

Inmate Marriage

Overview

DAI may allow inmates in general population to marry while incarcerated if the following conditions are met as outlined in DAI 309.00.06 Inmate Marriages:

- The marriage does not pose a threat to the security of the facility or a threat to the safety of the public, or threatens other legitimate penological interests such as prison security, crime deterrence, rehabilitation, resource allocation, protecting visitors, deterring substance abuse, and protecting the safety of correctional staff and inmates.
- There are no legal impediments to the marriage.
- The inmate is not scheduled for release within nine months.
- The proposed spouse or the proposed spouse's children are not victims of the inmate, have never been convicted in any criminal activity with the inmate and have been on the inmate's visiting list for a minimum of one year or is able to demonstrate a longstanding relationship with the proposed spouse.
- The marriage ceremony shall be performed on site in the facility where the inmate is incarcerated. DAI shall not arrange for inmates to be transported for marriage ceremonies.

The Warden shall approve the DOC-1671 (Request for Marriage), counseling plans, marriage, and wedding arrangements.

- Wedding rings must comply with DAI property specifications according to DAI 309.20.03. The ring shall enter the facility according to established facility property procedure.

Each facility shall have a designated marriage coordinator. The marriage coordinator is responsible for:

- Reviewing inmate files and making recommendations to the Warden on the appropriateness or legality of the proposed marriage.
- Sending the intended spouse, a letter to include the following inmate's information; name of commitment and any aliases, current and previous committing offenses, length of sentence, projected release from prison if available, any other information the coordinator believes is appropriate and shall said the intended spouse in making an informed decision.
- Notifying the intended spouse to report to the facility to meet with a multi-disciplinary team to discuss the marriage request, if deemed necessary.

Social Worker/ Treatment Specialist Responsibilities:

At some facilities the role of the Social Worker may be defined in institution procedure. Their role may include providing the inmate form DOC-1671, reviewing the DAI 309.00.06 Inmate Marriages policy with the inmate; assisting the marriage coordinator in reviewing inmate file documents, case records, and WICS visiting list information; contacting the intended spouse's agent of record to obtain input on the marriage request; verify inmate account balances for costs of wedding ceremony, marriage license fees, and officiate fees.

Resources

DAI 309.00.06

DOC -1671 – Request for Marriage

DOC 1673 – Marriage Information Request from Agent