

# Religion in Corrections: Offenders' Rights – Your Responsibility



Satellite & Internet Broadcast May 28 & 29, 2014

Participant Manual



National Institute of Corrections





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## Table of Contents

|   |    |
|---|----|
| NIC Contact Information                           | 4  |
| Program Contact Information                       | 5  |
| Course Description, Objectives, & Target Audience | 6  |
| Overview of Day 1                                 | 10 |
| Overview of Day 2                                 | 11 |
| Presenter Bios                                    | 12 |
| Icons Used in this Manual                         | 16 |
| Definition of Terms                               | 17 |
| Segment 1   | 21 |
| Segment 2   | 24 |
| Segment 3   | 31 |
| Overview of Day 2                                 | 43 |
| Segment 3 (continued)                             | 44 |
| Segment 4   | 52 |
| Segment 5   | 61 |
| Religious Diversity Quiz Answer Key               | 64 |
| Bibliography                                      | 65 |



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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](http://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

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Email: [nic@ksps.org](mailto: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 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 considerations.
- Examine practical approaches for applying RLUIPA to satisfying offenders' religious requests.
- Explore the changing role and responsibilities of religious staff, 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 and 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



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

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

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

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*  
*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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| 14         |                    |          |            |                     |
| 15         |                    |          |            |                     |



*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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| 14         |                    |          |            |                      |
| 15         |                    |          |            |                      |





# Overview of Satellite/Internet Broadcast

## Day 1

Welcome and Introduction

Housekeeping

Video

Web Streaming

Closed Captioning and 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 (Con't)*

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. Kowalczyk 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 both the Federal Correctional Institution at Marianna, 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, 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 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 Amendment 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 individual's 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:

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

2<sup>nd</sup> Circuit (Connecticut, New York, and Vermont);



3<sup>rd</sup> Circuit (Delaware, New Jersey, Pennsylvania, and the Virgin Islands);

4<sup>th</sup> Circuit (Maryland, North Carolina, South Carolina, Virginia, and West Virginia);

5<sup>th</sup> Circuit (Louisiana, Mississippi, and Texas);

6<sup>th</sup> Circuit (Kentucky, Michigan, Ohio, and Tennessee);

7<sup>th</sup> Circuit (Illinois, Indiana, and Wisconsin);

8<sup>th</sup> Circuit (Arkansas, Iowa, Minnesota, Missouri, Nebraska, North Dakota & South Dakota);

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

10<sup>th</sup> Circuit (Colorado, Kansas, New Mexico, Oklahoma, Utah, and Wyoming);

11<sup>th</sup> 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.



## Segment 1 – Introduction

### Objective:

- Present general information and overview of broadcast content

### Vignette: “*Frustrations*”

- ❖ What are the key components of this vignette?

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- ❖ What are some of the challenges you are facing?

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- ❖ What has changed? Why is religion in corrections more difficult now?

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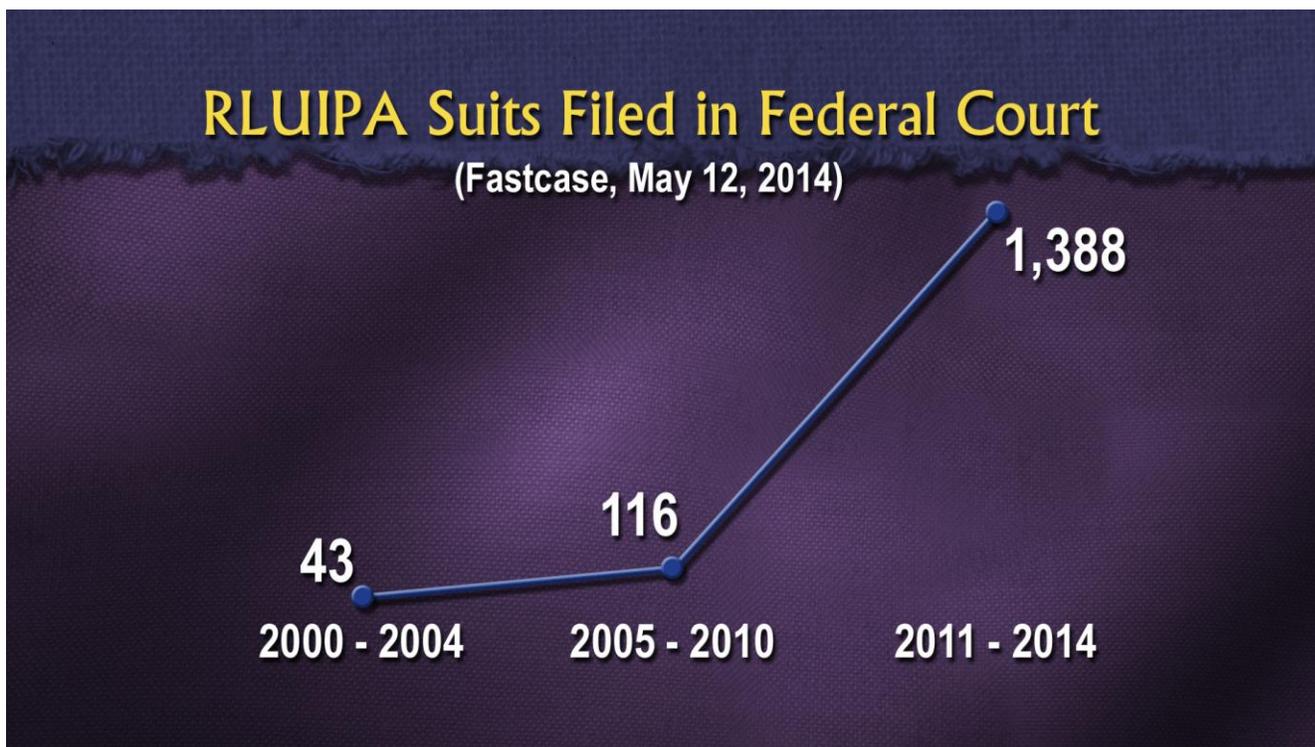
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## Segment 1 – Introduction

- ❖ Religion is a hot topic in corrections today. Heated, passionate debate occurs daily. RLUIPA suits appealed in Federal Court have increased by over 1500 since 2000. The graphic below shows the increase.



Notes:

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## Segment 1 – Introduction

- ❖ What are frustrations and challenges you have experienced with regards to religion in corrections?

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- ❖ List the issues chaplains face when asked to minister to or administer religions that are in direct conflict with their faith.

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- ❖ What is your chain of command for resolving conflict when my answer is challenged?

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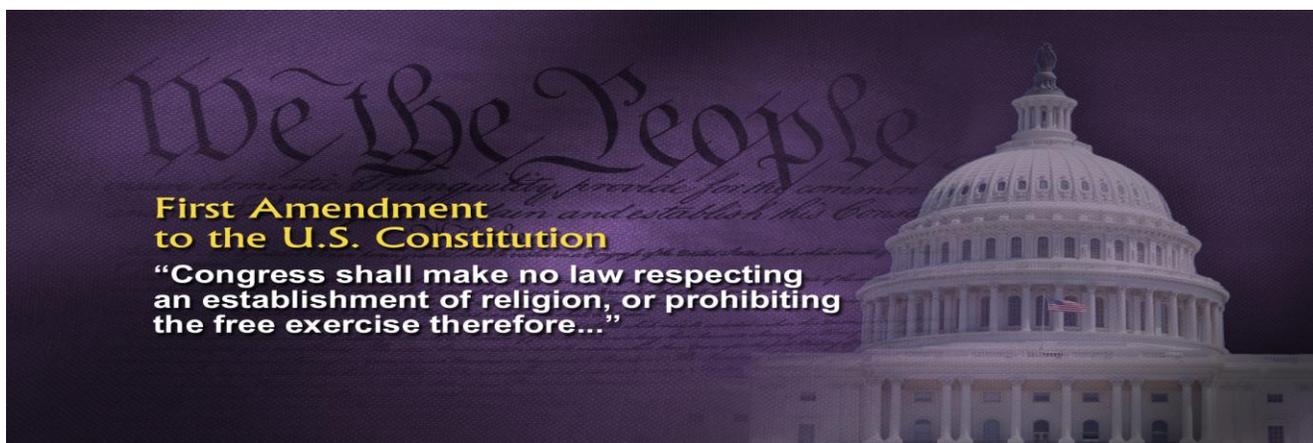
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## Segment 2 - Offenders' Religious Rights and the Law

### Objective:

- Explain historical, Constitutional (First Amendment) and legislative background of offenders' religious rights and the specific requirements of RLUIPA



### Notes:

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## Segment 2 - Offenders' Religious Rights and the Law



### Notes:

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## Segment 2 - Offenders' Religious Rights and the Law



### Notes:

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## Segment 2 - Offenders' Religious Rights and the Law

*The...pioneers who founded America came here...to practice their faiths free from government interference...convinced ...of the need to assure for all Americans for all time the right to practice their religion unencumbered...*



Senator Ted Kennedy  
September 18, 1992

*(this law) is important for the preservation of...religious freedom ...(of) all American people, especially for those whose religious beliefs and practices differ from the majority...*



Senator Orrin Hatch  
September 18, 1992



## Segment 2 - Offenders' Religious Rights and the Law

### What is RLUIPA?

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#### ❖ The RLUIPA Process:

1. Does the request relate to religion?
2. Is the offender sincere?
3. Has the request been substantially burdened?
4. If so, it must be approved
5. Even if the request is not required by the faith
6. Exception: if you can show a very good reason to deny it

### Participant Discussion

- ❖ An offender submits a request for prayer oil. How do you process this request based on the steps outlined above?

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## Segment 2 - Offenders' Religious Rights and the Law

### Case Study: You Are The Judge

- ❖ 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 court ruled against the offender. The professional opinion of prison officials was that policy was necessary to maintain safety and security. Take 5 minutes to answer the questions below:

*Underline the key components of this case study:* \_\_\_\_\_

\_\_\_\_\_

*What would you consider in making your judgment?* \_\_\_\_\_

\_\_\_\_\_

*How would you rule? Why?* \_\_\_\_\_

\_\_\_\_\_



## Segment 2 - Offenders' Religious Rights and the Law

### Vignette: *Sex, Lies and Smile-You're on Tape*

❖ Key points:

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❖ How would you react?

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❖ How does RLUIPA come in to play?

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❖ What should the chaplain do in light of RLUIPA?

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## Segment 3 - The Role of the Chaplain

### Objectives:

- Identify how chaplains & other staff view role of chaplains
- Identify some differences between the role of a community religious leader and that of a correctional chaplain
- Provide correctional staff with an overview of the definition of and importance of the pluralistic setting of corrections

### Vignette: The Roles of a Chaplain

- ❖ What is your job title?

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- ❖ What is your role in religious services and practices in your facility?

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- ❖ What do other people feel their role is in religious services and practices in your facility?

- Administrator?

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- Correction Officer?

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- Food Service Worker?

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### Segment 3 - The Role of the Chaplain

#### Activity: Chaplains- What do they do?

- ❖ *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.*
- ❖ *If you are not in a group setting, please chart your answers below:*

*I am a(n) \_\_\_\_\_.*

*The primary duties of a chaplain in a correctional setting are:*

- ✓ \_\_\_\_\_
- ✓ \_\_\_\_\_
- ✓ \_\_\_\_\_
- ✓ \_\_\_\_\_
- ✓ \_\_\_\_\_

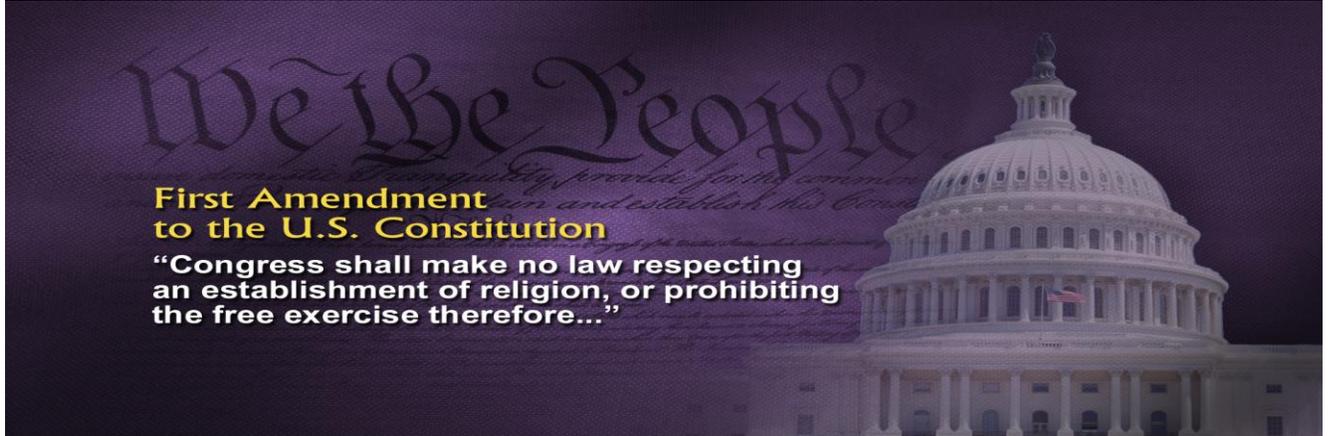
*The primary differences between how chaplains and non-religious services staff view the role of the chaplain are:*

- ✓ \_\_\_\_\_
- ✓ \_\_\_\_\_
- ✓ \_\_\_\_\_



## Segment 3 - The Role of the Chaplain

The First Amendment promises us two guarantees: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof..."



### First Amendment Scenarios

*The following scenarios are typical religious issues you may encounter with offenders. Read each scenario and answer the debrief question(s). You have 5 minutes to complete this activity.*

**Scenario 1:** An offender believes all white people are devils. He feels he should be allowed to possess religious literature that states so.

- ❖ Based on the First Amendment, should the offender be permitted to have this literature? Why or why not?

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- ❖ What issues would you need to consider?

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### Segment 3 - The Role of the Chaplain

**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??

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**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.

❖ How do you respond?

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**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 Sanitarian 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?

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## Segment 3 - The Role of the Chaplain

### **Homework Assignment:**

Please take time to test your knowledge on Religious Diversity. We will review this test and the answers during our broadcast on day 2. The test will not be turned in for a grade, but rather, to give you a better understanding of the many religions our correctional staff faces.

### Religious Diversity Quiz

1. Which one of the following is not one of the Ten Commandments?
  - a. You shall not take the name of the Lord your God in vain.
  - b. Honor your father and your mother.
  - c. Do unto others as you would have them do unto you.
  - d. You shalt not bear false witness against your neighbor.
2. Which of the following statements is not true about Christians/Christianity?
  - a. Christians believe in one God
  - b. Christians believe that through Jesus' death and resurrection humans can have a right relationship with God.
  - c. Christians recognize the church as God's body on earth.
  - d. Christianity is only a religion, not a lifestyle.
3. True or False. Catholics believe the Pope, is the successor to Saint Matthew, whom Christ appointed as the first head of the church.
4. Which of the following best describes the Catholic teaching about the bread and wine used for communion:
  - a. The bread and wine truly and substantially become the body and blood of Jesus Christ.
  - b. The bread and wine actually become the body and blood of Jesus Christ.
  - c. The bread and wine are symbols of the body and blood of Jesus Christ.
5. True or False. Orthodox Christians use icons as a form of prayer and a means to prayer. They help Orthodox Christians enter into a sacred place with God.





12. The Four Noble Truths are part of which faith tradition?
- Islam
  - Hinduism
  - Buddhism
  - Jainism
13. Reasons that some people are Atheist include:
- They find insufficient evidence to support any religion.
  - They think that religion is nonsensical.
  - Religions seem to have done a lot of harm in the world.
  - The world is such a bad place that there can't be a God.
  - All of the above.
14. Atheists are people who believe all but which of the following:
- Any ultimate reality (e.g. god) is unknown and probably unknowable.
  - God or gods are man-made constructs.
  - Matter is evil and that emancipation comes through esoteric knowledge of spiritual truth.
  - A god exists.
15. True or False. It is possible to be both atheist and religious.
16. What religion is Joseph Smith considered the founder of?
- Buddhism
  - Catholicism
  - Hinduism
  - Jewish Tradition
  - Mormonism
17. The Santeria religion focuses on building relationships between human beings and powerful, but mortal, spirits, called:
- Angels
  - Dharma
  - Orishas
  - Vedas



18. Santeria is an African way of worship drawn into a symbiotic relationship with which religion:
- Catholicism
  - Islam
  - Rastafarianism
  - Witchcraft
19. Which religion was founded by Guru Nanak?
- Buddhism
  - Hinduism
  - Shintoism
  - Sikhism
20. Rastafarians believe that this individual is God, and that he will return members of the black community to Africa:
- Marcus Garvey
  - Bob Marley
  - Nyabingi
  - Haile Selassie
21. Three of the following Rastafarian beliefs/practices are true. Which is not?
- Blacks are the chosen people of God, but that their role has been suppressed.
  - Wearing dreadlocks is a fashion statement.
  - Followers should only eat clean and natural produce, such as fruit and vegetables.
  - The lion represents Haile Selassie I.
22. What does the word, "Buddha," mean?
- One who suffers?
  - One who is submits.
  - One who is awakened?
  - One who is immortal?



23. Three of the following Buddhist beliefs/ practices are true. Which is not?
- Buddhists seek to reach a state of nirvana.
  - Buddhist believe in a personal god.
  - Buddhists believe that life is subject to suffering and uncertainty.
  - Buddhists believe in reincarnation.
24. Three of the following Jewish beliefs/practices are true. Which is not?
- Judaism was founded by Moses, although Jews trace their history back to Adam.
  - There is only one God.
  - The Torah is the most central and most important religious document.
  - While God is an all-powerful being who is quite beyond human ability to understand or imagine, God cares about each individual as a parent does their child.
25. This most sacred and solemn day of the Jewish year brings a period of repentance a close:
- Yom Kippur
  - Hanukkah
  - Sukkot
  - Passover
26. Which religion believes in a God called Braham?
- Buddhism
  - Hinduism
  - Shintoism
  - Sikhism
27. Which of the following Muslim beliefs/practices is not true?
- The word Islam means “submission to the will of God.”
  - Jesus, Moses and Abraham are respected prophets of God.
  - Muslims may eat pork if it has been properly slaughtered.
  - Muslims base their laws on the Qur'an, the Sunnah, and the practical example of Prophet Muhammad.



28. Which one of the following is NOT true about Prophet Muhammad:
- Prophet Muhammad received the final and complete revelation of the faith in the 7th century CE.
  - Prophet Muhammad was born in Mecca, Saudi Arabia in 570.
  - Prophet Muhammad was illiterate.
  - Prophet Muhammad advocates violence against non-believers.
29. Which one of the following is NOT one of the five pillars of Islam?
- Shahadah: declaring there is no god except God, and Muhammad is God's Messenger.
  - Wudu: ritual washing before performing Salah (prayer).
  - Salat: ritual prayer five times a day.
  - Sawm: fasting and self-control during Ramadan.
  - Zakat: giving 2.5% of one's savings to the poor and needy.
  - Hajj: pilgrimage to Mecca at least once in a lifetime if he or she is able to.
30. Muslims fast during Ramadan because it is during the month that Muslims believe all but this ONE happened/occurs:
- The Qur'an was first revealed.
  - Prophet Muhammad made his pilgrimage to Mecca.
  - The gates of Heaven are open.
  - The gates of Hell are closed and the devils are chained up in Hell.
31. The Nation of Islam (NOI) was founded by
- Malcolm X
  - Elijah Muhammad
  - Wallace D. Fard Muhammad
  - Louis Farrakhan
32. The Nation of Gods and Earths, commonly known as the Five-Percent Nation, the Five-Percent Nation of Islam, or the Five Percenters was founded in Harlem in 1964 by:
- Clarence 13X
  - Malcolm X
  - Noble Drew Ali
  - Elijah Muhammad



33. True or False. The members of the Nation of Gods and Earths view themselves as their own Gods.
34. A Five Percenter advances in his faith by memorization, recitation, comprehension, and practical application of the:
- Holy Qur'an
  - Supreme Mathematics and the Supreme Alphabet
  - Bhagavad Gita
  - Message to the Black Man
35. True or False. Five Percenters understand that 95% of the world's population uses truth to their advantage and that they, the 5%, are the exceptions to this pattern of exploitation.
36. True or False. Members of the Bahai tradition fast from food and drink from sunrise to sunset for nineteen days each year.
37. Bahai believe all but which one of the following:
- All great religions and prophets are divine in origin.
  - In the harmony of religion and science.
  - The search for truth is the responsibility of the spiritual assembly.
  - The equality of the sexes.
38. True or False. The Book of Shadows contains standardized rituals and spells which are used by all Wiccans in worship.
39. The classical Wicca Elements are all but which of the following:
- Air
  - Thunder
  - Fire
  - Water
  - Earth
  - Spirit



40. The Baphomet, associated with the Sabbatic Goat, is a symbol use in all but which one of these traditions:
- a. Thelema
  - b. Satanists
  - c. The church of Satan
  - d. Odinists



## 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

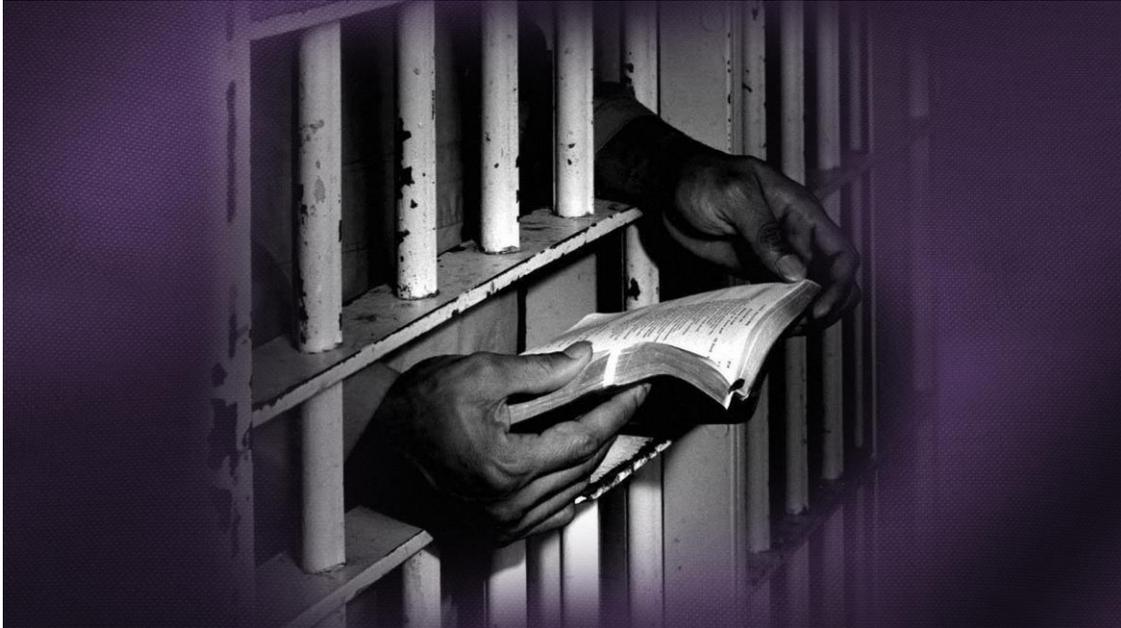
Off-Air Activities

Resources Available



## Day 2

### Segment 3 - The Role of the Chaplain



#### **Religious Diversity Quiz Debrief**

My score: \_\_\_\_\_

Notes:

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## Segment 3 - The Role of the Chaplain

### Vignette: Chaplains

*The vignette demonstrated three situations where chaplains were surprised by and/or shocked about the realities of prison ministry.*

❖ *Do you have similar thoughts or have you had similar experiences?*

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❖ *Chaplains: What surprised you about ministry in the correctional setting?*

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### Ministry in the community vs. ministry in a correctional setting- what is the difference?

| <i>Community Setting</i> | <i>Correctional Setting</i> |
|--------------------------|-----------------------------|
|                          |                             |
|                          |                             |
|                          |                             |
|                          |                             |
|                          |                             |
|                          |                             |
|                          |                             |
|                          |                             |
|                          |                             |



## Segment 3 - The Role of the Chaplain

❖ *Why is understanding the differences important?*

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**Pluralism:** 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.

**Notes:**

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### Segment 3 - The Role of the Chaplain

#### Religious Articles Quiz

Under each image, name the article and the religion with which it is associated. You have 5 minutes to complete this activity.



1. \_\_\_\_\_  
\_\_\_\_\_



2. \_\_\_\_\_  
\_\_\_\_\_



3. \_\_\_\_\_  
\_\_\_\_\_



4. \_\_\_\_\_  
\_\_\_\_\_



5. \_\_\_\_\_  
\_\_\_\_\_



6. \_\_\_\_\_  
\_\_\_\_\_



7. \_\_\_\_\_  
\_\_\_\_\_



8. \_\_\_\_\_  
\_\_\_\_\_



9. \_\_\_\_\_  
\_\_\_\_\_



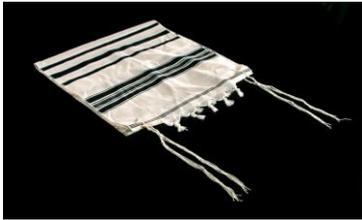
10. \_\_\_\_\_  
\_\_\_\_\_



11. \_\_\_\_\_  
\_\_\_\_\_



12. \_\_\_\_\_  
\_\_\_\_\_



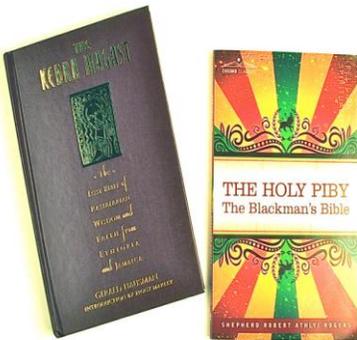
13. \_\_\_\_\_  
 \_\_\_\_\_



14. \_\_\_\_\_  
 \_\_\_\_\_



15. \_\_\_\_\_  
 \_\_\_\_\_



16. \_\_\_\_\_  
 \_\_\_\_\_



17. \_\_\_\_\_  
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18. \_\_\_\_\_  
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19. \_\_\_\_\_  
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20. \_\_\_\_\_  
\_\_\_\_\_



21. \_\_\_\_\_  
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22. \_\_\_\_\_  
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23. \_\_\_\_\_  
\_\_\_\_\_



24. \_\_\_\_\_  
\_\_\_\_\_



25. \_\_\_\_\_  
\_\_\_\_\_



26. \_\_\_\_\_  
\_\_\_\_\_



27. \_\_\_\_\_  
\_\_\_\_\_



28. \_\_\_\_\_  
\_\_\_\_\_



29. \_\_\_\_\_  
\_\_\_\_\_





## Segment 4 - Religious Accommodations

### Objectives:

- Identify tools to assist in providing guidance in accommodating faith groups
- Identify accommodation resources



### Vignette: Satanist Request

- ❖ How would you respond to this request? Are there considerations under RLUIPA that should be looked at?

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### Vignette: Satanist Request

- ❖ Was this request more appropriate? Why or why not?

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## Segment 4 - Religious Accommodations

### Activity: Religious Accommodations Request

- ❖ “What occasions can you think of where an offender will make a request of a chaplain?”
- ❖ Take 5 minutes to chart your responses and be prepared to report out

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## Segment 4 - Religious Accommodations

### Three levels of addressing religious accommodations:

1. Facility Level

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2. Regional Level

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3. Agency Level

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❖ **Review Process:**

1. Offender makes the request.
2. Offender completes the request form, provided by the chaplain.
3. Chaplain sends the request to Agency Religious Director and/or Religious Issues Committee.
4. Agency reviews and researches.
5. Input from other staff (program, custody, food service etc).
6. Drafts accommodation and sends to legal.
7. The question, “what else- did I do it” is answered.
8. Ask yourself the question, “did the committee’s recommendation put substantial burden on the offender’s religious freedom?”
9. Chaplains are NOT attorneys. They must consult with legal services.



## Segment 4 - Religious Accommodations

### Activity: Accommodation Approval Levels

Refer back to the charted responses from the Accommodations Requests activity (page 53).

- Participants will identify which level (1, 2 or 3) each accommodation should be addressed.
- Call in and share your responses.
- You have 5 minutes to complete this activity

| Accommodations Request | Level 1 (Facility) | Level 2 (Region) | Level 3 (Agency) |
|------------------------|--------------------|------------------|------------------|
|                        |                    |                  |                  |
|                        |                    |                  |                  |
|                        |                    |                  |                  |
|                        |                    |                  |                  |
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|                        |                    |                  |                  |

### Notes: Accommodation Approval Levels

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## Segment 4 - Religious Accommodations

### Activity: Accommodation Considerations

Please take 5 minutes to complete this activity. Be prepared to report your responses.

- ❖ “What are some of the things to consider when responding to requests for accommodation?”

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## Segment 5 – Resources

### Objective:

- Identify resources pertaining to religion in correctional settings

### Resources:



- NIC’s webpage provides a repository for documents, guides, and articles related to this topic in corrections.





## Segment 5 – Resources

*How do I create a free online NIC account?*

UNITED STATES DEPARTMENT OF JUSTICE

**NIC** National Institute of Corrections  
**Corrections Community**  
A place where corrections professionals can interact and collaborate

Sign in | Join | Help

Search this site

Home News Forums Shared Files

You are not signed in! To post comments and participate in discussions you need to [sign in](#) or [create a free account](#).

### Register and Join our Community

It only takes a few minutes to join. Please fill in the information below to create your account.

Sign in name, email, and password (required)

**Sign in name:**

**Choose Password:**

**Re-enter Password:**

**Email Address:**  
 (your email address is not published)

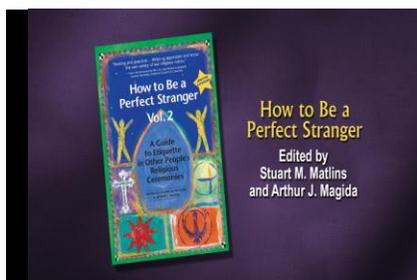
**Re-enter Email Address:**

**Timezone:**  
[GMT -07:00] Mountain Time (US & Canada) ▾

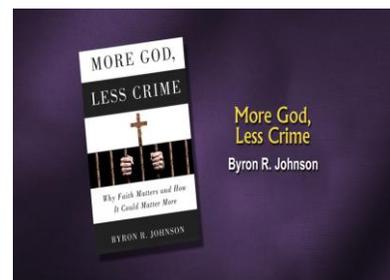
**Site Terms:**  
 I accept the services agreement

[Join Now! »](#)

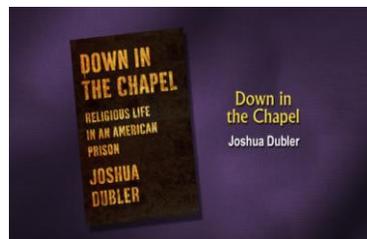
### Books:



**How to Be a Perfect Stranger**  
Vol. 2  
A Guide to Etiquette in Other People's Religious Ceremonies  
Edited by  
Stuart M. Matlins  
and Arthur J. Magida



**More God, Less Crime**  
Byron R. Johnson



**Down in the Chapel**  
Religious Life in an American Prison  
Joshua Dubler



## Segment 5 – Resources

### Technical Assistance:

- Available from NIC to assist with development and / or assessment or agency policy
- NIC can provide training and implementation planning, and more . . .
- To request technical assistance?
  - Send a letter on official agency letterhead describing your agency needs to the NIC Prison’s Division
  - The letter must be signed by the agency head

*What resources do I need?* \_\_\_\_\_

*What resources does my agency need?* \_\_\_\_\_



## Religious Diversity ANSWER KEY

1. c
2. d
3. False. St. Peter would be correct
4. b
5. True
6. b
7. True
8. True
9. C. While the buffalo symbolizes the sacred, life, great strength, abundance and gratitude, it is considered one of many sacred animals.
10. b
11. a
12. c
13. e
14. d
15. True
16. e
17. c
18. a
19. d
20. d
21. b
22. c
23. b
24. a. Jews traces their lineage to Abraham.
25. a
26. b
27. c
28. d
29. b
30. b
31. c



32. a

33. True

34. b

35. False. Five Percenters understand that they are the enlightened divine beings; they seek to liberate the 85% of the world's population who are easily led in the wrong direction and they despise the 10% of the world population which uses truth to their advantage to keep the 85% under their control.

36. True

37. c. The search for truth is the responsibility of each individual.

38. False. Individual Wicca practitioners write their own rituals and spells. While rituals and spells might be similar, they are all individualized.

39. b

40. d



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