

### Your religion freedom rights

- **Federal law provides special protections for prisoners' religious exercise.** If a prison policy, rule, or practice significantly limits your ability to practice your sincerely held religious beliefs, prison officials must show that applying the rule to you furthers an extremely important (in legal terms, "compelling") governmental interest (e.g., prisoners' safety or health) and that there is no other reasonable way to go about protecting that interest. If prison officials cannot show this, they must provide a religious accommodation to allow you to practice your faith.
- **Depending on your particular circumstances, prison officials may be required to provide you with a religious diet (e.g., halal or kosher meals), worship services, and access to clergy.** They also may be required to allow you to have religious texts, wear certain religious clothing, headwear, and jewelry, and maintain religious grooming practices (e.g., wearing a beard or long hair).
- **Prison officials cannot impose religious beliefs or practices on you.** They cannot punish you for declining to take part in religious activities or events that include religious elements. Prison officials cannot give special preference to members of one faith, or treat prisoners of some religions less favorably than those of others.

### HOW TO PRACTICE YOUR RELIGION WHILE INCARCERATED

- **Identify your faith group affiliation within the first 30 days of being booked** by submitting a written request to your institutional probation officer (IPO). This religious designation will stay in effect for 6 months, at which point you can change your religious affiliation by submitting a new written request to your IPO.

**If you select to practice a faith already recognized by DOC, you should be allowed to practice it** with guidelines provided by the Chaplaincy Coordinator.

### What to do if DOC doesn't recognize your faith

- **If your spiritual belief is not recognized by DOC, fill out the Religious Accommodation Request Form (816.01A),** and submit it to the Institutional Chaplain or the Superintendent.
  - **Next, the Institutional Chaplain or Superintendent will discuss it with the institutional staff** to discuss if honoring the request would cause any security, administrative, or resource issues.
  - **The Institutional Chaplain or Superintendent will respond to you in writing** to notify you if the request was granted or denied.
- **If the request is denied by the Institutional Chaplain, the request will go to DOC's Chaplaincy Coordinator for final review.** They will evaluate the request in accordance with the Religious Land Use and Institutionalized Persons Act.

- **If DOC denies the request because of government interest, they should make reasonable efforts**, in collaboration with you, to determine whether there is a reasonable way to promote the governmental interest and whether some other form of accommodation can be granted.
- **The Chaplaincy Coordinator may ask you to provide a written request for an alternative accommodation** that addresses the reasons for the initial denial.

## Group religious activities

*AKDOC Policy 816.01*

- **DOC will post a weekly schedule of all faith activities.** This list should be available to all incarcerated people.
- **DOC should only limit group activities based on religion when there is a security threat.**
- **Faith group activities will be monitored by DOC staff** or an approved faith group volunteer.
- **Institution superintendents are responsible for ensuring adequate space is provided** for regularly scheduled activities.
- **It's the responsibility of incarcerated people to make arrangements for a faith group volunteer** to lead that group's activities.
- **If no faith group volunteer is available, an incarcerated person may lead the group activities**, as long as it's supervised by DOC staff.
- **If an incarcerated person has faith-based credentials or titles**, DOC deems those "inactive" while you're incarcerated.
- **You can participate in faith group activities even if it's not your designated faith** unless the program requires work ahead of the event and you are unable to complete it.
- **You may be denied access to a faith group activity** if DOC decides your presence presents a threat to safety.
- **Group faith property** will be stored in the facility and by DOC staff.
- **Each religious group may pick a scented oil of their choice, based on textual or traditional guidelines for their practice.** Faith groups can donate oils if they are recognized by the department, or they can be purchased from a vendor.
- **All oils must be checked in and out.** It can only be opened while inside the designated outdoor area of the congregation.
- **All participants must wash the oil off after the ceremony or risk a disciplinary write-up.**



Religion is one of the most important forces in the world. Whether you are a Christian, a Muslim, a Buddhist, a Jew, or a Hindu, religion is a great force, and it can help one have command of one's own morality, one's own behavior, and one's own attitude."

- Nelson Mandela

## Religious property AKDOC Policy 811.05

- **You are allowed to possess faith property items** if they are consistent with the guidelines provided by the Chaplaincy Coordinator.
- **DOC will determine if the property will be stored in your cell** or in a secure storage area.
- **If the property is stored in a storage area, DOC will determine when the property can be accessed** and how it could be used.
- **To request access to religious attire, you'll need to fill out the Religious Accommodation Request Form (816.01a).**
- **Literature that instructs an individual in the teachings and practices of that faith should be allowed** if it does not contain material that has a demonstrated and documented threat to safety or the orderly running of a facility.
- **Literature may be available in some libraries**, but incarcerated people can receive it through an order from an approved vendor or through an approved donation. Hardcover books are not allowed, unless the superintendent permits it.
- **You should be able to possess and wear head coverings and other religious attire** consistent with the guidelines provided by the Chaplaincy Coordinator.
- **Approved head coverings are allowed** through the institutions, but DOC may search them.
- **You can purchase head coverings and other religious attire** through approved vendors.
- **If the attire you need is not included in the list of guidelines provided by the Chaplaincy Coordinator, you will have to request it.**
- **You can possess and wear one faith medallion, pendant, or medicine bag**, but it must be worn under your clothes, and it must be worn on an approved chain or strap.
- **DOC can search your religious property.**

## Religious diet

AKDOC Policy 805.03

- **To request a religious diet, submit the Religious Accommodation Form (816.01a)** to the institution's religious coordinator.
  - The facility superintendent must approve or deny the request within seven days.
  - If the request is denied, you should be provided a reason why in writing.
  - If they approve the request, they should let the Food Service Supervisor know.
- **Your diet will include regular menu items consistent with your religious beliefs** unless otherwise approved by the Superintendent.
- **DOC cannot take away your religious diet or your ability to observe religious holidays as punishment.**
- **Ramadan meals must provide incarcerated people, on average, 3,000 calories a day, and at least two hot meals (without pork). Meals must be provided between sunset and dawn to account for fasting.**

## HOLY DAYS

If you are requesting altar wine for holy days, it must be approved by the Superintendent, who will consult with the Institutional Chaplain or the Chaplaincy Coordinator. The use of a non-alcoholic substitute (juice) for altar wine may be considered.

## What to do if your rights aren't being honored

Remember: Refusing your right to practice religion violates your First Amendment constitutional rights.

### **Fully exhaust the grievance process.**

Once you've fully exhausted the grievance process, provide the ACLU of Alaska, by mail, with a summary of what's happened and copies of grievances.

### **File additional reports.**

- File a report with the Department of Justice Civil Rights Division. You can call (202) 514-3847 or 1-855-856-1247 (toll-free), or request a complaint form to mail to DOJ by contacting the ACLU of Alaska Prison Project.
- File a report with the Alaska Commission for Human Rights by calling the confidential line at 907-274-4692 or 800-478-4692.