item that may appear to be a weapon;
 - f. Paramilitary exercises;
 - g. Self-defense training;
 - h. Sexual acts;

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- i. Profanity;
 - j. Consumption of alcohol;
 - k. Ingestion of illegal substances;
 - l. Proselytizing;
 - m. Inscription;
 - n. Disparagement of other religions; and
 - o. Tobacco products.
6. An inmate shall not be allowed special services or to receive additional literature, religious icons, or other religious items at one institution that are not allowed at other institutions. Each institution shall follow the uniform requirements of this administrative regulation.
7. An inmate shall not be coerced, harassed, or ridiculed due to religious affiliation.

B. Chaplain

- 1. Each institution shall provide a chaplain who plans, directs, and coordinates all aspects of the religious program including approval and training of both lay and clergy volunteers from faiths represented by the inmate population.
- 2. If the chaplaincy staff or volunteers do not include a religious leader of an inmate's faith, the chaplain shall assist the inmate in contacting a person who has the appropriate credentials from the faith judicatory. That person may minister to the inmate under the supervision of the chaplain.
- 3. The chaplain shall:
 - a. Coordinate scheduling of all religious programs;
 - b. Supervise all chaplaincy students; and
 - c. Coordinate and supervise all religious volunteers in accordance with 501 KAR 6:520.

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C. Religious Programming

1. The institution shall provide space and equipment adequate for the conduct and administration of each religious program.
2. In an institution that uses a common worship area, adequate space shall be provided for religious emblems and other items used during worship.
3. The institution shall maintain a basic library of religious reading materials that includes required literature of faiths represented by the inmate population.
4. Congregant religious items shall not remain outside or be a permanent structure or fixture.
5. Services and Ceremonies
 - a. Each institution shall provide religious services.
 - b. A specific religious service and ceremony may be provided based upon the inmate's stated religious preference.
6. Religious Headwear
 - a. An inmate who has expressed a religious preference listed below may wear the following religious headwear in the institution as follows:

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Religion	Item Female	Item Male	Color
Jewish	scarf (45 in x 45 in)	yarmulke	White or off-white
Islam	hijab	kufi	White or off-white
Nation of Islam	scarf (45 in x 45 in)	Taqiyah	White
Rastafarian	scarf (45 in x 45 in)	crown	Crowns may contain one, some or all of the following colors: red, yellow, green or black and shall not have a bill or peak, free of any writing to include symbols and graphics. Solid color crowns shall be white in color only. Scarfs may be white or off-white only.
Bobo Ashanti	N/A	turban (45 in x 45 in scarf)	White or off-white

An inmate may have three (3) items of religious headwear.

b. Ceremonial Headwear

An inmate may have one (1) ceremonial headwear in addition to the three (3) items of religious headwear. A headband shall be worn only in a circle covering the forehead, but not the crown of the head. An inmate who has expressed one (1) of the following religious preferences may wear the following ceremonial headwear in the IRC only. It shall not be worn to and from the chapel or in any other area of the institution:

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Religion	Item Female	Item Male	Color
Moorish Science Temple of America	scarf (45 in x 45 in)	fez	Fez shall be red in color only. Scarfs shall be white or off-white in color only.
Native American	headband	headband	Solid color only (blue, red, green, white, yellow, or black) (no beading, graphics or other ornamentation permitted)
Odinist/Asatru	N/A	hlath (hlad)	Brown or white with one or more embroidered runes or printed runes

7. An inmate who chooses a religious preference that allows for a dress as a personal religious item may be issued the uniform dress as specified in CPP 17.1 incorporated by reference in 501 KAR 6:440.

8. Religious Objects and Literature

The institution shall permit an inmate to possess items identified in the Religion Reference Manual as personal religious items. Items essential for faith practice shall be purchased through the contracted commissary provider, if available, at the inmate's expense.

9. Religious Diets

a. The department shall, to the extent it is feasible and within appropriate institutional resources, provide each inmate with the opportunity to satisfy the minimum dietary requirements deemed essential by the Religion Reference Manual. The department shall offer an alternate diet meal program and a Kosher diet meal program.

b. If an inmate requests to participate in the Kosher Diet Program (KDP), the inmate shall receive counseling from the Chaplain regarding the provisions of the KDP and then shall sign the Kosher Diet Participation Agreement incorporated by reference in administrative regulation. The provisions of the Kosher Diet Participation Agreement shall go into effect on the day the Agreement is signed, unless the institutional Food Service Department (FSD) does not have a Kosher meal for the newly signed up inmate. The Chaplain shall notify the food service department in writing that the inmate has signed the KDP Agreement. The food service department shall immediately request adequate Kosher meals to accommodate the request.

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- c. If the inmate signs the Agreement at an institution that does not have a Kosher kitchen, the inmate may continue to eat the regular diet until the inmate is transferred to an institution equipped for Kosher meal preparation. If the inmate is housed in special management, he shall be required to complete any disciplinary time prior to transfer to an institution equipped for Kosher meal preparation.

10. New religious components.

If a request is made for a religious service not represented at the institution, the chaplain shall review the request with the warden or designee.

- a. If the request is in compliance with the Religion Reference Manual, it shall be implemented.
- b. If the request is for a religion or religious practice that is not represented in the Religion Reference Manual, then the following process shall be used:
 - (1) The inmate shall submit to the chaplain a written request and include the history of the religion or practice and state any necessary personal religious items and congregate items for practice.
 - (2) The chaplain shall review the request and submit his written recommendation along with the original request to the deputy warden.
 - (3) The deputy warden shall review and submit his written recommendation along with all documentation to the Director of Operations or designee.
 - (4) The Director of Operations or designee shall review all documentation submitted based on the requirements of this administrative regulation. The Director of Operations or designee shall notify all parties in writing of the decision. If the decision affects the Religion Reference Manual or Corrections Policy and Procedure, the revisions shall be made during the next review period. If the decision affects the department, the Director of Operations or designee shall notify all institutions of the approved changes to be implemented.

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- c. If the request is one that is listed in Section II.A.5. of this policy, a review by the Director of Operations shall not be necessary.

D. Religious Funding

1. An IRC fund, apart from the institutional budget, may be established for the religious program and may be used for the following:
 - a. Purchase of religious literature, music, and other materials;
 - b. Purchase of equipment, including sound and music equipment, for operation and maintenance of the program; or
 - c. Funding social events or supplying refreshments for special events.
2. Any inmate may donate to the IRC fund.
3. A donation by a private citizen and community group may be accepted into the fund.
4. Any request for an expenditure of IRC funds shall be submitted by the chaplain to the Warden or his designee for final approval through a requisition that describes the purchase or expenditure and a brief justification.
5. A separate checking account requiring signatures of any two (2) of the following shall be maintained for the IRC fund:
 - a. Chaplain;
 - b. Warden; or
 - c. Deputy Warden.

E. Inmate Faith Group

An inmate faith group shall not engage in any fund raising activity. A ceremonial meal shall not be funded by the IRC fund, a private citizen, an inmate donation, or a community group.

F. Inmate Responsibilities

1. Upon entry into the correctional system, an inmate's stated religious preference shall be recorded in the offender management system.

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2. An inmate may change his religious preference every six (6) months by contacting the institutional Chaplain.
 3. The inmate shall seek a job or program assignment that does not conflict with his beliefs and practices.
 4. An inmate request for a special service or ceremony shall be made at least sixty (60) days prior to the requested date. This request shall be made in writing to the Chaplain and shall include a statement of the reason for the request. The Chaplain shall review the request following the procedure in Section II. C. 10. b.
 5. If an inmate changes his religious preference, the inmate shall surrender all sacred items related to the former religious preference listed in CPP 17.1 and the Religion Reference Manual.
 6. Institutional staff shall use a sign-up sheet for religion specific ceremonial meals and activities to determine inmate participation to properly advise the food service department to ensure the adequate amount of meals are provided. Failure to sign up in accordance with posted sign-up sheet requirements shall result in non-participation for that meal or activity.
- G. Communication between an inmate and a chaplain or volunteer that presents a safety or security concern within an institution shall not be confidential.

H. Training

Training shall be provided to the chaplains and religious services staff. Staff who have direct contact with inmates shall receive training concerning religious practices developed or approved by the Division of Corrections Training.

KOSHER DIET PARTICIPATION AGREEMENT

(effective upon transfer to a kosher institution or date signed)

(Print Name)	(Number)	(Institution)
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I would like to participate in the Kosher Diet Program. I understand that to be served a kosher diet, special food may have to be procured and special preparation practices must be used.

Because of this, I agree to comply with the following conditions:

- A. I understand that I may change my religion and the religion’s diet not more than once each year.
 - 1. The Kosher Meal Program must be requested and is available only to those inmates of faiths whose religious belief requires them to practice kosher dietary laws.
 - 2. Because of the complexity of the Kosher Meal Program, it is not available at all institutions, and inmates requesting and approved for the Kosher Diet Program may be transferred to a participating institution.
 - 3. During Passover and approved fasts, the Kosher Meal Program will include meals for observance of those Jewish holidays to include sack lunch meals before and after each fast with no regular meals being served the day of the fast.

(Special Note: A person does not have to be on the Kosher Diet Program to participate in Passover and other Jewish holiday meal observances. Being removed from the Kosher Diet Program does not prevent an inmate from celebrating Passover and other Jewish holiday meal observances.)

- B. I understand that if I voluntarily request that my kosher diet be canceled, I must do so in writing, and I must wait at least one year from my request to cancel before requesting the diet be reinstated for me.
- C. During meals, I will possess on my food tray and eat only those food items served as a part of the Kosher Diet Program.
- D. I will not purchase, possess, or consume any food items that are not permitted under my religious diet. I understand that my Canteen purchases will be routinely monitored. Specifically, if I purchase, possess, or consume any items that contain pork or shellfish, I will be terminated from the Kosher Diet Program.
- E. The Department of Corrections spends a significant amount of money to ensure your ability to practice your faith and meet the dietary laws. Therefore, complete participation is required. Missing more than two meals per week without written justification will be cause for dismissal from the program.
- F. I will follow all institutional policies for dining in my institution.
- G. I will not provide any portion of my specially prepared meal to other inmates. Sharing any part of my kosher meal will result in automatic termination from the Kosher Diet Program.
- H. I will not collect religious food items (other than Canteen items) in my cell.
- I. I understand that if I violate one of the requirements in paragraphs C, D, or E, I will receive one written warning but will be allowed to continue to participate in the Kosher Diet Program. A second violation within a one-year period will result in termination from the Kosher Diet Program.
- J. I understand that if I violate one of the requirements in paragraphs F, G, or H, disciplinary shall be issued for violations of the Offenses and Penalty Code in CPP 15.2.

By my signature below, I acknowledge that I have read or had read to me by a KY DOC employee or contract worker the contents of this Agreement. I further agree that if permitted to participate in the Kosher Diet Program, I will abide by the requirements of participation set forth above in this Agreement.

Inmate Signature: _____ Date: _____

Staff Witness: _____ Date: _____

DISTRIBUTION: Deputy Warden; Food Service; Chaplain