Religion in Corrections:

Offenders' Rights – Your Responsibility

Satellite & Internet Broadcast May 28 & 29, 2014

Facilitators Manual

NIC

National Institute of Corrections

NATIONAL INSTITUTE OF CORRECTIONS MISSION

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NIC is fully committed to equal employment opportunity and to ensuring full representation of minorities, women, and disabled persons in the workforce. NIC recognizes the responsibility of every employer to have a workforce that is representative of this nation's diverse population. To this end, NIC urges agencies to provide the maximum feasible opportunity to employees to enhance their skills through on-the-job training, work-study programs, and other training measures so they may perform at their highest potential and advance in accordance with their abilities.

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Religion in Corrections: Offenders' Rights, Your Responsibility

Program Contact Information:

Prior To Broadcast Day

1-800-995-6429, Follow prompts for "Academy Division"

On Broadcast Days – May 28-29, 2014
9am-12pm Pacific (12 – 3pm Eastern)

See the live telecast at www.nicic.gov/viewbroadcast

Join the online live chat discussion during the program at
http://nicic.gov/LiveChat

Participate in the Live On-Air Discussion via:
Phone: 1-800-278-4315

FAX: 509-354-7714

Email: nic@ksps.org

Course Description:

Since the introduction of the Religious Land Use and Institutionalized Persons Act (RLUIPA) of 2000, the role of correctional chaplains and religious directors has changed dramatically. Prior to 2000, offenders bore the burden of proving they were entitled to their religious practice. After 2000, agencies had to approve all requests or show a compelling reason such as institutional safety and security, why those requests for religious accommodations should not be approved. In 2005, the U.S. Supreme Court upheld RLUIPA, and subsequent court rulings have clarified the responsibility of correctional agencies in assessing offenders' religious requests.

Across the United States, chaplains and religious directors are overwhelmed with ensuring equitable consideration for all religious requests. They face the conflict of "myth versus reality" regarding the role of the chaplain/religious director in corrections, the priority of religious practice balanced with security concerns, inconsistencies in accommodation, bias in space considerations, increased need for special diets, and the effects of agency and facility budgets.

Course Objectives:

- Review the historical, Constitutional and legal foundations of offenders' religious rights.
- Determine strategies for responding to requests for religious accommodations, balanced with safety and security.
- Examine practical approaches for applying current legal requirements to agency policy and practice relating to offenders' religious rights.
- Explore the changing role and responsibilities of chaplains, religious services directors, wardens, contractor, volunteers and other facility staff in regard to offenders' religious rights.

Target Audience:

- Chaplains, Religious Directors, and Coordinators of Religious Services in all corrections settings
- Leadership in adult correctional agencies across disciplines and jurisdictions, including federal, state, local agencies from prisons, jails, and community corrections
- Directors, Secretaries, Commissioners and Executive Leadership of Correctional Agencies
- Deputy Directors of Program Services and others associated with religious services programming
- Sheriffs and Jail Administrators
- Wardens, Superintendents and Facility Administrators
- Facility Supervisors and Custody staff
- Correctional association members (ACCA, ACA, AJA, APPA, etc.)
- Privatized correctional facility leaders and staff
- Religious Services Volunteers
- Religious Services Contractors

Non-Credit Professional Course Registration

Office of Continuing Education - Extended Campus
300 Senior Hall
Cheney, Wa 99004-2442
Phone: (509) 359-7380 1-800-351-9959
FAX: (509) 359-2220
http://ewu.edu/ce

TOFF
FOR OFFICE USE ONLY

Todays Date: _____ Quarter: _____

Last Name | First Name | Middle Name | Previous Name

Mailing Address | City | State | Zip Code

Email Address (Mandatory to sign into CANVAS) | Daytime Phone Number | Home Phone Number

EWU Student ID Number | Social Security Number | Date of Birth (Required)

Do you have any Special Needs? Please specify: _____

Gender: ☐ Male ☐ Female | Are you a resident of Washington? ☐ Yes ☐ No

Have you previously earned credit through EWU? ☐ Yes ☐ No | If yes, when: Quarter Year

Required: What race do you consider yourself? (Check all that apply)

- ☐ White/Caucasian (800)
- ☐ Eskimo (935)
- ☐ Korean (612)
- ☐ Asian Indian (600)
- ☐ Hawaiian (653)
- ☐ Black/African American (870)
- ☐ Aleut (941)
- ☐ Filipino (608)
- ☐ Guamanian (660)
- ☐ Japanese (611)
- ☐ Chinese (605)
- ☐ American Indian (597) Name of Principal or enrolled tribe:
- ☐ Vietnamese (619)
- ☐ Samoan (655)
- ☐ Other Asian or Pacific Islander:

Are you of Spanish/Hispanic origin? (Check all that apply)

- ☐ No, Not of Spanish/Hispanic (999)
- ☐ Yes. Chicano/Chicana (705)
- ☐ Yes. Mexican/Mexican American (722)
- ☐ Other Race: Specify
- ☐ Yes. Cuban (709)
- ☐ Yes. Puerto Rican (727)
- ☐ Yes. Other Spanish/Hispanic: _____ (Specify one group, for example Columbian, etc)

Course Information:

☐ PDU ■ CEU ☐ CE ☐ Clockhours

Event Date(s): .6 CEU May 28 & 29, 2014 6 hours

Course Title: Religion in Corrections

Location: NIC Live Satellite Broadcast

For Office Use ONLY:
Credited to Participant

_____

Amount: $22.00 Authorized Signature: _____

☐ Visa ☐ Mastercard ☐ Check (payable to EWU)

Account Number | Exp. Date

Eligible taxpayers may claim a tax credit on EWU courses. For more detailed information, please refer to IRS Publication 3064. "Notice 97-60 Education Tax Incentive." For purposes of the new Hope and Lifelong Learning tax credits. Federal Law (Section 6109 of the Internal Revenue Code) requires the University to obtain your Social Security Number. Thank you for your cooperation.

February 5, 2014 Non-Credit

EASTERN WASHINGTON UNIVERSITY
start something big

Eastern Washington University
Continuing Education
NIC Live Satellite / Internet Broadcast
Course Title: ***Religion in Corrections***
Offender's Rights, Your Responsibility
Sign-In & Sign out Sheet
May 28, 2014

PRINT NAME	*SIGN IN /SIGNATURE*	*POSITION*	*PRINT NAME*	*SIGN OUT / SIGNATURE*
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Eastern Washington University
Continuing Education
NIC Live Satellite / Internet Broadcast
Course Title: ***Religion in Corrections***
Offender's Rights, Your Responsibility
Sign-In & Sign out Sheet
May 29, 2014

PRINT NAME	*SIGN IN /SIGNATURE*	*POSITION*	*PRINT NAME*	*SIGN OUT / SIGNATURE*
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Overview of Satellite/Internet Broadcast

Day 1

Welcome and Introduction

- Housekeeping
- Video Web
- Streaming Closed
- Captioning CEUs
- Broadcast Schedule
- Call-in Process

Overview Content Materials

- Pre- and Post-work
- Purpose

Segment 1 – *Overview of Broadcast Content*

Segment 2 – *Offenders' Religious Rights and the Law*

Break

Segment 2 Continued

Segment 3- *The Role of the Chaplain*

Closing and Day 2 Preview

Off-Air Activities

Overview of Satellite/Internet Broadcast

Day 2

Welcome and Introduction

- Housekeeping
- Video Web
- Streaming Closed
- Captioning
- Broadcast Schedule
- Call-in Process
- Questions and Answers

Segment 3 – *The Role of the Chaplain* (Continued)

Break

Segment 4 – *Accommodations*

Segment 5- *Resources*

Closing

Presenter Bios

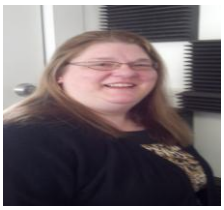
Laurence Aryeh Alpern is a Rabbi with the New York State Department of Corrections and Community Services. He trained at the Hartman Institute in Jerusalem. Rabbi Alpern's career in corrections began in 1985 as a Chaplain at the Great Meadows Correction Facility. For close to 30 years the Rabbi has been designing and developing individualized religious programs for Jewish and non-Jewish offenders. Rabbi Alpern is currently a Ministerial Program Coordinator for the department he still serves. Rabbi Alpern is passionate about prison ministry, which he thinks of as an ecumenical laboratory for sophisticated ethical and religious programs that both serve the individual and stress the dignity of diversity.

Chaplain Betty Brown is the Chaplaincy Services Director for the Department of Public Safety, Prison in North Carolina. Betty's career started in 1997 with the N. C. Department of Public Safety (former DOC) as a Clinical Chaplain at N. C. Correctional Institution for Women, Raleigh, NC. She was promoted to her present position as the Chaplaincy Services Director in 2003. Betty has led numerous training in Motivational Interviewing, Evidence Base Practices for Case Management Prison Rape Elimination Act (PREA); and lectures on exploring Womanist Theology in Prison. She works tirelessly to bring about a new era in understanding religion in corrections and implementing correctional clinical chaplaincy. Betty is the President-Elect of the North Carolina Correctional Association. She received her Bachelor's Degree in Criminal Justice from North Carolina Central University, Durham, NC; a Masters Degree in Religious Studies from Hartford Seminary in Hartford, Connecticut and a Masters in Divinity from Duke University Divinity School in Durham, NC. Betty love making jewelry when she has free time.

Dr. Stephen Hall is a Certified Correctional Chaplain and has served as First Vice-President of the American Correctional Chaplains Association. Stephen has published articles in *Corrections Today* and the *Journal of Pastoral Care and Counseling.* He pastored churches in Indiana for 20 years before coming to the Indiana Department of Correction where he served as Director of Religious & Volunteer Services from 2002 to 2013. Dr. Hall holds a Masters of Theology Degree from Southern Baptist Theological Seminary and a Doctor of Ministry Degree from Christian Theological Seminary. Stephen is passionate about equipping ministers for correctional chaplaincy and advocating for professional standards and fair compensation for correctional chaplains.

Wayne Hill is a correctional program specialist with the National Institute of Corrections and is a former warden in the Maryland Department of Public Safety and Correctional Services. Wayne's career in Corrections started in 1991 as a correctional officer and included serving as the Warden at the Metropolitan Transition Center in Baltimore, Maryland. Over the years he has held many positions, giving him a comprehensive view of corrections. Wayne holds a Master's Degree in Law Enforcement Management for Johns Hopkins University. Wayne has a passion for ensuring that diversity is respected, no matter the topic. To that end, he works tirelessly to ensure all are given the opportunity to be heard and all are respected.

Since May 2004, Rev. Ulli Klemm has served as the Religion, Volunteer and Recreational Services Program Administrator with the Pennsylvania Department of Corrections. Previously he served as the Director for Chaplaincy Services at the 2,500-bed Allegheny County Jail in Pittsburgh Pennsylvania. Prior to full-time prison ministry, Ulli served as a Mennonite pastor in Chicago, IL where he also volunteered as an official visitor to death row offenders at the Pontiac Correctional Facility in Pontiac IL. Ulli received a B.A. from Colgate University, Hamilton, NY and a M.Div. from the Anabaptist Mennonite Biblical Seminary, Elkhart, IN. Of his work Ulli states, "I have never had a dull day. Advocating for the religious rights for offenders while balancing institutional needs such as security is a delicate balancing act that keeps me on my toes." When not working for the Department, Ulli enjoys biking, vegetable gardening, and volunteering with developmentally disabled adults.



Launa M. Kowalcyk has enjoyed a 30-year career of government work within the child welfare, juvenile justice and adult corrections arenas. Following years of direct care and management work in the juvenile justice area, Launa's career emphasis shifted to training. She worked for the National Institute of Corrections – Academy Division where she gained a solid foundation in the multi-facets of adult learning principles and honed her training skills. Combining her formal education and vocation lessons, Launa now works with county, state, federal, and private contract partners to assess, design, develop, implement, and evaluate facilitative curriculum. Launa believes in facilitative learning. When students are given the opportunity to scrutinize learned concepts, explore new lessons, and most importantly deliberate how each lesson leads to a more productive future, they become learners.

Elizabeth Kreger CPM, currently works for the Ohio Department of Rehabilitation and Correction as a training supervisor. She holds both a B.A. and M.A. in Sociology and became an Ohio Certified Public Manager in 2007. Elizabeth began her career in corrections 20 years ago, working in community corrections, prisons, training and curriculum development. Her experiences include coordination, design, development and implementation of training and for the past 6 years she has served as an NIC Regional Field Coordinator. Elizabeth has a strong passion for developing people. She enjoys helping staff excel in their strengths and build upon challenge areas. She takes the time to get to know "what makes people tick". This enables her to assist staff to grow personally and professionally.

Terry J. Saulsberry holds a Doctorate in Ministry and is the Chaplaincy Program Administrator for the US Department of Justice, Federal Bureau of Prisons at Washington, DC. During his eleven year tenure with the Bureau, he has served as the Chief Chaplain at the Federal Correctional Complex at Butner, North Carolina, and as the Supervisory Chaplain at the Federal Correctional Institution at Marianna (Mary-Awnna), Florida and the Federal Correctional Institution at Cumberland, Maryland. Terry also served as the Staff Chaplain at the United States Penitentiary at Atlanta, Georgia and the Federal Correctional Institution at Estill (Es-TILL), South Carolina. Terry has a passion for ministry to those who are considered the 'least of society.'

Dr. Ronald G. Turner is a frequent speaker on offenders' religious rights. He led workshops at the 2011 and 2013 national conferences of the American Correctional Association and authored an article in the January/February 2014 issue of *Corrections Today*. Ron practiced law for over 20 years in Nashville before serving as an Assistant Professor of Criminal Justice at Cumberland University for seven years. He was the Director of Religious and Volunteer Services for the Tennessee Department of Correction from 2007-2013. Dr. Turner holds a Master's Degree in Theological Studies, a law degree from Vanderbilt University, and a Ph.D. in Public Administration from Tennessee State University where his dissertation was on Religion in Prison. Ron is passionate about protecting offenders' religious rights because he's seen it happen – offenders with long sentences not only survive, they thrive, when they find peace through faith spirituality, prayer and meditation.

Icons Used in this Manual

Used when you as the facilitator will give directions to the participants. Anything you will need to do or say is written in bold.

Used when you and the participants will be watching the presentation being broadcast.

Used when the off-site audience will take notes based on the presentation or discussion.

Used when the off-site audience will be asked to phone in responses to the activity.

Used when the off-site audience is encouraged to participate in the live on-air discussion via email or chat.

Definition of Terms

Case Law
The law as established in court decisions. Court decisions establish points of law that that are to be followed by courts of the same or lower rank, in subsequent cases dealing with the same legal issue.

Civil Law
The body of law that addresses private rights and liabilities.

Civil Liberties/Civil Rights
Personal rights guaranteed by the Constitution.

First Amendment to the U.S. Constitution
The First Amendment protects the right of freedom of religion from government interference. The First Amendments states, in part, that "Congress shall make no law respecting the *establishment of religion*, or prohibiting the *free exercise* thereof".

> **Establishment Clause** prohibits government from establishing, sponsoring, or preferring one religion over another.
>
> **Free Exercise Clause** prohibits government, in most instances, from interfering with an individuals' religious practice.

Fourteenth Amendment to the U.S. Constitution
The Fourteenth Amendment prohibits any state from depriving any person of life, liberty, or property, without *due process* of law and from denying any person the *equal protection* of the laws.

> **Due Process Clause -** requires that, states or state agencies implement fair procedures prior to denying a person of life, liberty, or property.
>
> **Equal Protection** – requires that states or state agencies apply laws or regulations equally to groups of persons that are similar to each other, unless the government can justify treating the groups differently.

Holding
The legal principle decided by a court.

Jurisdiction
The legal authority of a court to hear and decide certain types of cases. A court's jurisdiction over a controversy depends upon the issues involved, the geographic area where the incident(s)

involved in the case took place, and the relationship of the person bringing the case to the issues involved.

Religious Accommodation
This term refers to procedures and practices to ensure offenders' rights to practice their religion while in prison. Accommodations may include making religious services, leaders, diets, books and other resources available to offenders, as well as, allowing for observance of religious holidays and customs.

Religious Exercise
As applied to RFRA and RLUIPA cases, a religious exercise is any exercise of religion, *whether or not* compelled by, or central to, a system of religious belief.

Religious Freedom Restoration Act (RFRA)
A federal statute that provides religious protections for offenders incarcerated in federal facilities. RFRA was enacted 1993. RFRA states, in part:

> Government shall not substantially burden a person's exercise of religion even if the burden results from a rule of general applicability, [unless the burden] (1) is in furtherance of a compelling governmental interest; and (2) is the least restrictive means of furthering that compelling governmental interest.

Religious Land Use and Institutionalized Persons Act (RLUIPA)
A federal statute that provides religious protections for offenders incarcerated in state and local facilities. RLUIPA was enacted in 2000. RLUIPA states, in part:

> No government shall impose a substantial burden on the religious exercise of a person residing in or confined to an institution… even if the burden results from a rule of general applicability, unless the government demonstrates that imposition of the burden on that person (1) is in furtherance of a compelling governmental interest; and (2) is the least restrictive means of furthering that compelling governmental interest.

Remand
An appellate court decision to send a case back to a lower court for further action.

Summary Judgment
An action in a civil case that disposes of the case without a trial. A summary judgment may be issued when there are no disputes about the facts in a case and the judge can simply apply the law (e.g. statutes, regulations, court cases), to the facts to determine if one of the parties is entitled to prevail.

U.S. Court System
The United States has a dual court system – a state court system and a federal court system.

State and Local Courts
State and local courts are established by each state. These courts have broad jurisdiction to hear cases not specifically selected for the federal courts. Within each state are trial courts, appellate courts and a state supreme court. A state supreme court decision is binding on all courts within the state. The courts have jurisdiction over cases involving state laws, city ordinances, and municipal codes. The kinds of cases heard in state and local courts include: criminal and traffic offenses; family disputes, e.g. divorce, custody, probate; real estate disputes; and contract disputes.

Federal Courts
Federal courts are established under the U.S. Constitution. The U.S. Constitution specifies the types of cases that can be brought in a federal court. Federal courts have jurisdiction over cases involving the federal constitutional rights and federal statutes (e.g. RFRA and RLUIPA).
The federal court system is made up of U.S. District Courts, Circuit Courts of Appeal, and the U.S. Supreme Court.

U.S. District Courts
Trial courts that hear cases in one of 94 judicial districts. Every state has at least one district and some states have several.

Circuit Courts of Appeal
Regional courts that hear cases on appeal from the U.S. District Courts located within its circuit. A decision by a circuit court is binding on all states within that circuit but not on other circuits. The U.S. is organized into 13 circuit courts:

1st Circuit (Maine, Massachusetts, New Hampshire, Rhode Island, and Puerto Rico);

2nd Circuit (Connecticut, New York, and Vermont;

3rd Circuit (Delaware, New Jersey, Pennsylvania, and the Virgin Islands);

4th Circuit (Maryland, North Carolina, South Carolina, Virginia, and West Virginia);

5th Circuit (Louisiana, Mississippi, and Texas);

6th Circuit (Kentucky, Michigan, Ohio, and Tennessee);

7th Circuit (Illinois, Indiana, and Wisconsin);
8th Circuit (Arkansas, Iowa, Minnesota, Missouri, Nebraska, North Dakota & South Dakota);

9th Circuit (Alaska, Arizona, California, Hawaii, Idaho, Montana, Nevada, Oregon, Washington, Guam, and the Northern Mariana Islands);

10th Circuit (Colorado, Kansas, New Mexico, Oklahoma, Utah, and Wyoming);

11th Circuit (Alabama, Florida, and Georgia);

Washington D.C. Circuit; and

Federal Circuit - The Federal Circuit is unique among the thirteen Circuit Courts of Appeals. It has nationwide jurisdiction in a variety of subject areas, including international trade, government contracts, patents, trademarks, certain money claims against the United States government, federal personnel, veterans' benefits, and public safety officers' benefits claims.

U.S. Supreme Court

The U.S. Supreme Court has ultimate appellate jurisdiction over all state and federal court cases. A U.S. Supreme Court decision is binding on all lower courts. The U.S. Supreme Court generally takes only cases that involve matters of great national importance or cases that would resolve divisions in circuit court opinions.

Site Facilitator Preparation

Prior to the Day of Broadcast

- Read "A Guide to Coordinating NIC's Live Satellite/Internet Broadcasts" (latest version) – This Guide gives detailed information and checklists to set up and run the program, including information on the following:
    - Invite participants
    - Make arrangements for meeting space for your group size to sit in small table groups
    - Arrange for Easels, Chart Pads, Markers and Tape for each small group
    - Download and Copy Participant Materials
        - Participant Manual
        - CEU Materials
            - CEU's Participant Form
            - Participant Roster – Sign In & Out for CEU's
            - Workshop Evaluation for Use with CEU's
            - Site Coordinator Program Evaluation
            - Participant Broadcast Evaluation

Site Facilitator Preparation

Day of Broadcast

- Arrive early to set up room and equipment
- Set room up to enable small groups to sit at tables together
- Welcome your participants
- Pass out Participant Manuals
- Post the information for calling in, faxing, and live chat
- Have participants introduce themselves if they do not already know each other
- Share CEU information
- Facilitate activities as directed in this Manual and encourage your participants to call in, fax and live chat
- Encourage participants to complete any scheduled off-air activities between Day 1 and Day 2 and after Day 2.

Day 1 Facilitator Manual

Introduction to the Satellite/Internet Broadcast

Icon	Content

	• Welcome to the Broadcast
	• Program Objectives
	• Bios of Presenters
	• Introduction to the Live On-Site Audience
	• Live Chat Process
	  ○ http://nicic.gov/LiveChat
	• Call-in Process
	• Questions and Answers
	  ○ 1-800-278-4315
	  ○ Fax: (509) 443-7714
	  ○ E-mail: nic@ksps.org
	  ○ http://nicic.gov/LiveChat
	• CEUs
	• Broadcast Schedule
	• Overview of Content and Materials
	• Introduction to the Training

Segment 1 - Introduction

	• Frustrations Vignette • Invocation • Vignette Reaction
	Vignette: Frustrations **Facilitator Discussion (Refer participants to page 21 in the Participant Manual)** • Religion is a hot topic in corrections • Heated, passionate debate occurs daily • We are here to generate some light around a huge issue • Lawsuits are being filed almost daily across the country • Millions of dollars are being spent on the lawsuits • Lawsuits • Offender and staff attitudes
	Invocation • It makes sense to begin a program on Religion in Corrections with an invocation. • It is important that we remember that many of the offenders and staff we work with are not Christians. • Many do not relate to God or even a concept of God. This program is for everyone. • Post RLUIPA prayer, from Aaron's blessing in the Torah ○ Spirit of words applies to all and to work we'll be

	doing for the next two days. • Greetings of Peace: ASLAM ALAUKUM SHALOM ALEDHEM. • May we be blessed with Peace, Unity and Purpose.
	Objective: • In this segment, we will present general information and an overview of broadcast content
 	Overarching program objectives • Stay out of court- or be able to win if you end up there • Determine offenders' religious rights- what are they? • Provide practical ways to protect offenders' rights AND your institution

	Audience Discussion
	Pose the following question to the audience and discuss:
	• ***"What are some frustrations you have been hearing from correctional chaplains?"***
	  ○ Feeling overwhelmed with number of accommodation requests they are receiving.
	  ○ Managing religions they have little or no experience with.
	  ○ Instead of "witnessing" to offender population, chaplains are feeling more like administrators.
	  ○ Some chaplains feel like they are not adhering to their "calling" of ministry.

	○ Some religions are in direct conflict with the chaplain's faith. ○ The mission has changed. ○ Must now address a variety of legal obligations.
	The Rabbi's Story *"As a chaplain for over 25 years, what has your experience been?"* • Hired in 1985 to be the Jewish chaplain at Great Meadows CF • Challenge from day 1 • Serving nearby pulpit full time • Could compare and contrast 2 jobs • Technically, Rabbi's don't have a calling • Chose corrections over my pulpit congregation • Took the road less traveled • Wonderment to me looking back with 20/20 hindsight • Chaplaincy came with overwhelming challenge • Painful cartoon story • Made a lot of mistakes • Result: Rabbi Turk • I chose the calling of corrections to live a meaningful life. • Must have not failure of nerve • We choose to be strong and strengthen one and other • Attitude is everything

	• Chose to be a morale officer and preached nobility of courage in facing challenges • Encouragement became theme of my chaplaincy • Encouraged fellow chaplains to see prison ministry as lab for ecumenicism and diversity • Reminded all that new perspective changes everything • TV and movies on themes of justice and crime= bad guys caught and sent to prison • All very noble and exciting • Jailers seen as least glamorous workers on prestige totem pole in CJ system • Morale boosted when we inverted the totem pole • Understand our mission- returning offenders to society- greatest contribution to public safety and social justice • Attitude and perspective are everything • All of this is true pre and post RLUIPA • From 2000 to today everything has been changed • I was asked to be a Rastafarian advisor and I accepted the challenge • My greatest fear- being asked to coordinate and facilitate neo-Nazi groups to masquerade as Christians *"Whatever variation of "Jesus" and "Christian" these groups use, how do I respond to religion?"* • This goes to the heart of a problem Ron mentions in his presentation. The courts, including the Supreme Court, seem to have no clear-cut definition of religion • Am I supposed to accept Jew hatred as gospel truth?

	• Amalekite's believe they must attack all Israelites. Do I have to accept this as religion? • Post RLUIPA challenges have been intensified • In 1985, Admin Handbook for Ministerial Services clearly put together by protestants and catholic chaplains • Charged with being Priestly Administrators • Advocates against injustice • "Tightrope" walker- Spiritual ombudsman • Post RLUIPA as new religions emerge- handbooks don't work • Create a binder for monthly or even weekly additions *"How do you handle 20 groups in one prison?"* • Over 2 million incarcerated • Challenge fellow tightrope walkers-continue to walk the walk • Be strong and good courage • Remember, we all fall • Pray for a working safety net • Attitude is everything Directed to Ron: *"Although you are no longer with TN DOC, you served as a Statewide Director of Chaplains for over 5 years and you're a practicing lawyer. What are your frustrations?* • All 50 states are experiencing frustrations • Lawsuits are filed every month • Policies have to be continually revised in an attempt to

	keep compliant

	Audience Discussion
	
	"What has changed?"
	
	• Before 2000 if an offenders religion or item being requested was not in the "book" it was denied.
	
	"Why is it more difficult now?"
	
	• Agencies have to show a very good reason to deny a religion or request.
	
	• Not being "in the book" is not good enough. If it relates to religion and the offender is sincere in his request, it will be granted.
	
	"How do chaplains minister to or administer religions that may be in direct conflict with their own faith?"
	
	• Hypothetical worst case scenario:
	
	  ○ You are asked to research the Church of Present Day Amalekites Christ, Jesus
	
	  ○ Certain items have been requested (i.e.: Protocols of the Elders of Zion; White Supremacy – finish the job the Nazi's started)
	
	  ○ Your first thought? Do research but do not minister to them
	
	  ○ Is this a legitimate religion? Does it really matter? Does my opinion matter? What would legal say?
	
	  ○ As a Rabbi, research Jewish resources
	
	  ○ Guided by my resources, RLUIPA and interaction with Amalekites the consideration may be granted.
	
	  ○ Get legal involved immediately

	Systemic Impact • Food Service budgets due to religious dietary requirements • More recognized faiths= need for additional space, activities, service and storage of religious items • Cell searches become more complex • Potential lawsuits
	Frustrations are high, passions are strong *"How might we approach the training content over the next two days?"* • Discuss difficult topics • May be hard to agree with • Be unafraid of ambiguity • You are never alone • Use legal and other resources to assist in making decisions • Ask for help • If policy won't let you call a lawyer, take it to someone who can • Read Ron's article in Corrections Today Jan/Feb 2014 • Don't get stuck on new answers to old questions, reframe the questions
	Takeaways from today's training are? • Technical Assistance from NIC • Information for Religious Directors Forum update • Increased and continued dialogue regarding offenders' religious rights

	Additional thoughts? • Religion isn't what it used to be. It's much more complicated. • We will be dialoguing about the "why". • We will identify ways to deal with the religious rights of the offenders you deal with. • Lastly, we will offer ways to save money and staff time.
	Questions and Answers: • Off-site participants are encouraged to call in with questions or join the live chat. • Please call 1-800-278-4315 if you have comments or questions.
	Transition Clip *"Challenges Religious Services Providers Face"*

Segment 2 – Offenders' Religious Rights and the Law

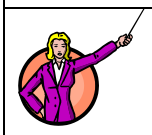
	In this segment, we will provide an overview of laws that affect offenders' religious rights. We will take an in depth look at the First Amendment and laws passed by Congress. In particular, we will examine the Religious Land Use and Institutionalized Persons Act (RLUIPA). This segment is not meant to make a lawyer out of you however; it will help you and your agency comply with the ever changing legal requirements that apply to offenders' religious rights. **Objective:** 1. Explain historical, Constitutional and legislative background to offenders' religious rights and the specific requirements of RLUIPA.
   	Facilitator Discussion: • *"Do you agree with the comments made on the challenges clip?"* • *"Religion has been called the hot potato legal issue in prisons and jails today. Do you agree?"* • *"Why do you think this is so? Why's religion so hot?"* • *"Offenders have the same religious freedom even though they are incarcerated?"* • *"What are the other reasons there are for religion to be such a hot topic?"* • *"What about RLUIPA?Is it a reason religion is so hot in corrections today?"* • *"Before we take a look at specific RLUIPA requirements, is there anything else you would like to add?"*
	Introduction to Historical Clip

	Debrief of Historical Clip *"Why does RLUIPA have such a funny name?"* *"Are all jails and prisons covered by RLUIPA?"* *"Before we get into RLUIPA, is there anything else you would like to add?"* • Only one Supreme Court Case on RLUIPA • There is a split over a lot of requests • Confusion

	Religious Land Use and Institutionalized Persons Act
	
	"What does RLUIPA say?"
	
	• Religious exercise
	  ○ Does the offender's request relate to religion?
	• Sincerely held belief
	  ○ Is the offender sincere in his/her request?
	• Substantial burden
	  ○ Has the request been substantially burdened?
	  ○ If so, it must be approved, even if it is not required by the faith.
	• Compelling government interest
	  ○ Is there a legitimate reason to deny it? Security and safety issues?
	• Least restrictive means
	  ○ Limits must be imposed in the least restrictive manner.
	
	"That's the plain English version. What does the law actually

	say?" *"Federal prisons still have to deal with RFRA. How does RFRA compare with RLUIPA?"*
	Audience Discussion *"What do you think each of these questions mean?"* A request is made for prayer oil **The Process:** • Does it relate to religion? • Is the offender sincere? • Has it been substantially burdened? • If so, we must approve it • Even if the item is not required by the faith, unless you can show a very good reason • Safety and security will always be a good reason to deny or limit a religious request • The denial must be legitimate
	15 Minute Break
	Case Study: Holt v. Hobbs (Refer participants to page 28 in Participant Manual) A Muslim offender asked permission to grow a half-inch beard for religious reasons. The Departmental policy states that a half-inch beard is permitted for medical reasons only. The offender's request to grow the beard was denied. The offender sued the Department.

	The court found: • He had a prayer rug. • He was allowed to correspond with a religious advisor. • He was allowed to maintain religious diet. • He was allowed to observe religious holidays. • The policy helped prevent offenders from concealing contraband. • If the offender grew the beard, he could change his appearance quickly. • Giving special privileges to an offender could result in his being a target of retaliation by other offenders. • The professional opinion of prison officials was that policy was necessary to maintain safety and security.
 	Audience Discussion: You be the judge Ask the participants, *"The offender has appealed the court's ruling all the way to the Supreme Court. How would you rule?"* • *"How would you react?"* • *"How does RLUIPA come in to play?"* Participants have 5 minutes to work in table groups and chart answers. Audience groups will debrief. Chat and email responses will be brought into the discussion.
	Vignette: Sex, Lies and Smiles- You're on Tape • Introduce vignette ***After viewing the first scenario, ask audience these questions while debriefing. Facilitator will chart responses (page 30 in Participant manual):***

	• What should the chaplain do? • What should the chaplain do in light of RLUIPA? ***After viewing the second scenario, ask audience these questions while debriefing.*** • What should the chaplain do next? • What if you had a tape of inappropriate activity? • What RLUIPA issues are involved? • Whose legal rights are involved?
	Summary and Close • Religion in corrections is changing • Don't fight it or try to ignore it • Deny requests on legitimate reasons only • Remember, offenders have religious rights protected by the Constitution
	**Ask participants if they have any questions. Encourage live chat and call-in questions as well.**
	Pluralism Clip

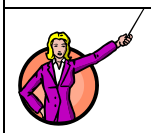
Segment 3: The Role of the Chaplain

	This segment will explore the responsibilities of staff as we seek to address offenders' religious needs in today's pluralistic, correctional environment. **Objectives:** 1. Identify how chaplains & other staff view role of chaplains 2. Identify some differences between the role of a community religious leader and that of a correctional chaplain 3. Help correctional staff understand the pluralistic setting of corrections and to understand why this is important
	How do chaplains view their role? How does other staff view their role? • Religion is pervasive in all aspects of prisons. • We will talk with various institutional staff during this segment. • We will examine the various roles staff plays in addressing religious needs of offenders in institutions.

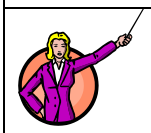
	Vignette: Staff Roles
	
	• Introduce vignette
	
	After viewing the vignette, engage the audience by asking different participants how they view their roles in addressing the religious needs of offenders. Be sure to seek input from various classifications. (Participant Manual page 30)
	
	• Correction Officer
	  ○ Chaplains do religion, I do security
	  ○ Offenders don't like searches

	○ It's my job ○ Offenders' always complain I am violating their rights • Administrator: ○ My concern is security and safety. I look to my staff to ensure this. ○ Chaplains and offenders just don't get it. ○ Some chaplains feel targeted ○ There are a lot of conflicts between religious and facility needs • Chaplain: ○ Most CO's treat us respectfully, but some do not. ○ The differences in religious beliefs can cause a lot of problems.
 	Facilitator Comments: I am hearing you say that as correctional staff, you have limited roles in addressing the offenders' religious needs. Based on what you reported out, it sounds like you all have key roles to play in assuring that offenders have the opportunities to practice their faith and have accessibility to chaplains. It is important to remember that offenders have deeply seeded religious beliefs. It is our duty, no matter what our title is, to facilitate these needs and rights being met. *Let's explore these perceptions with the audience and invite those of you joining us via the web or satellite.* Pose the question to the non-chaplains in the audience: *"Where does religion intersect with your role in corrections?"*

	Pose the question to the chaplains in the audience: "*Would you agree or disagree that security and administrators play a significant role in accommodating religion?* Accommodating religion is the responsibility of all staff, not just chaplains. *"Do you think the chaplains and non-chaplains see themselves in the same roles when it comes to religion in the correctional setting?"*
   	Activity: Chaplains- What do they do? Facilitator should give the following instructions: • *Facilitator will divide the audience into 2 groups. The chaplains will be in one group and all other staff in the second group. For those of you that are not in studio with us, please turn to page 31and 32 in the participant manual. Please choose the column that fits your classification. You can record your answers in the appropriate column.* • *Group 1: Non-Religious Services Staff- what do you think are the responsibilities of the chaplain? What role do they play in meeting the offenders' religious rights* • *Group 2: Chaplains- List your primary duties* • *One person in each group will chart answers on newsprint.* • *You have 5 minutes to complete this activity* • *Facilitators have each group report out. Debrief should include similarities, differences and myths the participants identified.* • *Encourage participants on the web and on the satellite broadcast to join the conversation via chat, email or phone call.*

	Anticipated Responses: Correctional Staff: • Keep us out of court • Keep things quiet in the chapel • Keep offenders happy inside • No riots • Death Notifications • Calm problematic offenders (hunger strikes etc) • Follow policy • Follow chain of command • Follow protocol • Religious expert • Get permission (don't ask for forgiveness later) Chaplains: • Lead services • Give offenders hope • Model respect • Death notifications • Counsel offenders • Lead classes
	Facilitator will direct question to audience and send to chat desk for comments.

	How Federal, State and Local Institutions View the Chaplains Role
	• Now that you know about RLUIPA, let's not forget about the First Amendment. It was passed in 1791 and is still relevant for institutions in protecting religious practice.
	• 16 words: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof..."
	• The First Amendment informs us of religious freedom and other freedoms of expression
	• Facilities may have chaplains, volunteers or contractors monitoring offenders' religious rights. The fact remains that no matter the title, religious services staff work towards the same goal.
	• It's important to remember that the First Amendment applies to everyone.
	• Offenders' have the right to hold religious beliefs even if they are contrary to your beliefs.
	• The chaplains are instrumental in ensuring constitutional rights are guaranteed.
	• The First Amendment provides us with two guarantees:
	  o The Establishment Clause
	  o The Free Exercises Clause
	• The Establishment Clause requires that there is no official state religion. The government cannot favor one religion over another religion. The government cannot prefer religion over non-religion.

	• The Free Exercise Clause states that Government cannot interfere with a person's practice of religion. Public employees are government agents. The government is US. • Remember, offenders' rights- YOUR responsibility. • Chaplains are subject matter experts who can advise on how best to advocate for offenders' rights.
 	**Audience Discussion** *Facilitator asks the question, "Keeping in mind not favoring, not preferring and not interfering, what does this mean for you?"* • Chaplains are not there to promote their own faith • We can't target or discriminate. • The offenders' should buy their own texts. • Can't take donations • Don't address controversial social issues • Don't argue with other's beliefs
   	First Amendment discussion/scenarios *Let's take a look at 4 different scenarios and discuss whether or not each is protected by or in violation of the First Amendment. Additionally, how does the First Amendment inform how an institution might respond to each request?" (page 33 Participant Manual)* Facilitators will review each scenario and then have each group process a different scenario. • Scenario 1: An offender believes all white people are devils. He feels he should be allowed to possess religious literature that states so. Should this offender be permitted to have this literature? How does the First Amendment inform how an institution might respond to this request? • Scenario 2: Religious services at a particular facility are

	conducted in the middle of the housing unit. Offenders complain that they must listen to religious services that are not consistent with their beliefs. The offenders feel like they are being forced to participate in services of other religions. How would you respond to these complaints?? • Scenario 3: An offender complains that the head chaplain, who happens to be a Christian, has intentionally delayed processing her request for Wicca group meetings. The offender claims she has found an outside volunteer to lead the group. Another offender claims to have heard the chaplain say, "As long as I am in charge, I'm not going to have any witches in my prison." The chaplain has come to you for advice. What issues need to be considered? • Scenario 4: An institution allows a small group of Buddhist offenders to meet weekly for communal meditation and chanting in a small room near your office. This group of offenders has always been respectful and peaceful. A small group of Sanitaria offenders demand the same accommodation. They require a different alter, different colored beads, images of their spirits, candles and drums. If you don't allow them to meet they have threatened to file a lawsuit claiming discrimination against them. How will you respond? Facilitator: "*Now that we have reviewed the scenarios, please work in your groups to determine how you will respond. You will have five minutes to work on this activity. Please have one person in your group chart your responses. For those of you in our satellite audience, please record your responses in your participant manual on page 33-34."* Note: due to time constraints, not all scenarios will be debriefed

	Summary and Close: As you can see, there are a lot of eyes watching chaplains with ideas about what they should be doing. Today we revealed that religion in corrections touches virtually every correctional employee. We also discussed the need to ensure constitutional rights are protected and touched on the fact that chaplains are representatives of the government. During Day 2, we will explore the differences between the correctional chaplain and chaplains serving in the community. We will also better equip chaplains to serve in pluralistic correctional settings. In order to get a better understanding of the multitude of religions that are practices inside correctional settings, we have a homework assignment for you. Please turn to page 35 in the participant manual. Please take the Religious Diversity Quiz and bring it back with you tomorrow. We will review the quiz and answers.
	Day 1 Summary and Close
 	Questions and Answers: Encourage participants off site to call in or email with questions on this segment. Encourage participants off site to join the live chat.
	Close of Day One

Overview of Day 2

Welcome and Introduction

- Housekeeping
- Video Web Streaming
- Closed Captioning
- Broadcast Schedule
- Call-in Process
- Questions and Answers

Segment 3 (Continued) – *The Role of the Chaplain*

Segment 4 – *Accommodations*

Break

Segment 4 (Continued) – *Accommodations*

Segment 5- *Resources*

Closing

- Off-Air Activities
- Resources Available

Introduction to Day 2

	• Welcome Back
	• Introduction to today's program
	• Housekeeping
	  ○ Video Web Streaming
	  ○ Closed Captioning
	• Live chat process
	  ○ http://nicic.gov/LiveChat
	• Call-in Process
	• Questions and Answers
	  ○ 1-800-278-4315
	  ○ Fax: (509) 354-7714
	  ○ E-mail: nic@ksps.org
	  ○ http://nicic.gov/LiveChat
	• Broadcast Schedule

 	Questions and Answers – Viewers will be prompted to call in with any questions based on Day 1 presentations. **Remind participants of call-in number and prompt them to call-in or email their questions, of join the live chat.**

Segment 3 (Continued)– The Role of the Chaplain

	Religious Activities Montage
   	Introduction to Day 2 • We learned yesterday that, correction officers, administrators and other line staff often view the chaplain's role as something very different than how the chaplains see their role. • The key to fostering greater appreciation of each other's role is intentional dialogue. • Federal and State laws dictate the chaplain's role. **Religious Diversity Quiz Debrief:** • Ask studio audience if anyone scored a 100% • Ask studio audience if any of the answers surprised them? If so, how?
 	Overview of segment 3, day 2 • Today we will take a look at how being a correctional chaplain differs from being a religious leader in the community. • We will equip chaplains to better serve in the diverse, pluralistic setting of corrections.
	Chaplains Vignette (Participant Manual page 45) • This vignette showed three situations where chaplains were surprised by the realities of prison ministry. • Life behind bars is a foreign concept to most of us

	• We all have preconceived notions on what life is like behind bars • Most of us are not prepared for all of the rules, chaos, tensions and manipulation you will encounter inside the fence • Like the chaplains in the vignette, prison is an eye opener for most of us
 	Audience Discussion: *"Chaplains, what surprised you about ministry in the correctional setting?"* "*Have any of you encountered these same frustrations?"*
   	Audience Discussion: *"Chaplains, what surprised or shocked you about ministry in the correctional setting?"* • Exposure to other faiths for the first time • Aware of stereotypes • Needed to learn how to share space • Some religions mandate what we perceive as inconveniences • We are not our own boss, we had to learn the chain of command • Security is paramount, not religious services

	Facilitator Discussion: (Introduce Rev. Sylvia Morris, Facility Chaplaincy Program Director, Smithfield SCI, PA DOC) *"What are the differences between ministry in corrections vs. ministry in the community?"* • High number of offenders with mental health issues • Many offenders experience tragic deaths of family members while incarcerated
	Audience Discussion: • *"What are the differences between ministry in corrections vs. in the community?"*

	Facilitator Discussion:
	
	(Introduce Chaplain Andrew Arndt, Branchville Correctional Facility, IN DOC)
	
	• *"What differences did you experience moving from community ministry into corrections?"*
	
	  ○ A simple task on the outside becomes complicated on the inside due to safety and security concerns
	
	  ○ A positive surprise was the freedom to help people find their own internal spiritual resources instead of the expectation that I push my person theology at them

	Audience Discussion *"What weren't you prepared for? What did you learn?"*

	Facilitator Discussion:
	• *"Why is understanding differences between correctional chaplains and community ministry so important?"*
	  ○ It's important to remember that as correctional chaplains, we are always representing government.
	  ○ We are not there to convert all offenders to our religion.
	  ○ We are responsible to facilitate all beliefs, regardless if we disagree with them.
	  ○ Not everyone is suited for work in corrections.
	  ○ We must accommodate all faiths
	  ○ We must realize that having a new job means new rules and a new boss.

	Facilitator Discussion:
	• *"What training or experiences would have helped with your transition from the community to corrections?" "What do you need to know before making the transitions?"*
	  ○ Become familiar with, and read, original sacred texts of faiths.
	  ○ Contact local faith groups to assist in understanding and possibly conducting services.
	  ○ Attend their services.
	  ○ Work together with security staff to understand how offenders use religious articles and gatherings.
	  ○ Conduct inter-faith dialogues with offenders.

	Introduction to Religious Objects Collage Coming up next, we will discuss the pluralistic setting of corrections to understand why it is important to identify resources

	to help teach tolerance and respect for differences. • Let's take a look at some of the objects that are sacred to many faiths.
	Religious Objects Montage (video)
	Introduction to Pluralistic Context • Offenders, like those in society, practice many religions. • Prison offers a diverse array of beliefs and religious practices. • Offenders come from all walks of life. They come from urban, rural and suburban areas. Each bringing with them a variety of religious wants and needs. • Chaplains are responsible for understanding and accepting the pluralistic nature of correctional facilities.
	Pluralism- What is it? • A situation in which people of different social classes, religions, races, etc are together in a society but continue to have their different traditions and interests.

	Audience Discussion:
	Pose the following questions to the audience and solicit feedback:
	• "*What have you learned about ministry in a pluralistic, multi-faith context?*"
	  ○ It's no longer the Big 3 religions.
	  ○ Offenders have a wide range of backgrounds.
	  ○ Some offenders search for religion while in prison.
	  ○ There could be 20 faiths in one cell block.

	○ For some offenders, it may be their first time meeting or being exposed to different faiths. ○ Offenders do not have the ability to choose their cellmates. The offenders housed together may have conflicting beliefs. ○ Conflicts can arise when offenders don't understand each other. Encourage participants to call in or utilize the live chat to answer the above questions.
   	Introduction to the Religious Article Quiz • Have participants turn to page 47 in the participant manual. • This activity is designed to test your knowledge of the religious articles that are associated with different religions. • Please take 5 minutes to match each religious article with the faith it is associate with. • Studio audience will use foam prop board to complete this activity.
 	Religious Article Quiz Debrief: • Ask the studio audience to review the religious articles they matched with each religion. • Review the correct answers • Ask which articles were most difficult to identify "*Are there some things you learned about any of the sacred objects?*" • Native American Medicine Bag- desecrated if touched by someone other than the user • Jewish Tefillin- never seen them before. Not all Jewish offenders use them

	• Catholic wine- sometimes officers don't allow

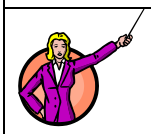
	Establishing Good Communication and Respect:
	
	Facilitator Discussion:
	
	• *"What can you do to establish good communication and respect between you and the offenders?"*
	  ○ Promote good communication between different faith leaders.
	  ○ Encourage non-religious staff to respect all offenders and the faith they practice.
	
	• "*How can you help staff become more tolerant of other religions?"*
	  ○ Encourage line staff and other religious staff to build a rapport with the offenders.
	  ○ Listen to staff stories of bad religious experiences.
	  ○ Don't tolerate intolerance

	Safety and Security Discussion
	
	Facilitator Discussion:
	
	• **"***Why will safety and security be jeopardized if pluralistic context is ignored?"*
	  ○ Offenders lose a lot when incarcerated.
	  ○ We can't take an offender's beliefs away.
	  ○ Religion can become more important when someone is incarcerated.
	  ○ Intolerance can create problems**.**

	○ Complaints, grievances, law suits and possible violence can occur.
	Facilitator Discussion: • To reiterate, it is imperative that staff understand the importance of recognizing the offender's faith. • Religious services staff should encourage line staff to ask questions about religious property and rituals. • Do "show and tell" with religious items to educate staff • All staff should model respect for all faiths. • Consultants may be brought in if the facilities religious services staff are not able to accommodate.
	Summary and Close • We have looked at how the chaplain's role differs from that of community religious leaders • We have explored how the diversity of the corrections environment impacts the way we respond to religious and spiritual needs • We have heard some good suggestions on how we can increase our knowledge and skills in the area **Encourage participants at your site to call in with questions on this segment.**

Segment 4: Religious Accommodations

	Quotes Clip and Testimonial
	Introduction: Religious Accommodations • During this segment, we will explore ways to respond to offenders religious accommodation requests. • Requests can be very challenging to provision of pastoral care. • Requests are viewed as written documentation to responsiveness. • Won't tell you what you cannot do. • Accommodations will consider what you can do (i.e.: ensure offenders Constitutional Right to practice their religion, provide quality service pastoral care and religious accommodation).
	Objectives: • Identify tools to assist in providing guidance in accommodating faith groups • Identify accommodation resources
	Vignette 1: Satanist Request • Religious Services staff receives a lot of accommodation requests from various faith groups. • Here is an example of a request for corporate Satanist services.
	Vignette Debrief *Ask the audience how they would respond to this request. Are there considerations under RLUIPA that should be looked at?*

	Engage the audience in discussion. (Participant Manual page 53)
	Vignette 2: Satanist Request *Let's take a look at a different response to the same request.*
   	Vignette Debrief *Ask the audience which response is more appropriate? Why?* Encourage callers to provide feedback about the two scenarios.
 	**Accommodations Request Activity** • There are many occasions when offenders will make requests of chaplains. *Have the audience and distance learners turn to page 54 in participant manual. Pose the question, "What occasions can you think of where an offender will make a request of a chaplain?"* *Students will take 5 minutes to chart their responses and be prepared to report out.* **It's important to keep the chart paper from this activity as it will be used in an activity later in the broadcast.
	Accommodations Request Activity Debrief **Possible requests** • Religious diet • Change in work assignments

 	• Participation in programs • Change in religious preference • Religious holy day observance • Ceremonial meals • Phone calls • Personal religious property • Ministerial visits (clergy of record)
15 Minutes	**Break**
 	Addressing Requests at the Lowest Level • It is important to address the offender's religious requests at the lowest level. • The levels will vary from state to state. • Typically, the levels range from consideration by the (1) Facility; (2)Region; (3) Facility
 	Level 1: Facility • Chaplain and/or staff review, assess, recommend and ask "what else could I have done?" • Practice good business • If the staff are unable to grant the accommodation request, it may be presented to the Regional level.
	Level 2: Regional • Regional chaplains or staff handle these requests.

	Level 3: Agency • Chaplaincy Directors or Religious Issues Committee Review. • Many states have policies and procedures spelling out the approval process. • The committee protects the offender's due process rights. • Shows good faith effort by state to comply with spirit and letter of RLUIPA.
	Accommodations Review Process • Offender makes the request. • Offender completes the request form, provided by the chaplain. • Chaplain sends the request to Agency Religious Director and/or Religious Issues Committee. • Agency reviews and researches. • Input from other staff (program, custody, food service etc). • Drafts accommodation and sends to legal. • The question, "what else- did I do it" is answered. • Ask yourself the question, "did the committee's recommendation put substantial burden on the offender's religious freedom? • Chaplains are NOT attorneys. They must consult with legal services. • It is imperative to document your actions in case of litigation. • Agency makes decision without court interference.

	• Decisions are based on policy and procedure.
	Accommodation Levels Activity (Participant Manual page 56) Have participants refer back to the charted responses from the Accommodations Requests activity. • Participants will identify which level (1, 2 or 3) each accommodation should be addressed. • Encourage participants to call in and share their responses. • Each group will review 2 accommodation requests and the level they identified. Participants have 5 minutes to complete this activity

	Best Practices
	
	• Staff must be responsive to requests.
	  ○ Standard response time is 5 days.
	  ○ Remember your agency policy will supersede "standard" response.
	  ○ Agency policies can vary widely
	
	• Accuracy
	  ○ If you don't know, find out. Don't guess.
	  ○ All documentation is subject to legal review.
	  ○ Be prepared to defend your approval or denial.
	
	• Sincerity and Professionalism
	  ○ Ask "why not" instead of "why".
	  ○ It's easier to turn a no into a yes. You can't retract a wrong 'yes'.

	Considerations Activity *Participants will work in groups to answer the question, "what are some of the things to consider when responding to requests for accommodation?"* *Distance learners will complete this activity on page 57 of the participant manual.* Take 5 minutes to complete the activity
	Considerations Activity Debrief • Was the request based on religious practice? • Was the offender sincere in his/her request? • Was the request in accordance with religious preferences? • Does the request warrant religious issues committee review? • Does the agency policy allow for the accommodation of the request? • Does the practice compromise security? **Audience Discussion** **Encourage off-site learners to call in with comments.**
	Scenarios Intro • *Let's take a look at four accommodation request scenarios. Each scenario will be presented and participants will discuss, chart and report out. Participants will be given five minutes to discuss each scenario. Off-site learners can find the scenarios on page 58 of the participant manual.* Encourage off-site learners to call in with responses to scenario questions

 	Scenario 1 (Change in Diet) **(Facilitators will model activity)** *A Rastafarian offender requests a Kosher Vegan diet.* • Is the request based on religious practice? • Does policy allow for accommodation of practice? • Does the request compromise security? Facilitators will chart responses to how they will accommodate this request? Discuss any similarities and differences in responses by asking one question to each table group.
   	Accommodation Scenarios • *Now, let's take a look at three additional accommodation request scenarios. Each scenario will be presented and participants will discuss, chart and report out. Participants will be given five minutes to discuss the scenarios. Off-site learners can find the scenarios on page 59 of the participant manual.* • Encourage off-site learners to call in with responses to scenario questions.
 	Scenario 2 (Change in Work Assignment) *A Hebrew Israelite requests to have his work assignment changed from working in food service due to his religious beliefs.* Ask participants to chart their responses to how they will accommodate this request? Debrief each group. Discuss any similarities and differences in responses.

	Scenario 3 New Faith Group Recognition *A request is sent to the chaplain requesting a new faith, "Church of Masculinity and Love International Ministries" be recognized. This faith group presents many corporate requests (ie: meet twice weekly at 5 am, 3 oz of whiskey, Diety of Fertility). There are several religious items they are also requesting (Medallion locket, monthly conjugal visits and a red wrist band).* Ask participants to chart their responses to how they will accommodate this request? Debrief each group. Discuss any similarities and differences in responses.
	Scenario 4 Request for Space Accommodation *Your facility hosts 10 Christian services and 4 Muslim services per week. The education department has 5 classes scheduled in three rooms per week in the Chapel area. Santeria and Buddhist offenders want to use the Chapel for corporate services.* Ask participants to chart their responses to how they will accommodate this request? Debrief each group. Discuss any similarities and differences in responses.
	Summary and Close • It's important to remember that religious staff can't dictate what offenders believe or what appropriate practice is. • Documentation is an important piece of defending your decision to accommodate or not. • Document any alternative accommodations you offer. • Document all rejections with a detailed explanation of why. • If you are uncertain on how to respond to an accommodation request, consult other chaplains or religious services staff. And lastly, document, document!

Segment 5 –Resources

	Transition Clip BOP chaplains talk about their work
	Objective: • Identify resources pertaining to religion in correctional settings
	Resources: "*What does NIC have to offer?"* • Knowledgebase • Online document library • Faith based and community initiatives • Corrections community posts ○ See page 61 for directions on how to create a free account • NIC's webpage provides a repository for documents, manuals, and articles related to this topic in corrections. • General resources not specific to corrections can also be helpful. • Look at sites maintained by advocacy groups for great educational materials. **Audience Discussion:** What types of resources do you or your agency need?
	Facilitator Discussion *"Are there any good books you can recommend as references?"* • More God, Less Crime: Why Faith Matters and How It

	Could Matter More • Down in the Chapel: Religious Life In An American Prison • How To Be A Perfect Stranger • Offenders Religious Beliefs and Practices
	Additional Resources • Technical Assistance- Contact NIC Prisons Division
     	Questions and Answers: Encourage participants at your site to call in with questions on this segment.
	Closure and Evaluation:
	Close of Day Two

After the Broadcast

	Collect Materials: Collect the CEU documents, Evaluations, etc.

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