

 <p style="text-align: center;">DIVISION OF ADULT INSTITUTIONS</p> <p style="text-align: center;">POLICY AND PROCEDURES</p>	DAI Policy #: 309.61.01	Page 1 of 11
	Original Effective Date: 04/01/81	New Effective Date: 10/24/16
	Supersedes: 309.61.01	Dated: 04/30/15
	Administrator's Approval: Jim Schwochert, Administrator	
Required Posting or Restricted:		
<input checked="" type="checkbox"/> Inmate <input checked="" type="checkbox"/> All Staff <input type="checkbox"/> Restricted		
Chapter: 309 Resources for Inmates		
Subject: Religious Beliefs and Practices		

POLICY

The Division of Adult Institutions shall ensure incarcerated inmates have opportunities to pursue lawful practices of the religion of their choice consistent with security practices and principles; rehabilitative goals; health and safety; allocation of limited resources; and the responsibilities and needs of the correctional facilities.

REFERENCES

Federal Public Law 106-274, Sec. 3 – Protection of religious exercise of institutionalized persons

Wisconsin Statutes s. 301.32 – Property of prisoners, residents and probationers

Wisconsin Statutes s. 301.33 – Freedom of worship; religious ministrations

Wisconsin Statutes s. 302.375 (2m) – Use of wine in a religious service in a prison, jail, or house of correction

Wisconsin Administrative Code Ch. DOC 303 – Discipline

Wisconsin Administrative Code s. DOC 303.35 – False names and titles

Wisconsin Administrative Code s. DOC 309.02 – Definitions

Wisconsin Administrative Code s. DOC 309.04 – Inmate Mail

Wisconsin Administrative Code s. DOC 309.05 – Publications

Wisconsin Administrative Code s. DOC 309.10 – Special Visits

Wisconsin Administrative Code s. DOC 309.20 – Personal Property

Wisconsin Administrative Code s. DOC 309.23 – Food

Wisconsin Administrative Code s. DOC 309.61 – Religious Beliefs and Practice

DAI Policy 300.00.26 – Correspondence Courses

DAI Policy 303.00.02 – Restrictive Housing Programs and Review

DAI Policy 306.00.18 – Security Threat Group Management

DAI Policy 309.00.06 – Inmate Marriages

DAI Policy 309.06.01 – Visiting

DAI Policy 309.06.03 – Volunteers, Pastoral Visitors, Program Guests and Interns

DAI Policy 309.20.03 – Inmate Personal Property and Clothing

DAI Policy 309.55.01 – Inmate Compensation Plan

DAI Policy 309.61.02 – Religious Property

DAI Policy 309.61.03 – Religious Diets

DAI Policy 324.00.01 – Work and Study Release

Attachment – Congregate Religious Event Conduct

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DEFINITIONS, ACRONYMS, AND FORMS

Chaplains – Employees who coordinate and supervise the facility’s religious programs and who may provide direct services.

Chaplain Designee – An employee assigned by the facility leadership to perform these duties in the absence of a chaplain.

DAI – Division of Adult Institutions

DOC – Department of Corrections

DOC-1090 – Religious Preference (electronic WICS screen ORPT160 or paper version if electronic form is unavailable).

DOC-2075 – Request for New Religious Practice

DOC-2268 – Donation Report – Offender

DOC-2269 – Donation Report – Public/Staff

DOC-2466 – Incident Report (WICS)

DOC-2674 – DAI Volunteer Application including Pastoral Visitor/Program Guest/Intern

F-80190 – Travel Reimbursement Request for Non-State Employee

Honorarium – Token compensation offered for the provision of a service, intended to assist with associated expenses typically accrued by clergy, spiritual leaders or religious volunteers.

IC – Initial Classification

Pastoral Visitor – An approved clergy or religious volunteer who may provide spiritual counseling, study or service. May be one-time visit or ongoing. Subject to all expectations of volunteers per DAI Policy 309.06.03.

Religious Practices Advisory Committee (RPAC) – Committee comprised of representatives of community religious groups and DOC staff who provide the Department with policy recommendations.

RPAC Executive Committee – RPAC subcommittee which consists of DAI staff members and responds to inmate religious requests.

Religious Practices Coordinator – DAI staff member who chairs the RPAC, reviews religious issues, coordinates information about inmate religious accommodations within the Department, and provides the Administrator with policy recommendations.

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Religious Preference Designation – Two-step process by which inmate URG demographic is recorded or updated:

- 1) DOC-1090 (WICS electronic ORPT160 screen or paper version);
- 2) WICS Offender Demographics/Physical Profiles (ORPS011A screen).

Religious Volunteer – An individual recommended by the Chaplain and approved by the Warden/designee to provide regular, occasional or special religious activities including religious services, study, counsel on spiritual matters, pastoral visits, etc.

RH – Restrictive Housing

Security Threat Group (STG) – A group of individuals which threatens, intimidates, coerces or harasses others, or engages in activities which violates or encourages the violation of statues, administrative rules, department policies or facility procedures.

Special Events and Activities – Religious activities open to all inmates regardless of their designated religious preference, including those designating no preference, e.g., concerts, seminars, religious/spiritual instruction.

Spiritual Leader/Clergy – Person endorsed as a representative by a religious affiliation. The individual is generally recognized as a leader or authority who may facilitate religious services within that church/coven/denomination/faith community/ kindred/mosque/synagogue/tribe, and provide counsel on spiritual matters. The individual agrees to represent an URG, subject to the approval of the Warden/Superintendent.

Umbrella Religion Group (URG) – An inclusive group designed to appeal to a wide range of religious beliefs within a given faith tradition: Catholic, Eastern Religions, Humanist/Atheist/Agnostic, Islam, Jewish, Native American/American Indian, Pagan and Protestant/Other Christian. Example: A Protestant/Other Christian Umbrella Religion Group would meet the needs of all Protestant/Other Christian denominations such as Lutheran, Baptist, Methodist, Presbyterian, etc.

URG Religious Services – Congregate services of an URG for the purpose of worship and spiritual expression embracing a wide range of religious beliefs.

URG Study Group – Congregate religious study within a given URG for the purpose of increased knowledge and spiritual growth.

WICS – Wisconsin Integrated Corrections System

PROCEDURE

I. General Religious Guidelines

A. Principles

1. Limited space availability and resources, facility security needs, health and safety precautions make it necessary that DAI implement uniform guidelines relating to inmate religious beliefs and practices that are

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applicable to all facilities. These guidelines ensure an equitable/proportionate distribution of time, space and limited resources for inmates and religious groups.

2. DAI does not permit activities or property that:
 - a. Advocate racial, ethnic or gender supremacy or purity.
 - b. Cast aspersions on any group based on race, religion, ethnicity, nationality, gender, sexual orientation, gender identity or disability.
 - c. Promote hate crimes against persons or property as specified in federal or state laws.
 - d. Are inconsistent with DAI Policy 306.00.18 and/or any STG management procedures.
 - e. Jeopardize the security and order of the facility.
 - f. Violate federal or state laws or DOC administrative rules, policies and procedures.
3. Staff concerns regarding activity/events which violate subparagraph 2 shall be documented as follows:
 - a. Staff member shall complete a DOC-2466 in WICS.
 - b. The Security Director/supervisory staff shall forward a copy of the DOC-2466 (or summary if confidential or sensitive in nature) to the Religious Practices Coordinator.
 - c. The Religious Practices Coordinator shall compile information for policy review purposes.

B. Establishing/Changing Religious Preference Designation

1. An inmate shall declare religious preference in order to participate in congregate URG religious services and/or study groups.
2. During IC, staff may enter inmate religious preference into WICS Offender Demographics/Physical Profiles (ORPS011A).
3. Chaplain/designee shall facilitate two-step process to update inmate religious preference designation by completion of both:
 - a. Electronic WICS DOC-1090 (ORPT160) or paper DOC-1090;
 - b. Enter inmate religious preference into WICS Offender Demographics/Physical Profiles (ORPS011A). This step is necessary to ensure accurate facility URG lists and data.
4. Some religious observances may be accommodated via individual practice rather than congregate URG programming (e.g., religious volunteer is unavailable; during lockdown or security concerns; facility population of URG adherents is small).
5. Inmates may change religious preference once every six months, except as follows:
 - a. The Chaplain/designee may grant an exception to six months based on extenuating circumstances.
 - b. If the inmate's initial designation is "No Preference," the inmate may designate a preference at any time.
6. Some special events and activities may be designated as open to all inmates regardless of their religious preference designation.

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C. Guidelines for Congregate Religious Events

1. Inmates shall comply with all expectations for participation in congregate religious events, as outlined in the Attachment to this policy. Inmates who violate the terms of the Attachment may be subject to consequences, including:
 - a. Immediate removal from religious events.
 - b. Prohibition from attending programming for a period of time at the discretion of the Warden/designee.
 - c. Other discipline consistent with Wisconsin Administrative Code Ch. DOC 303.
2. Congregate religious services, study groups, readings, prayers, choir, drumming and other activities as authorized, shall be led by an approved spiritual leader/clergy, volunteer or Chaplain:
 - a. Under no circumstances shall an inmate be authorized to lead or conduct a religious service or study group.
 - b. Inmates may be invited to assist facilities with volunteer recruitment by identifying or referring community religious leaders for Chaplain/designee follow-up in accordance with DAI Policy 309.06.03.
 - c. If no spiritual leader/clergy, volunteer or Chaplain is available, facility staff may supervise per guidelines established by the Chaplain/designee.
 - d. Chaplain/designee may structure inmate participation (e.g., choir/music; reading; pipe/smudging) in accordance with the Attachment to this policy.
3. Religious services and study groups may be provided in person or through electronic medium such as prerecorded audio/visual materials, broadcast/teleconferencing, etc., as available, and depending on facility space, security needs and resources.
4. Facilities may regulate URG congregate programming by group size, schedules, housing units, etc., consistent with principles of equitable access and safety and security needs of the facility.
5. Participants are required to wear clothing during religious group activities.
6. Inmates shall not be compensated for attending religious activities.
7. Inmates in work release programs shall be subject to terms of DAI Policy 324.00.01, along with employer human resources policies and operational needs. Requests for religious accommodation which will affect work schedule/availability shall be submitted to the Work Release Coordinator no less than 30 days in advance of intended absence.

II. Opportunities for Religious Practice

A. URG Religious Services

1. DAI provides opportunities for inmates to practice their religious faith through congregate URG religious services as resources allow (e.g., Catholic mass, sweat lodge ceremony, Protestant/Other Christian worship services).
2. URG services shall be facilitated by a Chaplain of that faith or a qualified volunteer (e.g., Catholic Mass shall be facilitated by an ordained Priest;

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Islamic Jumah shall be facilitated by an Imam; Native American/American Indian sweat lodge shall be facilitated by a recognized spiritual leader).

3. Facilities may authorize outside spiritual leaders/clergy or religious volunteers to conduct an URG religious service personally or electronically.
4. Facilities shall establish guidelines for minimum numbers of inmates designating a particular religious preference before a religious worship service shall be authorized. This shall be based on principles of equitable/proportionate distribution of available resources.
5. Inmates shall generally be approved to participate in URG religious services within their designated religious preference only.
6. Inmates shall be excused from work, program, or disciplinary room/cell/building confinement to attend URG services.

B. URG Study Groups

1. DAI may provide opportunities for inmates to practice their religious faith through congregate URG Study Groups as resources permit (e.g., Taleem, Bible study, pipe and drum ceremonies, discussion groups).
2. URG study groups may be supervised by a volunteer, Chaplain or other staff member only as scheduled and directed by the Chaplain/designee.
3. URG study groups may be offered as a substitution for congregate URG services, as necessary, to allow for equitable/proportionate congregate URG programming opportunity when a Chaplain, clergy, spiritual leader or religious volunteer of that faith is not available to facilitate.
4. URG study groups may be conducted in person or electronically depending on availability of space, security needs and facility resources.
5. Facilities shall provide for equitable/proportionate distribution of time, space and limited resources for URG study groups based on space availability, staff resources and security needs.
6. Inmates shall generally be approved to participate in study groups within their designated religious preference only.
7. Study groups are a leisure activity. Inmates may or may not be excused from work, program, or disciplinary room/cell/building confinement to attend URG study groups per facility procedures (e.g., if URG service is not available at facility, excuse may be allowed for URG study group).
8. Designation of religious preference is not required to participate in an interfaith or multi-religious study group.
9. Facilities may set limits on the number of study groups an inmate may attend for their religious preference.

C. Pastoral Visits

1. Pastoral visits may be provided by approved spiritual leaders/clergy or religious volunteers from the community for the purpose of counseling, religious study, spiritual care and provision of religious services.
2. Spiritual leaders/clergy or a designee shall complete DOC-2674 to request pastoral visitor privileges if not already an approved volunteer.

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3. The pastoral visitor may provide pastoral/spiritual visits to more than one inmate, personally or electronically, per facility procedures.
4. Pastoral visits shall not be approved for inmates who are close family members as defined by Wisconsin Administrative Code s. DOC 309.02.
5. A pastoral visitor shall not be on any inmate's approved visiting list at the site the visitor is providing services.
6. A pastoral visitor may also be approved to serve as a congregate programming volunteer at the same facility.
7. Inmates may receive pastoral visits regardless of their religious preference or no preference designation.
8. Approved pastoral visits may be provided during normal business hours or on weekends, evenings and times appropriate to special religious observances per facility procedures.
9. Each/every individual pastoral counseling visit (not group pastoral visits permitted at some facilities) shall be recorded in WICS per DAI Policy 309.06.01 and DAI Policy 309.06.03.
10. Inmates may or may not be excused from work/program to attend pastoral visits per facility procedures (e.g., if URG service is not available at facility, excuse should be allowed for pastoral visits).

D. Individual Practice

1. DAI provides inmates in general population the opportunity to individually practice their religious faith through:
 - a. Individual study.
 - b. Correspondence courses, in accordance with DAI Policy 300.00.26.
 - c. Personal meditation.
 - d. Religious books and literature.
 - e. Approved religious property, per DAI Policy 309.61.02.
 - f. Pastoral visits.
 - g. Other approved individual religious observances in their living quarters.
 - h. Written correspondence.
 - i. Approved dietary accommodations, per DAI Policy 309.61.03.
2. Accommodation of individual practices may serve as a substitution for URG services and/or studies when congregate programming is not available at a facility.

E. RH Religious Accommodations

1. Inmates in RH have an opportunity to practice their religious faith, but may have some restrictions based upon the nature of that status, individual safety, behavioral compliance, and the security and resource needs of the facility.
2. Consistent with DAI Policy 303.00.02, inmates may participate in individual religious activities outlined in Section II.D in their assigned quarters.
3. Consistent with DAI Policy 303.00.02 and 309.61.02, inmates may have access to authorized religious literature and religious property.

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4. Individual participation in URG congregate programming may be considered per DAI Policy 303.00.02.
 5. Inmates in RH may be permitted to receive pastoral visits, in accordance with DAI Policy 303.00.02 and facility procedure.
- F. Excuse from Work/Program for Religious Observance
1. There may be circumstances where a religion requires an inmate to abstain from work or program participation.
 - a. Facilities shall make reasonable effort to accommodate an inmate's observance of days of special significance.
 - i. Inmates shall request work proscriptio accommodation to the facility no less than 30 days in advance of the observance date.
 - ii. The inmate's request shall be consistent with the inmate's designated religious preference.
 - b. Inmate requests for release from their assignment shall be reviewed and approved/denied by the Chaplain/designee in consultation with the RPAC Executive Committee, as needed.
 2. Inmates in involuntary unassigned status shall anticipate that at any time they might be directed/requested to perform work per DAI Policy 309.55.01.
 - a. Inmates who are in involuntary unassigned status and who observe a weekly holy day or a religious holiday that requires abstention from work shall submit a written request to the Chaplain no less than 30 days in advance of the observance in anticipation of such a directive to perform work.
 - b. Inmates shall not be relieved from work unless a prior written request has been submitted and approved.
 - c. The inmate is responsible for maintaining a copy of the approved written request granting permission to abstain from work.
- G. Special events and activities
1. Facilities may provide opportunities for inmates to participate in special events and activities (e.g., concerts, seminars, religious or spiritual instruction).
 2. Participation in special events and activities may be open to inmates of all religious preferences.
- H. Smoking / Smudging / Incense / Candles
1. Facilities may allow opportunities for ceremonial smoking, smudging and the use of incense/candles consistent with facility procedure on use of smoking/burning materials.
 2. Items allowed to be brought into the facilities for this purpose are identified in DAI Policy 309.61.02 – Attachment – Religious Property Chart.
 3. Sacramental tobacco may be brought into the facility by the spiritual leader/religious volunteer, with prior approval through the Chaplain/designee and facility procedure.

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I. **Sacramental Wine/Beverage**

1. Per Wisconsin Statutes s. 302.675 (2m) and DAI Policy 309.61.02, and with prior approval, clergy/spiritual leader/religious volunteer shall be permitted to bring sacramental wine/beverage into the facility for religious observance.
2. Sacramental wine/beverage may be given to inmates by the Chaplain or religious volunteer to be consumed as part of the religious service or pastoral visit.
3. Chaplains or religious volunteers are not required to provide sacramental wine/beverage to any inmate(s).
 - a. Sacramental wine/beverage shall remain in the possession of the Chaplain or religious volunteer at all times while in a facility.
 - b. The sacramental wine/beverage and/or container shall be removed from the facility at the conclusion of the religious activity per DAI Policy 309.61.02 – Attachment – Religious Property Chart.
4. Inmates housed at correctional centers may be approved to attend religious worship services off grounds and may consume sacramental wine/beverage as part of that religious service.

III. **Honorariums for Religious Volunteers**

- A. Individuals providing religious services to inmates shall be subject to DAI Policy 309.06.03, other relevant DOC and DAI policies and facility procedures.
- B. Outside spiritual advisors/clergy or volunteers may be eligible to receive an honorarium and/or mileage reimbursement (hereafter referred to as compensation) for conducting URG Religious Services.
 1. Compensation is intended to help facilities accommodate inmates of all URGs with equitable opportunity for Religious Services.
 2. Facilities shall make compensation available in an equitable and proportionate manner to all URGs.
 3. URG Study Groups or pastoral visits are not eligible for compensation.
- C. This amount is paid per religious service, not per volunteer in attendance.
 1. Religious volunteers may choose to accept or decline a portion or the entire compensation.
 2. Compensation shall be offered in the following manner:
 - a. \$50 for any URG service two hours or less.
 - b. \$25 per hour for each additional complete hour.
 - c. The current state non-availability mileage rate shall be paid per mile of round trip.
 - d. F-80190 shall be completed to claim honorariums and mileage reimbursement.

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IV. Inmate Request for New Religious Practices or Property

- A. Inmates shall submit DOC-2075 to the Chaplain/designee when requesting authorization for a religious practice or property item not on the approved property list or to appeal a religious diet denial.
1. Inmates shall include only one accommodation/issue/property item per DOC-2075 to allow adequate research, analysis and consideration.
 2. DOC-2075 shall be submitted by individual inmates, not as a group.
 3. Inmates may utilize DOC-2075 without limit on the number or frequency of submissions.
- B. Chaplain/designee shall forward the DOC-2075 with their recommendation to their Supervisor for review and recommendation.
- C. The Chaplain supervisor shall forward the DOC-2075 with their recommendation to the RPAC Executive Committee.
- D. The RPAC Executive Committee shall review the DOC-2075, any supporting documentation and consult with other staff and community spiritual leaders as needed.
- E. The RPAC Executive Committee shall make a recommendation to the Warden/designee and return the DOC-2075 to facility for final decision, distribution and implementation.
- F. Appeal of denials pertaining to DOC-2075 requests may be submitted through the Inmate Complaint Review System.

Administrator's Approval: _____ **Date Signed:** _____
 Jim Schwochert, Administrator

DIVISION OF ADULT INSTITUTIONS FACILITY IMPLEMENTATION PROCEDURES

Facility: Name		
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Will Implement <input type="checkbox"/> As written <input type="checkbox"/> With below procedures for facility implementation		
Warden's/Center Superintendent's Approval:		

REFERENCES

DEFINITIONS, ACRONYMS, AND FORMS

FACILITY PROCEDURE

- I.
 - A.
 - 1.
 - a.
 - B.
 - C.
- II.
 - A.
 - B.
 - C.