



*State of North Carolina
Department of Correction
Division of Prisons*

Chapter: H
Section: .0100
Title: **Religious Services**
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POLICY & PROCEDURES

.0101 SCOPE

- (a) The Division of Prisons employs a Director of Chaplaincy Services to formulate and provide professional supervision. The Director of Chaplaincy Services provides guidance and assist for the religious activities to all the facilities within the Division of Prisons. The Director of Chaplaincy Services is familiar with multiple religions, and coordinates those practices within DOP Policy and Procedures. The Director of Chaplaincy Services communicates with religious judicatory leaders, clinical pastoral care supervisors, theological educators, medical, lawyers, prison administrators, legislators, volunteers, inmates and their families. The Director of Chaplaincy Services and staff are responsible for coordinating recruitment, screening as the Subject Matter Expert and selection of State-funded, Contract, Community-Funded and Volunteer Chaplains. The Chaplaincy Services Central office staff will provides technical support for the staff Clinical Chaplains.

The Division of Prisons employs Clinical Chaplains to provide moral, spiritual and pastoral care, and ministerial services to inmates in the custody of the Division of Prisons. Each chaplain is required to maintain the endorsement of his religious body and remain in good standing according to its requirements. A chaplain shall not be required to personally conduct religious services which violate his religious body's doctrine or teachings. However, chaplains will be required to coordinate/or supervise such services. All Chaplains shall maintain confidentiality i.e. Clergy privileged communication, except in cases when there is a threat to safety, security and health of staff, inmates and the general public.

- (b) The Division of Prisons shall provide access for approved religious services or practices and pastoral care in all North Carolina prison facilities. Inmate participation shall be voluntary. No inmate shall be subjected to coercion, harassment, or ridicule due to religious affiliation. In the event an inmate reports that he/or she has been subjected to coercion, harassment, or ridicule due to religious affiliation he/or she should report to facility staff. The inmate may use the Administrative Remedy Procedure (Chapter G-Court Related Procedures, .300, .302 Accessibility.) The appropriate staff shall investigate alleged cases of Religious Discrimination.
- (c) The Director of Chaplaincy Services shall maintain a list of all officially recognized religions, practices and maintain a list of faith groups approved for the use of sacramental wine.

- (d) All Chaplains (State-funded, Contract, Community Funded and Volunteers) are required to participate in New Chaplains Orientation and Training. A DVD recording of all recognized faiths and their sacred items are made available for the training of all staff that has direct contact with inmates.

.0102 COMMUNITY-FUNDED AND VOLUNTEER CHAPLAINS

- (a) Community-funded chaplains are chaplains funded by community churches or other religious organizations. These chaplains must have the proper credentials and have a signed covenant on file at the Director of Chaplaincy Services Central office. These chaplains will be appointed by the Director of Chaplaincy Services, subject to the approval of the Director of Prisons. The Director may remove at will any community-funded chaplain.
- (b) Volunteer chaplains are not funded by community churches or other religious organizations. These chaplains must have the proper credential and have a signed covenant on file at the Director of Chaplaincy Services Central office. These chaplains will be appointed by the Director of Chaplaincy Services, subject to the approval of the Director of Prisons. The Director may remove at will any volunteer chaplain
- (c) All Division of Prison's Covenanted Volunteer and Community-Funded Chaplains will be required to have a picture identification card. Correctional Facility representatives photographs and identification card will also be captured through the automated Digital Photo System and/ or Auxiliary Photo Capture Stations.
- (d) At the discretion of the facility superintendent, the chaplain may be granted full access to the inmates of the facility.
- (e) At the discretion of the facility superintendent, relevant contents of prison records may be communicated to a community-funded chaplain by an appropriate staff member when such information is considered essential to the fulfillment of the chaplain's duties. Confidentiality shall be maintained by the chaplain.

.0103 PROCEDURES

- (a) Religious practices for inmates other than those in the regular population will be reviewed and approved by the superintendent in consultation with the chaplain, consistent with H .0109. Requests for practices exceeding those authorized in H .0106 should be referred to the Religious Practices Committee for final determination.

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- (b) When it is determined that an inmate's request for an authorized practice is not currently existing at the particular facility, the chaplain will determine the appropriate course of action, in conjunction with the superintendent or designee and the Director of Chaplaincy Services.
- (c) More specific policies and procedures are detailed in the Division of Prisons' Religious Practices Reference Manual. This manual includes a list of the current faith practices that are now officially recognized by the Division of Prisons. It also includes a brief description of the basic beliefs, authorized practices, worship procedures and authorized religious items associated with each faith.
- (d) **Inmate End of Life Care Protocol**
The purpose of this policy is to ensure that the Division of Prisons staff understand and be consistent in applying the End of Life Protocol policy. In the last phase of life people seek peace and dignity. To help realize this, every inmate should be able to fairly expect elements of care from physicians, health care institutions, and the Department of Correction, Division of Prisons. The nature of dying and death has changed, it is occurring more frequently as a result of chronic illness. The following procedures will be followed for providing End of Life Care:
- (1) The Facility
 - (A) Inmate patient admitted to outside facility.
 - (B) Outside hospital physician/staff will contact the prison facility (Medical or Officer or Officer In Charge (OIC) concerning seriously ill designation, or
 - (C) DOP officer in inmate room will communicate with the OIC that the inmate's condition has downgraded to seriously ill.
 - (D) The OIC will notify the facility head and the facility Chaplain. If the facility Chaplain is not available; the OIC will communicate to the officer in the room to activate the End of Life Protocol (EOLP).
 - (E) The officer will request the nurse to contact the hospital Chaplain.
 - (F) Officer should note the Chaplain name and visit in activity log.
 - (G) During regular work hours the facility head shall contact the next of kin or immediate family, (see the DOP policy Chapter F, .0402, a,2) or if the facility head is not available the chain of command process is to be used.
 - (H) All persons granted a visit must be cleared through the Officer In Charge.

(2) The Outside Hospital Chaplain

Pastoral Caregivers provides spiritual support and guidance to ill and dying patients, their families and our staff. Pastoral Caregivers, work closely with physicians, nurses, and the Division of Prisons. Most hospitals have resources available 24- hours a day, seven days a week to listen, offer prayer, ease stress, and help the inmate and family deal with end-of-life issues. Pastoral Care providers work with patients of all denominations.

(3) The Hospital Chaplain

(A) Will not make any phone calls to inmate family members

(B) Will ensure that the inmate's Faith practice is being observed.

(C) May provide pastoral care with inmate's family if requested.

(D) No Community Clergy will be allowed to accompany the family member in inmate's room unless it is approved by the Facility Head or Officer In Charge.

(e) Inmate Transportation and Religious Items

Inmates when being transported via bus must pack personal religious property in their inmate's property bag.

.0104 INMATE RELIGIOUS AFFILIATIONS

(a) Inmates shall have the freedom to make a religious commitment, change a religious commitment, or reject religion altogether.

(b) Inmates shall be given the opportunity to declare their religious preference upon reception and may request in writing (Declaration of Faith Form) to register a change in religious affiliation at any time. The religious affiliation information provided by the inmate will become part of the inmate's official record.

.0105 INMATE REQUEST FOR RELIGIOUS ASSISTANCE

(a) An inmate whose religion is not currently recognized by the Division of Prisons or whose religious request cannot be met within the framework of existing, approved religious services may submit a written request for assistance using the designated DC-572 ("Inmate Request for Religious Assistance: Fact Sheet") departmental form.

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- (b) The form shall be made available to any inmate, upon request, regardless of custody status. Upon receipt of the complete form, the chaplain shall process the inmate's request for religious assistance.
 - (c) It is the inmate's responsibility to provide an authoritative source of information to the chaplain so the chaplain may verify the existence of the religion and its beliefs and practices.
 - (d) The facility chaplain shall forward to the Director of Chaplaincy Service the inmate and information along with a memorandum detailing the steps taken to provide assistance.
 - (e) An inmate's request for religious assistance shall be evaluated by the Religious Practices Committee and the inmate will be notified of the final decision by the Director of Chaplaincy Services.

.0106 AUTHORIZED RELIGIOUS PRACTICES

- (a) Race, color, creed or national origin shall not be a basis for excluding an inmate from attending any religious service. An inmate in the general population may be allowed to attend any religious service regardless of his religious beliefs.
- (b) An inmate may privately pray, meditate, and study scriptures or religious literature as long as he does not interfere with other inmate(s), assigned program or work assignments, security or institutional management.
- (c) Upon request, an inmate may be considered for enrollment in religious correspondence courses. An inmate's request to use a foreign language for religious study shall be reviewed on a case by- case basis.
- (d) Clergy and other spiritual advisors may be admitted to visit an inmate at the inmate's request, subject to coordination of the chaplain and approval of the superintendent.
- (e) An inmate may request to have a community religious official to perform a wedding, baptism, or other religious rites/rituals subject to coordination of the chaplain and approval of the superintendent.
- (f) Sacramental wine may be approved for religious services.
- (g) The policies and procedures detailed in the Division of Prisons' Religious Practices Reference Manual, and any others authorized by the Religious Practices Committee and the Director of Prisons or designee.

.0107 UNAUTHORIZED RELIGIOUS PRACTICES

No inmate shall exercise religious authority over any other inmate(s). The Chaplaincy Service Central office shall provide technical support and assistance in the recommendation of inmate leadership for non-Christian faith groups. Any inmate who provides leadership will be selected by the chaplain in consultation with Chaplaincy Services Central office staff, subject to the approval of the facility superintendent. No inmate shall be recognized as clergy (Reverend, Imam, Priest, etc.) nor shall he be permitted to function as such. Inmates shall not organize nor conduct group meetings without prior approval of the Superintendent or designee.

.0108 COMMITTEES**(a) ADVISORY COMMITTEE ON RELIGIOUS MINISTRY IN PRISONS**

- (1) General. The Secretary of Correction hereby establishes the Advisory Committee on Religious Ministry in Prisons for the purpose of serving as a resource for the expansion and strengthening of chaplaincy services and religious activities within the Division of Prisons. Committee activities shall be governed by the rules and regulations promulgated by the Department of Correction. The Committee shall report to the Director of Prisons.
- (2) Appointment
 - (A) Recommendation for appointment will be made by the appropriate person or agency responsible for prison ministry in each recognized judicatory and will be forwarded through the chain of command for review by the Director of Prisons. The list of nominees will be submitted to the Secretary for consideration.
 - (B) The Secretary shall appoint committee members to staggered three-year terms. Committee appointments will be made annually, with appointments effective January 1 of each year. When unscheduled vacancies occur, new appointees will serve the unexpired term of the council member being replaced, and may be eligible for reappointment to a full term.
 - (C) Committee membership is interfaith and interdenominational, comprised of representatives from each recognized religious judicatory.
 - (D) The Secretary may remove any committee member for misfeasance, malfeasance, or nonfeasance.
- (3) Ex-Officio Members

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- (A) The Chief of Program Services will serve as the liaison between the Advisory Committee and the Director of Prisons.
 - (B) A representative(s) from the Division of Prisons' funded chaplains will attend all meetings of the Advisory Committee. The chaplain representative(s) will be elected by the large body of funded chaplains to serve a two-year term.
 - (C) The Director of Chaplaincy Services will attend all meetings and clerical support staff will be responsible for providing clerical assistance to the committee. The Director will represent the Chief of Program Services in his/or her absence. The Chaplaincy Secretary will attend all meetings to serve as recording secretary, and shall be responsible for distributing minutes to all appropriate individuals, including all state-funded chaplains.
- (4) By-Laws. The Committee shall adopt standard by-laws. Issues not addressed by the standard by-laws are reserved to the discretion of the Committee to be resolved in accordance with state law and with agency rules and regulations.
- (b) THE RELIGIOUS PRACTICES COMMITTEE.

General. The Director of Prisons or designee shall appoint and may remove at will members of the Religious Practices Committee. Inmate requests for religious practices not officially recognized or approved by the Division of Prisons must be approved by the Religious Practices Committee prior to the practice being allowed. Factors generally considered by the Committee in an evaluation include, but are not limited to, the following:

- (1) whether the inmate has a sincerely held belief in the religion;
- (2) whether the requested practice or paraphernalia has a recognized role in the particular faith;
- (3) whether the inmate sincerely desires the practice or paraphernalia for religious reasons;
- (4) conformity or conflict with valid penological considerations such as order, security, operation, safety, effect on inmate relationships, etc.;
- (5) custody status of an inmate or group of inmates;
- (6) availability of staff, departmental and community resources; and

(7) duplication of existing services

(c) THE CHAPLAINS STEERING COMMITTEE

(1) General. The Steering Committee is authorized to assist the North Carolina Department of Correction with improving Chaplaincy Services and religious activities within the Division of Prisons. The Committee shall be called the "Chaplains Steering Committee" and shall function through the Director of Chaplaincy Services.

(2) The purposes for which this Committee exists are:

(A) To facilitate the discussion of on-going administration and ministerial task/concerns with the larger body of chaplains;

(B) Work with the Director of Chaplaincy Services in coordinating and facilitating communication between the chaplains, members of the North Carolina Religious Advisory Committee and with Division of Prisons Administration;

(C) To be responsible in conjunction with the Director of Chaplaincy Services for the planning of regular meetings, annual training and activities for Chaplaincy Services.

(D) To identify the priorities and objectives of Chaplaincy Services and to filter and focus ideas for presentation on the total body of Chaplains by:

(i) Evaluation of priorities and objectives

(ii) Conduct annual needs assessment

(3) MEMBERSHIP STRUCTURE

The membership of the Steering Committee is composed of the Director of Chaplaincy Services and chaplains (Islamic, Female, Regional Chaplains, Regional Representatives, Female Institution, Youth Community-Funded, Volunteer Chaplain and At-Large Members) of a total of 18 members. Committee appointments will be staggered to ensure continuity. Before nominating a representative, the nominator must communicate with the nominee to confirm the nominee's willingness to serve if elected. No nominee can be nominated unless confirmed prior to the election.

(4) MEETINGS

The full Committee shall meet once a month as determined by the Director of Chaplaincy Services at the beginning of each calendar year. Attendance policy: any member shall be replaced after two (2) consecutive, unexcused absences from committee meetings. The Director of Chaplaincy Services shall be responsible for interpreting this rule and informing the Steering Committee. Committee members will not be reimbursed for travel mileage or expenses.

The Chaplaincy Services Office will provide clerical assistance for the committee and will attend all meetings. Minutes will be sent to all appropriate individuals


Director of Prisons Date 10-17-07

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