

 <p style="text-align: center;">DIVISION OF ADULT INSTITUTIONS</p> <p style="text-align: center;">POLICY AND PROCEDURES</p>	DAI Policy #: 309.61.02	Page 1 of 7
	Original Effective Date: 05/15/96	New Effective Date: 02/22/15
	Supersedes: 309.61.02	Dated: 08/12/11
	Administrator's Approval: Cathy A. Jess, 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 Property		

POLICY

The Division of Adult Institutions shall ensure inmates have the opportunity to access religious items for personal and group use.

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 s. DOC 309.04 – Inmate Mail

Wisconsin Administrative Code s. DOC 309.05 – Publications

Wisconsin Administrative Code s. DOC 309.20 – Personal Property

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

DAI Policy 309.00.50 – Pornography

DAI Policy 309.04.01 – Inmate Mail

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

DAI Policy 309.20.03 – Inmate Personal Property and Clothing

DAI Policy 309.61.01 – Religious Beliefs and Practices

DAI Policy 309.61.02 – Attachment – Religious Property Chart

DEFINITIONS, ACRONYMS, AND FORMS

DAI – Division of Adult Institutions

DOC – Department of Corrections

DOC-237 – Property Receipt/Disposition

DOC-2075 – Request for New Religious Practice

DOC-2268 – Donation Report Offender

DOC-2269 – Donation Report Public/Staff

Chaplains – Employees who coordinate and supervise the facility's religious programs and who may provide direct services. Chaplain designee is an employee assigned by the facility leadership to perform these duties in the absence of a chaplain.

DAI Policy #: 309.61.02	New Effective Date: 02/22/15	Page 2 of 7
Chapter: 309 Resources For Inmates		
Subject: Religious Property		

Congregate Religious Property – Items an URG may use while assembled for group religious service or religious study. Congregate items shall be stored by the facility or brought in/out by the spiritual leader, per the specifications of the Religious Property Chart.

Emblems – Objects that function as a religious symbol which are generally recognized by the recorded religion as having religious significance.

Personal Religious Property – Items that an inmate may possess in cell or on person for individual religious use as appropriate.

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

Religious Publications – Books, magazines, newspapers, tracts, and pamphlets which discuss religious beliefs and practices.

Religious Volunteer – An individual recommended by the Chaplain/designee and approved by the Warden/designee to provide regular, occasional or special religious activities including, but not limited to, religious services, study, counsel on spiritual matters, pastoral visits.

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 Property – Religious property approved for group use during URG programming.

PROCEDURE

I. Inmate Personal Religious Property

- A. Religious property is included in the allowable property limits specified in DAI Policy 309.20.03. Compliance with DAI Policy 309.20.03 is required for all personal religious property, unless otherwise specified.
- B. Inmates may possess approved religious property items associated with their recorded religious preference (URG) per DAI Policy 309.61.01. Inmates may not possess or purchase religious items that are not associated with their URG, with the sole exception of religious publications.
 1. Pre-approved religious property items are identified on the DAI Policy 309.61.02 Attachment – Religious Property Chart.

DAI Policy #: 309.61.02	New Effective Date: 02/22/15	Page 3 of 7
Chapter: 309 Resources For Inmates		
Subject: Religious Property		

2. This chart is not all inclusive. See Section IV. below.

- C. Facilities may establish procedures for authorizing/restricting inmates to carry certain personal religious property items to URG programming (e.g., prayer beads, rosary or medicine bag to services; religious publications to study groups) based upon the security needs of the facility and consistent for all URGs.

- D. Authorized use of emblems
 1. Inmates may be permitted to wear, but not display, religious emblems appropriate to their documented religious preference per guidelines in the DAI Policy 309.61.02 Attachment – Religious Property Chart.
 2. Inmates may display emblems during individual practice in assigned cell/room or bunk area (including double or multiple bunk/cell areas), and at URG programming only. At the conclusion of individual practice or group religious activities, the emblem can be worn but not displayed.

- E. Allowable Sources of Inmate Personal Religious Property
 1. Facility funds shall not be used to purchase inmate personal religious property items.
 2. Chapel – The facility chapel may have limited donated items available for distribution or temporary loan (e.g., calendars, publications, rosaries, rugs).
 - a. Donated items intended for distribution to inmates shall be given to a staff member.
 - b. Donated items must meet the approved specifications on the Religious Property Chart.
 - c. Staff shall document acceptance of donations with DOC-2269.
 - d. Donated items become the property of the facility for distribution at the discretion of the Chaplain/designee.
 - e. The Chaplain/designee will equally distribute donated items to inmates of similar recorded religious preference.
 - f. The Chaplain/designee may distribute certain donated religious or secular items (i.e., greeting cards, calendars, books/publications) to all interested inmates regardless of their religious preference.
 - g. Facilities shall generally not accept items designated by the donor for selected, individual inmates, except those items specified on the DAI Policy 309.61.02 – Attachment – Religious Property Chart.
 - h. Volunteers shall not give items directly to inmates under any circumstances.
 - i. The Chaplain/designee shall issue a DOC-237 with all non-disposable religious property or publications distributed through the chapel.
 3. Canteen/Catalogs – Religious property items available through the facility canteen or DAI property catalogs shall be purchased from these sources, with the exception of:
 - a. Religious calendars.
 - b. Religious emblems.

DAI Policy #: 309.61.02	New Effective Date: 02/22/15	Page 4 of 7
Chapter: 309 Resources For Inmates		
Subject: Religious Property		

- c. Religious publications.
4. Outside Vendors – Approved religious property items which are not available through the chapel, facility canteen or DAI property catalogs may be purchased through an outside vendor. Religious calendars, emblems and publications may be purchased through an outside vendor due to the limited selection available through the canteen/catalogs.
5. Inmates are encouraged to consult with the Chaplain/designee prior to ordering any religious property items from an outside vendor. Consultation does not constitute approval; items will be inspected and must meet approved specs on arrival.
6. Inmates shall not purchase or receive personal religious property directly from DAI religious volunteers, including through third-party distributions.

II. **URG Congregate-Use Property**

A. URG Property shall comply with DAI Policy 309.61.02 Attachment – Religious Property Chart.

1. URG property may be available through donations accepted per facility procedure or via intra-facility loan.
2. These items may be stored in the facility (space permitting) and will be issued for use by the Chaplain/designee or religious volunteer.
3. All URG property items are considered property of the facility unless they are approved by the Security Director/designee to be brought into or taken out of the facility by the approved religious volunteer.
4. An adequate number of items may be maintained at the facility for replacement of worn items.

B. Allowable Sources of URG Congregate-Use Property

1. State taxpayer funds shall not be used to purchase religious items with the exceptions of:
 - a. Bricks / mortar / utilities: sweat lodge, prayer mats, pews/chairs. If items such as musical instruments, sound systems, etc., are purchased, these must also be available for other facility use, separate from religious practices.
 - b. General use religious publications purchased for and available in the facility's main Library or Chapel.
2. Non-tax funds (e.g., inmate canteen revenues, donations) may be used to purchase religious items for general use in a manner that is equitable/ proportionate for all URGs.
3. Facilities may accept in-kind and monetary donations from DAI religious volunteers, individuals or organizations in the community in accordance with DAI Policy 309.61.01, DAI Policy 309.06.03 and facility procedures.
 - a. Donated items must meet the approved specifications on the Religious Property Chart.
 - b. Donations will generally be accepted for congregate URG use at the discretion of the facility (not specified by donor).
 - c. Staff shall document acceptance of donations with DOC-2269.

DAI Policy #: 309.61.02	New Effective Date: 02/22/15	Page 5 of 7
Chapter: 309 Resources For Inmates		
Subject: Religious Property		

4. Facilities may accept in-kind and monetary donations from inmates per facility procedures with the following precautions:
 - a. Donated items meet the approved specifications on the Religious Property Chart.
 - b. Staff members assure that inmate(s) are not required, manipulated, or coerced by others to provide donations.
 - c. Staff shall document acceptance of donations with DOC-2268.
- C. Storage/Search of URG property
 1. Group use items will be stored in a secure location at the facility.
 2. All items are subject to search. Staff will exercise care and respect for the items while searching.
 3. If at all possible, the Chaplain/designee shall be present during the search.
- D. The use of incendiary items (i.e., kinick kinick, candles, incense, lighter) is subject to facility restrictions and fire/building code.

III. Religious Publications

- A. Religious publications are not restricted to an inmate's identified religious preference.
- B. Religious publications and calendars must comply with DAI Policy 309.00.50, DAI Policy 309.61.01 and other related DOC/DAI/facility regulations.
- C. The Chaplain or other staff may be consulted to review religious publications as needed.
- D. DOC does not hold or purport positions or views on any religious, spiritual or political beliefs/theology/non-theology/views/etc. and publications shall not be approved/denied on this basis. For security reasons, religious publications and calendars advocating hate groups or security threat group ideology are prohibited per Wisconsin Administrative Code s. DOC 309.61(5).
- E. Free religious literature such as leaflets, tracts and magazines shall count against each inmate's allowable publications/property limit.
- F. Per DAI Policy 309.20.03 inmates may receive religious books/publications (hard cover or soft cover) directly from the publisher or other commercial source.
 1. All books must be accompanied by documentation indicating the cost (including free publications).
 2. Books arriving at the facility shall be processed per DAI Policy 309.20.03 and facility procedures.

DAI Policy #: 309.61.02	New Effective Date: 02/22/15	Page 6 of 7
Chapter: 309 Resources For Inmates		
Subject: Religious Property		

IV. Inmate Request for New Religious Practices or Property

- A. Inmates shall submit DOC-2075 to the Chaplain/designee when requesting authorization for a property item not on the approved property list.
- 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 and any supporting documentation and shall 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 the 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:** _____
Cathy A. Jess, Administrator

DIVISION OF ADULT INSTITUTIONS FACILITY IMPLEMENTATION PROCEDURES

Facility: Name		
Original Effective Date:	DAI Policy Number: 309.61.02	Page 7 of 7
New Effective Date: 00/00/00	Supersedes Number:	Dated:
Chapter: 309 Resources For Inmates		
Subject: Religious Property		
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.