



**DEPARTMENT OF CORRECTIONS  
MONTANA STATE PRISON  
OPERATIONAL PROCEDURE**

Procedure:	<b>MSP 5.6.1 RELIGIOUS PROGRAMMING</b>
Effective Date:	December 8, 1999 <span style="float: right;">Page 1 of 10 and 4 Attachments</span>
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Reference(s):	DOC Policy 5.6.1
Signature:	/s/ Jim Salmonsens / Warden

**I. PURPOSE**

To provide inmates with reasonable and equitable opportunities to pursue religious activities consistent with the secure and orderly operation of the facility within budgetary limitations.

**II. DEFINITIONS**

**Authentic Religion** – A definable, sincerely held moral system that includes belief, behavior, participation, proficiency, and exclusivity. The scope of human religious experience demands that this definition be applied with great latitude. In short, every person is the steward of his or her own conscience, but religious expression in a correctional setting must, at a minimum, take some articulated shape. Feelings, philosophies, and personal preference do not, of themselves, constitute activity supported by this operational procedure.

**Communal Articles** – Those items deemed necessary by the governing body of a faith group for communal religious activities. Communal Articles will be secured in an assigned location in the Religious Activities Center (RAC) or other authorized area. See attachment A for approved communal items, their descriptions, dimensions, and quantities allowed.

**Communal Groups** – A group of individuals sharing beliefs and rituals, the size of which is determined as a function of demand on communal facilities. The Religious Issues Committee will make this determination once per fiscal year by reviewing the current level of use of time at the Religious Activities Center and raising or lowering the number of individuals required to constitute a group accordingly.

**Disability** – see DOC 3.3.15, Americans with Disabilities Act (ADA) Offender Accommodations, for the definition and an explanation of disability.

**Personal Articles** – Items deemed necessary by the governing body of a faith group for personal use by an inmate. These items must fit into the designated storage containers for personal possessions as outlined in MSP 4.1.3, Inmate Personal Property. See attachment A of MSP 4.1.3 for the descriptions, dimensions, and possession limits for religious items allowed for general population and locked housing unit inmates. Inmates confined at the Martz Diagnostic & Intake Unit (MDIU) will only be allowed those religious items listed in the MDIU housing unit rules.

**RAB** – Acronym for Religious Activities Building adjacent to the Work and Re-entry Center.

**RAC** – Acronym for Religious Activities Center.

**Religious Activities Coordinator** – An individual designated to coordinate religious programming for offenders.

**Religious Activities Specialist** – Institutional employee under the supervision of the Religious Activities Coordinator who facilitates inmate religious activities at MSP.

**Religious Activity** – Any rite, ceremony, event or program that is customarily associated with the practices of a religious faith group, including but not limited to corporate gatherings of adherents of a faith group for the purposes of worship, prayer, teaching and/or sharing.

**Religious Issues Committee (RIC)** – A committee convened by the Warden, Associate Warden, Bureau Chief or Designee, to consider facility religious matters. Its members will include the following:

1. Warden, Associate Wardens, Bureau Chiefs, or designee.
2. Religious Activities Coordinator;
3. DOC Legal Chief or designee;
4. MSP Associate Warden of Security or designee; and
5. other staff as designated by the Warden.

**WRC** – Acronym for Work and Re-Entry Center

### III. PROCEDURES

#### A. Religious Program Objectives

1. Provide opportunities for authentic religious expression.
2. Equitably distribute religious resources for the benefit of all inmates.
3. Protect the religious rights of all inmates.
4. Ensure spiritual care is available to all inmates.
5. Provide expertise on matters of religion in the correctional environment to staff.

#### B. Declaration of Religious Preference

1. An inmate's declaration of religious preference is the key to obtaining authorization to engage in religious activities at MSP. Inmates must declare a preference in order to:
  - a. attend communal religious activities;
  - b. possess approved religious property items; and
  - c. receive other religious accommodations (i.e., diets, work exception, hair style, etc.) in accordance with section III, part E, of this procedure.
2. In order to facilitate the authentic expression of religious belief, MDIU staff will give each new inmate the opportunity to declare his sincere religious preference during the initial intake process. This process includes:
  - a. MDIU admissions staff will have each new inmate fill out an *MSP Inmate Religious Preference Statement form (attachment B)*. MDIU staff will forward the *Religious Preference Statement form* to RAC staff for input into the OMIS database; and
  - b. the Religious Activities Coordinator may conduct an assessment in order to verify an inmate's declared religious preference.

3. Volunteers and MSP staff may not attempt to coerce or influence an inmate to change his religious preference while at MSP; however, inmates may change their declared preference once per calendar year using an *MSP Inmate Religious Preference Statement form (attachment B)*. The Religious Activities Coordinator may waive the time requirement for special circumstances. This process is as follows:
  - a. the inmate will complete the applicable sections of the form and mail it to the Religious Activities Coordinator;
  - b. upon receipt of the completed form, the Religious Activities Coordinator will conduct an assessment, which may include a structured interview with the inmate in order to verify the inmates newly declared religious preference;
  - c. Religious Activities Coordinator will make a decision to approve or deny the inmate's request based upon the outcome of this assessment. An inmate may utilize the established inmate grievance procedure to address the decision of the Religious Activities Coordinator;
  - d. RAC staff will update the OMIS database of approved changes in religious preference within three working days of approval; and
  - e. inmate identification cards may be marked with the inmate's religious preference.

### **C. Religious Activities**

1. The Religious Activities Coordinator will maintain a list of active communal groups. While the list will be dynamic, reflecting ongoing program changes, a formal copy of the list will be kept at the RAC.
2. Inmates with a Low Side classification may attend any regularly scheduled communal religious activity, subject to space limitations and to institutional needs for scheduling.
3. For the reasons set out in this procedure in Section III. Part B, and the definition of "authentic religion" in Section II. Definitions, Inmates with a High Side classification may only attend those regularly scheduled communal religious activities associated with their preference; if a High Side inmate has no declared religious preference, he may not attend regularly scheduled communal religious activities. Attendance at special activities is subject to the requirements of *MSP Procedure 5.5.101, Special Activities*.
4. Communal Religious activities are subject to cancellation without notice due to security or staffing requirements. RAC staff will reschedule those activities when, and if, the RAC schedule permits as determined by the Religious Activities Coordinator, in accordance with section III, part F, and number 6 of this procedure.
5. The Religious Activities Center and other religious activities will ensure equal opportunity for inmates with disabilities, including but not limited to ensuring that the RAC and other religious activities are accessible to such inmates, ensuring that accessible elements and routes are free of temporary obstructions, and providing reasonable accommodations to inmates with disabilities. All accommodations shall be documented in OMIS. (see *DOC Policy 3.3.15.*)

### **D. Religious Personal Property and Communal Items**

1. Inmates with a declared religious preference may possess the associated religious property items for their faith group as listed on *MSP Procedure 4.1.3, Inmate Personal Property (attachment A)*.

2. In order to protect the sanctity of authentic religious expression, an inmate may not possess religious property items listed for a faith group that differs from his declared religious preference.
3. Inmates with no religious preference may not possess religious personal property items. This provision does not apply to publications. Inmates are free to possess any appropriate and authorized publication regardless of its religious distinction.
4. When deemed necessary by the Warden, Associate Warden, or Bureau Chief, the RIC will determine approved communal/personal religious property item quantities for faith groups not listed in *MSP Procedure 5.6.1, Religious Programming* and *MSP Procedure 4.1.3, Inmate Personal Property*. This process will include:
  - a. the RIC, in close coordination with the Prison Issues Board (PIB), will finalize the list of personal religious property items for inclusion on *MSP Procedure 4.1.3, Inmate Personal Property* (attachment A); and
  - b. the Religious Activities Coordinator will maintain an approved addendum to the communal and personal property lists until they are officially added to *MSP Procedure 5.6.1, Religious Programming* or *MSP Procedure 4.1.3, Inmate Personal Property* (attachment A).
5. An inmate may only use his personal religious property items in his cell or at communal religious activities. As stipulated in the *Traditional Native American Spiritual Program Highlights* (dated 7/2/10) (attachment F) and the attachment to *MSP Procedure 4.1.3, Inmate Personal Property*, inmates may bring their personal religious property for the corresponding religious service they are attending. MSP will provide the botanicals utilized at communal religious activities.
6. Inmates may only utilize their religious personal property items in accordance with the religious purpose for which they were designed. This includes, but is not limited to:
  - a. if an inmate chooses to wear his religious medallion (crucifixes, medicine bag, etc.), he must wear it around his neck using the necklace item that came with the medallion and keep it tucked under his shirt. He may wear it on the outside of the shirt/coat only when in cell or attending a religious service or activity;
  - b. inmates who choose to wear their religious skull caps outside their cell or communal services will wear the skull cap discreetly and fully covered underneath an approved cap. Staff may require an inmate to remove, and may search, the religious skull cap at any time for security reasons; and
  - c. violations of the above stipulations may result in confiscation of the item(s) as contraband in accordance with *MSP Procedure 3.4.1, Institutional Discipline*.

#### **E. Religious Accommodations**

1. Unless already approved, inmates who desire one of the following religious accommodations must write to the RAC Coordinator, using a *Religious Accommodation Request Form* (attachment D or E), requesting the specific religious practice accommodation. The accommodation review process will include, but is not limited to:
  - a. the Religious Activities Coordinator will determine which of the five (5) accommodation categories the request falls into. The 5 categories are as follows:
    - 1) personal property;
    - 2) communal activities;
    - 3) grooming exceptions;

- 4) work exemptions; and
  - 5) special diets.
  - b. the Religious Activities Coordinator will make an initial determination on issues of grooming exceptions, work exemptions, and special diets (including special Holy Day meals). The Religious Activities Coordinator's actions may include, but are not limited to:
    - 1) the Religious Activities Coordinator will make an initial response in writing to the inmate and detail specific reasons for any decisions;
    - 2) the Religious Activities Coordinator may consult with the RIC on any such requests that are unusual or out of the normal circumstance; and
    - 3) the initial decision by the Religious Activities Coordinator will be forwarded to the RIC for review and the RIC will make a final determination by affirming or denying the initial decision at the next RIC meeting..
  - c. the RIC will make all determinations of religious accommodations in the category of personal property and communal activities;
  - d. the RIC will respond in writing to all religious accommodation requests and detail specific reasons for any decision;
  - e. abuse of the Religious Accommodation Request form by an inmate may include, but is not limited to, the use of profane, threatening, argumentative, abusive or demeaning language. Likewise, submitting an unreasonably excessive number of religious accommodation request forms in reference to past requests and decisions (with no change in circumstance) is prohibited. The Warden/Facility Administrator or designee will determine if a Religious Accommodation Request form qualifies as abusive, and any such form will be returned to the sender without Religious Issues Committee disposition. An explanatory notice will accompany the returned form; and
  - f. if an inmate demonstrates a pattern of abuse of the Religious Accommodation Request form, the Warden/Facility Administrator or designee will notify the inmate, in writing, that such actions are creating an administrative burden at the expense of legitimate requests, and that future requests must meet defined guidelines in regard to quantity and content. The abuse notice will contain specific reasons for the decision and clear instructions on how to rectify defined defects. Failure to adhere to these written instructions will result in returned and unprocessed forms, as well as disciplinary action. Abuse notices are not subject to appeal.
2. Approved accommodations may be recorded in *MSP Procedure 5.6.1, Religious Programming* (attachment A), *MSP Procedure 4.1.3, Inmate Personal Property*, OMIS, and/or other approved locations.
  3. If an inmate is not satisfied with the disposition of the Religious Activities Coordinator or the RIC, the inmate may utilize the grievance system presented in *MSP Procedure 3.3.3, Inmate Grievance Program*. Religious accommodation grievances adhere to the following:
    - a. any grievance submitted prior to the written response of the RIC will not be processed because of the premature state of the grievance.
  4. Religious accommodations will be approved/disapproved on a case-by-case basis within the constraints of facility security and order, to include, but is not limited to:
    - a. diet accommodations for religious holy days will be approved in accordance *with DOC Policy 4.3.2, Menu Planning* and as follows:
      - 1) religious diets are only provided for inmates with a sincere belief in a faith system that

- requires adherence to religious dietary laws;
  - 2) religious diets will be approved/ disapproved on a case-by-case basis within the constraints of prison order, security, and budget;
  - 3) an inmate who receives a religious diet accommodation must adhere to the approved diet plan, failure to abide by the plan will result in progressive discipline up to and including suspension or termination of the diet.
  - 4) an inmate must request accommodation for Holy Day meals 30 days in advance. This stipulation may be waived on a case-by-case basis.
- b. religious exemptions from work must be in writing from the Religious Coordinator, and only when such days are recognized for a given group by national standards.

#### **F. Religious Program Organization**

1. Religious programs offered at MSP are under the direction of the Religious Activities Coordinator.
2. The Religious Activities Coordinator will provide for the equitable delivery of religious activities regardless of religion or affiliation.
3. Religious activities volunteers as defined in *MSP Procedure 1.3.16a, Religious Volunteer Services*, under the supervision and direction of the Religious Activities Coordinator may be used to assist in the implementation of religious activities. Volunteers must complete the following forms from *MSP Procedure 1.3.16a, Religious Volunteer Services*:
  - a. *MSP Volunteer Application Form* (attachment A);
  - b. *Montana State Prison Volunteer Service Agreement* (attachment B); and
  - c. *MSP Religious Volunteer Training & Orientation Checklist* (attachment C).
4. The Religious Activities Coordinator and Religious Activities Specialists will arrange for confidential and non-judgmental religious counseling to inmates who request it. Confidentiality is waived in regard to matters that constitute a threat to life or property. These requests must be responded to as promptly as possible according to the urgency of the situation.
5. Communal religious activities will comply with the standard practices of that faith's governing body and will comply with MSP security requirements. Staff in general and the Religious Activities Coordinator in particular will determine appropriate behavior.
6. The Religious Activities Coordinator will post a weekly religious activity schedule in locations available to all general population inmates. The RAC schedule will be archived. Changes to, or cancellation of, scheduled religious activity may occur at any time. If the cancellation impacts a faith group's major holiday, then, when requested by participants, the activity will be rescheduled as soon as practical. All other cancelled activities may be rescheduled at the discretion of the Religious Activities Coordinator, dependent on staffing and space availability. Whenever a scheduled religious activity is cancelled, the cancellation, reason for cancellation, and reschedule date (if applicable) must be maintained in a log.
7. When necessary, the Warden or designee may identify alternative activities and implement the least restrictive alternative consistent with the secure and orderly running of the facility.
8. The following activities are not authorized by MSP. This include, but are not limited to:

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- a. animal sacrifice;
- b. language or behaviors that might constitute or be construed as a threat (e.g., curses);
- c. nudity;
- d. self-mutilation;
- e. use or display of any weapon;
- f. exclusion by race;
- g. paramilitary exercises;
- h. self-defense training;
- i. sexual acts;
- j. profanity;
- k. consumption of alcohol;
- l. ingestion of illegal substances;
- m. proselytizing;
- n. encryption; and
- o. disparaging other faith groups.

While the above activities are not authorized, publications containing information about such language or behavior will be reviewed on a case-by-case basis under *MSP Procedure 3.3.6, Inmate Mail*.

**G. Religious Program Resources**

1. To the extent practical, all religious/faith groups will have equal access to religious facilities and communal articles.
2. The RAC is available for scheduled religious activities.
3. The RAC will have secure and respectful storage compartments and space for communal articles according to practical needs.
4. Religious programming for Unit F and WRC is provided in both locations. A separate religious programming schedule will be generated and posted in their respective units.

**H. Religious Program Staffing**

1. There is one full-time Religious Activities Coordinator employed at MSP who will be allowed access to all areas of MSP in order to meet the inmate's need to access a religious/spiritual coordinator. All security procedures and requirements will be followed to gain such access.
2. There are two Religious Activities Specialists at MSP who facilitate religious activities under the direction of the Religious Activities Coordinator. RAC Specialists will be allowed access to all areas of MSP necessary to perform their duties. All security procedures and requirements will be followed to gain such access.
3. Religious volunteers will be selected and supervised in accordance with *MSP Procedure 1.3.16a, Religious Volunteer Services*, and *DOC Policy 1.3.12, Staff Association and Conduct with Offenders*. Volunteers will conduct religious activities under the supervision and direction of the Religious Activities Coordinator.

4. When an approved volunteer for a faith group to which an inmate subscribes is not available, in response to an inmate's formal request providing contact information of a faith representative, the Religious Activities Coordinator will facilitate contact with an approved and credentialed representative by whatever correspondence is practical.
5. Security staff and additional resources (as available) will be provided to maintain security at MSP, and to assist in ensuring the safety of staff, volunteers, and inmate participants.
6. A staff member must monitor all religious group activities, and inmates may not direct, lead, or conduct religious activities.

### **I. Religious Activities Availability**

1. The religious activities available to general population may be as follows:
  - a. religious services;
  - b. religious education;
  - c. religious rituals, meditation times, lectures, and musical programs;
  - d. religious advice, counsel, and individual prayer time;
  - e. notification of death or serious illness in an inmate's family with religious support in times of distress;
  - f. religious forums and discussions of timely issues;
  - g. religious self-studies and supervision of scripture cell study;
  - h. religious group counseling; and
  - i. religious exploration.
2. Religious exploration consists of the following:
  - a. this activity will be facilitated by the Religious Activities Coordinator. In the event that an offender wishes to learn more about a particular religious practice, the offender will send an OSR to Religious Activities Coordinator;
  - b. the Religious Activities Coordinator will make initial determinations on the level of commitment and experience, and will then recommend a course of action to the offender;
  - c. the determination will range from recommendation of reading material or other media for further education, to facilitating contact with a volunteer affiliated with that religion. The Religious Activities Coordinator will respond in writing, and will detail specific reasons for any decisions;
  - d. if the offender is permitted to contact a volunteer, the conversations with that volunteer will be facilitated by the Religious Activities Coordinator or designee. That volunteer will work with the inmate and the Religious Activities Coordinator and will make an ongoing assessment of the offender's willingness, ability, and commitment to learn and participate. At the volunteer's discretion, this may include one-on-one ceremonial activities to be facilitated by the Religious Activities Coordinator; and
  - e. this assessment will form the basis for any future change in religious preference, or religious accommodation, for the offender.
3. Religious Activities Available to Restrictive Housing or MDIU inmates is as follows:
  - a. out-of-cell religious activity will not be conducted in restrictive housing units or MDIU. Inmates are free to pursue matters of faith in their cell in a manner consistent with housing unit rules and the security requirements of their classification;



- b. if the need arises for an approved representative of a religious faith group to counsel or pray with a locked housing inmate, assigned staff will escort the representative to and from the locked housing unit. These visits must be coordinated with the housing unit's schedule in cooperation with the Unit Management Team and Command Post staff and will be non-contact. To ensure privacy and confidentiality, unit staff will provide direct supervision and a proper place for these services; and
- c. inmates who desire religious texts while in disciplinary detention may contact the Religious Activities Coordinator, who will facilitate access to a text appropriate to the inmate's stated religious preference.

#### **J. Religious Publications and Printed Materials**

1. Inmates may receive religious printed materials and publications that do not jeopardize security, rehabilitative goals, or violate policy/procedure. An inmate recognized religious organization, approved volunteer, or a person on the inmate's approved visiting list may order such materials and publications per approved processes; the materials and publications will be reviewed as per *MSP Procedure 3.3.6 Inmate Mail*. These publications will be included in the 15 publications limit of *MSP Procedure 4.1.3, Inmate Personal Property*.
2. Inmates who speak a non-English language may receive or have available non-English editions of the Bible, Koran, or like permanent texts, as is practical or as is available through recognized national bodies of the inmate's faith group.
3. RAC staff may distribute religious publications under the following guidelines:
  - a. incoming bulk publications will be processed in accordance with MSP procedure on incoming packages, and must meet the approval of the Associate Warden of Security or designee before going to the RAC for disbursement;
  - b. bulk items distributed at the RAC will be limited to approved religious pamphlets, denominational publications, flyers, news-type copy, and booklets; and
  - c. RAC staff will not distribute books (a publication with a glued binding over 5/16" thick) or other religious property.

#### **K. Other Considerations**

1. Donated communal articles will be allowed under the following guidelines:
  - a. donated religious communal articles and supplies must be from a recognized religious organization. All articles and supplies are subject to review per *MSP Procedure 3.3.6, Correspondence, Publications, & Packages*;
  - b. all such donated communal items must have prior approval from the Associate Warden of Security or designee for entry into MSP, and are subject to search and inspection by both the Religious Activities Coordinator and the Associate Warden of Security or designee;
  - c. after being searched and inspected the items will be delivered to the Religious Activities Coordinator, who will store them in the RAC or RAB;
  - d. these items will not be given to inmates for personal retention; and
  - e. sacred herbs/botanicals may be donated and are subject to the following:
    - 1) botanicals must be shipped in a clear "Ziploc" type bag;
    - 2) the contents of the bag must be clearly marked, e.g., "juniper," "sage," "cedar," and etc.; and

- 3) botanicals must be mailed to the Religious Activities Coordinator and are subject to inspection by the Associate Warden of Security or designee.
2. The Religious Activities Coordinator will inventory and secure all communal botanicals in the Religious Activities Coordinator's office. Institutional pipe carriers must submit a written request, in advance, for sacred herbs.
3. Any religious item received for an inmate's personal retention must be listed in *MSP Procedure 4.1.3, Inmate personal Property* (attachment A), and must be processed through the MSP Property Office using the inmate property receipt system. This is necessary to provide official documentation of delivery (in case items are lost, stolen, transferred, or damaged), and to help prevent the introduction of contraband into MSP.
4. RAC staff and religious services volunteers will not conduct inmate weddings.
5. Religious activities will, to the extent possible, be allocated equitably among all faith groups represented at MSP.
6. Religious activities will be conducted indoors, unless the faith group practitioners receive prior approval for such an accommodation from the Religious Issues Committee.
7. No inmate will be compelled to attend any religious activity.
8. Food will not be consumed at scheduled religious activities. Food at special activities is subject to *MSP Procedure 5.5.101, Special Activities*. This provision does not preclude small amounts of approved ceremonial elements.
9. Inmates who attend religious activities are to follow the *RAC Inmate Rules* (see attachment C).
10. Inmates found guilty of disciplinary infractions related to the religious activities may receive exclusion (for a defined period) from religious activities as a component of their sanction(s).

#### IV. CLOSING

Questions concerning this operational procedure will be directed to the Warden.

#### V. ATTACHMENTS

Communal Religious Items List	attachment A
MSP Inmate Religious Preference Statement form	attachment B
RAC Rules	attachment C
Religious Accommodation Request Form	attachment D
Request For Accommodation of Religious Practices	attachment E
Native American Guidelines	attachment F

## Communal Religious Items List

Religious Group or Identification: **Asatru/Odinist**

Communal items or articles allowable for services in the RAC/RAB

	Item Name/ Description	Dimensions	Quantity
1	Ceremonial rune set (oak wood cards)	1" diam.	24 pieces
2	Mead horn replica (oak wood horn)	9"x6"x3"	1
3	Thor's Hammer replica (oak wood hammer)	9"x11/2"x9"	1
4	Gandr staff replica (oak wood stick)	1/2"x1/2"x16"	1
5	Bowli replica (oak wood bowl)	9"x9"x3"	1
6	Sun wheel replica (oak wood wheel)	9"x6"x1"	1
7	Oath ring (wood)	6"x1 1/2"	1
8	Altar cloth	3'x6'	1
9	Religious media (books, CDs and or DVDs)		Variety
10	Evergreen twig	12" max.	1
11	Devotional Candles	Variety	3
12	Seidr Drum	12"	1
13	Staller Bell	2 1/2"	1
14	Ceremonial Drink (Apple Flavor)		Small
15	Ceremonial Crackers		1 each
16	Hlath (Headband)		6

Religious Group or Identification: **Buddhist**

Communal items or articles allowable for services in the RAC/RAB

	Item Name/ Description	Dimensions	Quantity
1	Sitting Pillow & 1 Meditation Bench (optional)		24
2	Bell		1
3	Incense Sticks		Variety
4	Religious Media (Books, CD's, and/or DVD's)		Variety
5	Incense Holder		1
6	Buddha Image		1
7	Candles		Variety
8	"Om" Symbol (Poster)		1

Religious Group or Identification: **Islam**

Communal items or articles allowed for services in the RAC/RAB

	Items Name/ Description	Dimensions	Quantity
1	Incense Sticks		Variety
2	Incense Holder		1
3	Religious Media (Books, CD's, and/or DVD's)		Variety
4	Prayer mat		6
5	Prayer cap		6

Religious Group or Identification: **Judaism**

Communal items or articles allowed for services in the RAC/RAB

	Items Name/ Description	Dimensions	Quantity
1	Candles		Variety
2	Menorah		1

3	Ram's Horn/ Shofar	12" max	1
4	Torah Scrolls		Set of 5
5	Religious Media (Books, CD's, and/or DVD's)		Variety
6	Matzah Crackers (Kosher for Passover variety)		Variety
7	Lulav & Etrog set		1 per year
8	Sukkah	Portable	1

Religious Group or Identification: **Rastafarian**

Communal items or articles allowed for services in the RAC/RAB

Items Name/ Description		Dimensions	Quantity
1	Tam		6
2	Religious Media (Books, CD's, and/or DVD's)		Variety
3	Crystal Pyramid 1"		1

Religious Group or Identification: **Native American**

Communal items or articles allowed for services in the RAC/RAB

Items Name/ Description		Dimensions	Quantity
1	Smudging Bowl		1
2	Sage	Clear Bag	Bulk
3	Sweetgrass Braids	Clear Bag	Bulk
4	Cedar	Clear Bag	Bulk
5	Bitterroot	Clear Bag	Bulk
6	Osha Root	Clear Bag	Bulk
7	Juniper	Clear Bag	Bulk
8	Lavender	Clear Bag	Bulk
9	Sea Shell for Smudging		1
10	Hand Drum	8"	1
11	Ceremonial Drums and Sticks		1 Set
12	Cloth for Ceremonial Ties		Variety
13	Ceremonial Feathers (No Eagle Feathers)		Variety
14	Ceremonial Rattle		1
15	Buffalo Horn		1
16	Buffalo Skull		1
17	Ceremonial Staff (Wood With Feathers, No Eagle Feathers)	8 ft.	1
18	Sacred Pipe & Pouch (May Be Beaded)	24" max	4
19	Religious Media (Books, CD's, and/or DVD's)		Variety
20	Native American Flute		1

NOTE:

1. Due to federal eagle feather regulations, inmates will only be allowed to mail out their eagle feathers or fans to the federal agency in charge of eagle parts.
2. Excess and confiscated feathers of any type will be forwarded to the property officer for proper disposition.

Religious Group or Identification: **Protestant Denominations**

Communal items or articles allowed for services in the RAC/RAB

	Items Name/ Description	Dimensions	Quantity
1	Communion Set		1
2	Religious Media (Books, CD's, and/or DVD's)		Variety
3	Large Cross		1

Religious Group or Identification: **Roman Catholic**

Communal items or articles allowed for services in the RAC/RAB

	Items Name/ Description	Dimensions	Quantity
1	Chalice		2
2	Candles		2 PKGS.
3	Alter Clothes		Variety
4	Incense Carrier/ Thurifer		1
5	Charcoal Briquettes		1 Bag
6	Incense		Variety
7	Large Crucifix		1
8	Alter Breads		Variety
9	Religious Media (Books, CD's, and/or DVD's)		Variety

Religious Group or Identification: **Wiccan**

Communal items or articles allowed for services in the RAC/RAB

	Items Name/ Description	Dimensions	Quantity
1	Incense		Variety
2	Bell	Small	1
3	Altar Cloth	3' x 6"	1
4	Icon (God/Goddess) (Picture or Statue)	13" max	1
5	Bowl	6"	6
6	Candles		Variety
7	Pentacle (Wood)	12" max	1
8	Divination Cloth		1
9	Bread (Similar to Communion Wafer)	Small amount	
10	Chalice	12" max	1
11	Wand	½"x½"x 16	1
12	Feather		1
13	Minerals & Herbs (Salt, Sage, Lavender, Mugwort, and/or Cedar)		Communal Quantities
14	Religious Media (Books, CD's, and/or DVD's)		Variety
15	Quartz Crystal (Pyramid Style)	½" to 1" base	1
16	Alter Broom	21" long	1
17	Mortar & Pestle (Marble)	3"	1
18	Offering Bowl (wood)	Small	1
19	Pentagram Wall Hanging		1
20	Ceremonial Drink (Grape Flavor)		small
21	3" Quartz Crystal Ball with Stand or Pendulum & Divination Cloth		1

## MSP Inmate Religious Preference Statement

To: RAC Coordinator

From: \_\_\_\_\_  
Inmate Name
ID/AO number
Housing Unit

**Check one:**     Initial declaration of religious preference         Change of religious preference\*

My religious preference is (check one):

Buddhist .....(specify denomination or sect: \_\_\_\_\_)

Christian .....(specify denomination or sect: \_\_\_\_\_)

Church of Jesus Christ of Latter-Day Saints

Islam .....(specify denomination or sect: \_\_\_\_\_)

Jehovah's Witnesses

Native American .....(specify denomination or sect: \_\_\_\_\_)

Odinist

Wicca

None

Other: \_\_\_\_\_

\*If this is a request for a change, please specify the reason for changing (if more space is needed, add a continuation page):

  
  
  
  
  
  
  
  
  
  

\_\_\_\_\_  
Inmate Signature
ID/AO number
Date

**STAFF USE ONLY**

\_\_\_\_\_  
Religious Activities Coordinator Signature
Date
Approved      Denied  
(circle one)

Cc: Religious Activities Coordinator      Main Records file



# RAC Inmate Rules

## Authenticity

The Religious Activities Center exists to cultivate authentic religious experience. Authentic religious experience is characterized by consistency in behavior and belief. Cultivation is defined as any act of nurture or support. So, to cultivate authentic religious experience is to nurture consistency between attitudes and actions.

The Religious Activities Center encourages, embraces, and facilitates an offender's individual authentic religious expression, helping cultivate and restore a personal moral center essential for a safer facility and successful reintegration into society.

On a fundamental level, religious activity at Montana State Prison is a correctional program. The following RAC rules are designed to reinforce the guiding principles of MSP, and to help create a safe and conducive environment where inmates can pursue matters of faith.

## Responsibility and Rules

1. Inmates must have authorization from their housing unit before attending any RAC function and must present their identification card upon arrival.
2. The kitchen, utility room, storage room, copy room, offices, and women's restroom are unauthorized areas. Inmates must have permission to enter these rooms. Inmates may not leave the building without direction from staff.
3. Furniture and musical instruments will be used in accordance with their design. Musical instruments are available to authorized inmates as determined by staff and/or religious volunteers. The sound system is limited to authorized personnel and inmates under their direct supervision.
4. RAC inmate workers provide janitorial and grounds-keeping services. Other inmates may assist when directed by staff. Inmates will not appoint themselves to these duties.
5. Inmates must treat staff and volunteers with respect. Inmates will be held accountable with zero tolerance for insolence.
6. Inmate's conduct at the RAC must reflect practices accepted by the proponents of the faith in question. Staff in general and the Religious Activities Coordinator in particular (who may consult with faith group volunteers) will determine appropriate behavior.
7. Horseplay which is any physical contact or attempted physical contact, done in a prankish or playful manner, without anger or intent to injure is not allowed during any religious activity or at any time at the RAB/RAC. Any conduct which disrupts any religious activity is subject to institutional discipline in accordance with *MSP Procedure 3.4.1, Institutional Discipline*.
8. Inmates are not allowed to "pass" anything at the RAC. Inmates may bring personal religious property to the RAC as defined by *Traditional Native American Spiritual Program Highlights* (dated 7/2/10), and the attachment to *MSP Procedure 4.1.3, Inmate Personal Property* for the corresponding religious service with the religious activity. No other property is allowed at the RAC unless specifically approved by the Associate warden of Programs. Personal property left at the RAC will be considered abandoned and will be processed as contraband. Any unauthorized property brought to the RAC will be confiscated as contraband.
9. Communal religious property is designated for use at the RAC only. Inmates may not remove communal property from the building or RAC/RAB grounds.
10. Inmates will remain fully dressed at the RAC at all times. Exceptions are Sweat Ceremony, baptisms, and work details as authorized by staff.
11. An Auxiliary Group is a faith-specific support group formed by the Religious Activities Coordinator in order to facilitate a communal activity (e.g. Worship Team supports Sunday morning Christian Protestant Service. Drum Group & Sweat Set-up supports Native American Sweat Ceremony). Offenders who wish to join an auxiliary group must be part of the respective faith group as indicated on their current religious preference form, must have 6 months clear conduct, and must demonstrate to the Religious Activities Coordinator that they work well with a team.

## **Proper Conduct**

The RAC is a place to find answers to life's most important questions. The above rules are in place to protect genuine seekers from those who would utilize the RAC for selfish purposes. Our intention is that these rules, consistently communicated and enforced, become a tool to facilitate genuine spiritual growth.







## REQUEST FOR ACCOMMODATION OF RELIGIOUS PRACTICES

INSTITUTION	HOUSING UNIT
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INMATE NAME:		AO NUMBER:	
NAME OF THE RELIGIOUS GROUP FOR WHICH YOU ARE REQUESTING ACCOMODATION:			
LIST WHERE YOU MOST RECENTLY WERE A MEMBER OF THIS GROUP:			
GROUP NAME:			
ADDRESS:			
CITY:	STATE:	ZIP CODE:	
WHAT SETS THIS GROUP APART FROM OTHER RELIGIOUS GROUPS?			
LIST THE NATIONAL OR INTERNATIONAL OFFICES:			
NAME OF RELIGIOUS FAITH GROUP:			
OTHER NAMES BY WHICH IT MAY BE KNOWN:			
NAME OF NATIONAL OR INTERNATIONAL LEADER:			
ADDRESS:			
CITY:	STATE:	ZIP CODE:	
WHERE IS THE GROUP NEAREST TO YOUR FACILITY LOCATED?			
WHAT IS THE NAME OF THE PRIMARY RELIGIOUS TEXT OF THIS FAITH GROUP? (BIBLE, QUR'AN, ETC.)			
LIST SOME RELATED SOURCE BOOKS ABOUT HE RELIGIOUS PRACTICES AND WHERE THEY CAN BE OBTAINED:			
WHAT ARE THE MAJOR BELIEFS OR DOCTRINES OF THIS RELIGION:			

WHEN AND WHERE DID THIS RELIGION BEGIN?

ARE THERE FUNDAMENTAL BELIEFS OF THE RELIGION THAT MUST BE PRACTICED EVEN WHILE ONE IS INCARCERATED:

YES \_\_\_ NO \_\_\_ IF "YES" PLEASE LIST:

LIST THE ARTICLES REQUIRED TO PRACTICE THIS RELIGIOUS ACTIVITY:

LIST THE MANDATORY HOLY OR SACRED DAYS:

LIST THE REQUIRED PERSONAL ITEMS WHICH ARE OF RELIGIOUS NATURE:

IS THE REQUESTED RELIGION SUPPORTED BY A PUBLISHED BODY OF LITERATURE (I.E., SACRED WRITINGS, ARTICLES OF FAITH, DIRECTIVES, COMMENTARIES, MAGAZINES, BOOKS, ETC.)?

YES \_\_\_ NO \_\_\_ IF "YES", PLEASE IDENTIFY TWO OR MORE PUBLICATIONS:

IS THE GROUP A SECT, DENOMINATION, OR SUB-GROUP OF A RELIGIOUS BODY CURRENTLY INCLUDED IN INSTITUTIONAL RELIGIOUS PROGRAMMING:

YES \_\_\_ NO \_\_\_ IF "YES", WHAT IS THE NAME OF THE GROUP ALREADY IN PLACE?

IS THE RELIGIOUS GROUP ACCOMMODATED IN OTHER CORRECTIONAL SYSTEMS: YES \_\_\_ NO \_\_\_ IF "YES", WHERE?

IN THE EVENT THIS INITIAL REQUEST IS NOT GRANTED, WOULD YOU BE WILLING TO CONSIDER ALTERNATIVES? YES \_\_\_ NO \_\_\_

HOW MANY OTHER INMATES ARE INTERESTED IN THE ACCMODATION OF THIS GROUP?

ADDITIONAL COMMENTS NEEDED FOR FULL CONSIDERATION:

**NATIVE AMERICAN RELIGIOUS PROGRAMMING GUIDELINES  
MONTANA STATE PRISON  
UPDATE May 20, 2010  
(And as revised June 8, 2012 pursuant to settlement agreement)**

At Montana State Prison, the only religious faith group that is allowed to conduct activities on the outside of the Religious Activity Center (RAC) is the Native American. The sweat lodge ceremony is the only allowable religious activity that is not under direct supervision and line of sight of a correctional officer or RAC staff member. Because of this unique situation, and the special cultural and security concerns it presents, guidelines are appropriate to clarify the procedures and activities that will be allowed. However, DOC policies relating to treatment of inmates, e.g., the manner of conducting unclothed searches, etc., apply to these guidelines.

The purpose of these guidelines is to provide staff and inmates an overview of the operational procedures for religious programming and other activities specific to the Native American inmate population and to other inmates participating in Native American religious programs. These guidelines are advisory only; they do not guarantee a right to any specific practice or procedure. The guidelines are subject to change upon administrative review and approval by the Warden or his designee. Notwithstanding any other provision of these guidelines, the Warden may alter or depart from the guidelines if, in his or her discretion, the Warden determines that security interests justify such action.

Inmates who believe there has been a significant departure from these guidelines may grieve their concerns in accordance with the facility's inmate grievance procedures. Absent any other conduct, the inmate would not face reprisals for the filing of a grievance.

The Department shall continue to evaluate these guidelines on a periodic basis, taking into consideration comments of inmates, RAC advisors and others, as well as budgetary constraints, security concerns and changes in the law, and implement modifications as appropriate.

**Native American DIVERSITY**

Native American ("NA") spiritual activities available to inmates incarcerated at the regional prison in Glendive or Great Falls and the private prison in Shelby, as well as MSP and MWP, vary from facility to facility due to physical constraints, security concerns, staffing and building and facility schedules. What this procedure is attempting to outline is a "base line" for NA activities. Due to the diverse number of tribes in Montana, and based on best information available, we must consider the items mentioned above while also keeping in mind other activities/groups that are also entitled to space and time at the facility Religious Activity Center for their approved events.

	MSP	MWP	CCC	DCCF	GFRP
<b>Treatment Programs</b>					
<b>White Bison (medicine wheel)</b>	x	X	x		x
<b>Spiritual programs</b>					
<b>Sweat Lodge</b>	x	X	x		
<b>Pipe Ceremony</b>	x			x	x
<b>Drum Group</b>	x	X	x	x	x
<b>Smudging</b>	x	X	x	x	x
<b>Talking Circle</b>	x	X		x	
<b>Cultural training to staff</b>	x	X	x	x	x

## **Current Native American (NA) Programming through the Religious Activities Center (RAC) at Montana State Prison**

Out-of-cell religious activities are not provided in the locked housing units (Max and Close III) or the Martz Diagnostic Intake Unit (MDIU).

The following NA religious events will be scheduled by RAC staff and will be held either inside the RAC or outside at the Sweat Lodge. Religious activities at the Work and Reentry Center (WRC) will be held at that location. These events may be cancelled by the Warden or his designee due to weather, security concerns, or other legitimate penological reasons:

**Sweat Lodge Ceremony** - outside of the RAC and at the WRC. No more than forty-five minutes will be allowed for set-up of each sweat lodge ceremony, and approximately but not more than 2½ hours will be allowed for each ceremony, subject to the cancellation policies.

**Pipe Ceremony** - inside of the RAC (sometimes held outside of the RAC weather permitting) and at the WRC. One hour will be allowed for the Low Side, one hour for the High Side, and one hour for the WRC.

**Talking Circle** - inside of the RAC and at the WRC. One hour will be allowed for the Low Side, one hour for the High Side, and one hour for the WRC.

**Drum Group Practice** - inside of the RAC (outside of the RAC weather permitting) and at the WRC. One hour will be allowed for the Low Side, one hour for the High Side, and one hour for the WRC.

Based on inmate behavior, gang activity, or other events, allowed participation may be adjusted dependent on custody levels.

### **INMATE PARTICIPATION**

Individual inmates wanting to study or practice the NA religion may do so through literature or information available through the RAC, prison library, or through the personal property procedures. In addition, specific programs for the NA religion are available through the RAC at designated times.

Subject to appropriate behavior, security and safety concerns, any inmate may participate in NA spiritual events as long as they have an expressed interest and participate appropriately. Inmates attending RAC activities must participate in the ongoing activities and will not be permitted to use these events as a meeting location with other inmates for non RAC related or disruptive activities.

Any inmate may designate the NA religion as his/her religious preference, regardless of race or ethnic background.

NA religious traditions are very diverse among the various tribes that are represented within the prison facility. Due to prison facility constraints with staffing, security concerns, and authorized time periods for inmate activities, general activities that all inmates with NA interests can partake in are established. Individualized activities for specific NA tribes or issues will not generally be established.

## **SWEAT LODGE CEREMONY – religious ceremony held for the purification of the inmate participant (currently available at MSP, CCC and MWP)**

### **Sweat Lodge Setup at MSP**

1. Setup for the sweat lodge ceremony will be conducted by an inmate setup crew at the time designated by RAC staff.
2. Sweat lodge setup will be limited to a maximum of four inmates who will be listed on the call-out with two alternates. Replacements for vacancies in the setup crew will be selected by RAC staff from a list of inmates who have submitted a request to be on the setup crew. An inmate must have at least six months clear conduct in order to be eligible for the setup crew.
3. Inmates on the setup crew will be called out at the authorized time and will go to the RAC and turn their inmate ID cards into RAC staff or Correctional Officer (C.O.).
4. RAC staff will provide access to the outside sweat supply shed (under direct supervision) next to the RAC building.
5. Plastic tarps and canvas will be layered over the sweat lodge structure. Blankets will be placed inside of the sweat lodge structure.
6. One cord of wood will be hauled into the sweat lodge location by facility maintenance staff prior to the designated sweat day.
7. Rocks, as needed, will be hauled into the sweat lodge location by facility maintenance staff and stored in a 50-gallon barrel.
8. The setup crew will build a pyre of wood and rocks which is approximately 4 feet in diameter and 4 feet high. The purpose of the pyre is to heat the rocks utilized for the sweat lodge.
9. Extra/excess wood will be placed in a rack and covered with a tarp to keep it dry.
10. The sweat lodge area will be cleaned and raked as needed.
11. RAC or correctional officer staff will monitor all activities and provide direction as needed.
12. Inmates should be randomly pat searched both coming in to and leaving the RAC. Unclothed body searches will be performed by staff on a case by case basis for reasonable suspicion, and with prior clearance from the Command Post, in accordance with standard procedures.
13. Smudging is allowed during the sweat lodge setup.
14. Staff will make a log entry in the RAC logbook of the inmates that were involved with the sweat lodge setup, their arrival and departure times, as well as any incident that is out of the ordinary or a security concern.
15. Inmates involved with the sweat lodge setup are not allowed to conduct any other business with staff or outside volunteers at the RAC during the time allotted for this function.

### **Sweat Lodge Ceremony**

The ceremony will involve smudging, pipe ceremony, and the sweat. Procedures for the high side, low side, and WRC ceremonies will be the same. Inmates taking part in the sweat lodge ceremony are not allowed to meet with RAC staff or other volunteers for issues not related to sweat lodge ceremony activities. Inmates are to be actively taking part in the ceremony activities or they will be returned to their housing units. Maximum capacity of a sweat lodge at MSP is 20 participants. Inmates may rotate through the sweat lodge during the allotted time if the sweat lodge has reached capacity on a one-for-one basis (if one leaves the lodge one goes in, if two come out two go in, and so forth). The time allowed for each sweat lodge ceremony will be approximately but no more than 2½ hours, subject to cancellation policies.

1. Sweat lodge ceremony activities may be an “open call”, where inmates are not listed on the call-out sheet or be based on a pre-signup process per direction of the MSP Administration.

2. At the authorized time, RAC staff will call the respective housing units to release the inmates who are attending the sweat ceremony. The inmates will check out of their housing units according to established protocols and proceed to the RAC, where they will turn their ID card in to RAC staff or the C.O. RAC or C.O. staff will make entries in the RAC logbook of the date, time and the number of inmates that attended each ceremony and make photocopies of every inmate ID card which will be retained on file as a record of inmate attendance.
3. Once checked in at the RAC, the inmates will be allowed to go to the sweat lodge area. Inmates involved with sweat will remain in the sweat lodge area during the ceremony. The only access to the RAC building is for rest room purposes. A Correctional Officer is on site to provide security functions and will observe activities outside of the sweat lodge and tepee to ensure inmates are in compliance with sweat protocol. The C.O. will rotate between the sweat lodge area and the RAC, as Catholic mass is usually in progress at the RAC during the same time period. As scheduling permits, Command Post staff may assign an extra C.O. to the RAC area to assist in supervising inmates.
4. The only personal property items outlined in MSP 4.1.3, Inmate Personal Property for the Native American religion that are allowed to be brought to the RAC by the inmates participating in the sweat lodge ceremony are their medicine bag and eagle feathers.
5. Smudging
  - a. Smudging will only be available at the start of the NA sweat ceremony at the RAC or WRC sweat lodge.
  - b. RAC staff or the correctional officer will provide the smudging ingredients, and the participating inmates will not be deprived of appropriate ingredients. The respective authorized institutional pipe carrier will request approved botanicals in advance of the ceremony through established procedures. Generally, one to two cups of smudging ingredients will accommodate up to fifty individuals.
  - c. Smudging is performed by igniting a mixture of botanicals (usually sage, cedar, and/or juniper) that has been placed on the approved ceremonial abalone shell and waving or wafting the smoke from the smoldering botanicals, by means of a hand or feather, over the area of the person being ceremonially cleansed.
  - d. Smudging may be done once per participant or repeatedly as needed for the group service being held.
  - e. Dry smudging (no smoke) with sweet grass is not utilized at MSP.
6. Sacred Pipe Ceremony
  - a. MSP will have designated pipe carriers selected by a process as determined by the MSP Administration and RAC staff and, when possible, consistent with NA traditional practices. Pipe carriers are responsible for handling and controlling the sacred pipe for their respective area during pipe ceremonies. RAC staff will monitor the ballot and selection process for selecting pipe carriers. The pipe carriers will remain in place unless they resign, leave the facility, are moved out of their respective area/unit, or receive a major disciplinary write-up.
  - b. Each of the sacred pipes will be kept in a suitable wrap or cloth and stored in a separate safe and secure storage unit at the RAC or WRC. The pipe carriers are responsible for placement of their assigned pipe in this storage unit with assistance from the assigned staff member. Proper care use and respect for the pipe are essential.
  - c. RAC staff will meet with the pipe carrier in a designated location to prepare the pipe mixture that is utilized at the sweat and pipe ceremony events. The pipe mixture will be an approved combination of pipe tobacco, bearberry and red willow.
  - d. The pipe mixture will be placed in sealable two fluid ounce capacity cups. At the applicable ceremony, designated RAC or C.O. staff will provide one cup of the mixture to the pipe carrier for each 15 inmates attending the ceremony.
  - e. The pipe carrier will fill the bowl of sacred pipe with the pipe mixture and light it.

- f. The pipe bowl will be refilled as needed to ensure all participants have the opportunity to utilize the sacred pipe.
  - g. The pipe carrier will return all unused pipe mixture to RAC staff at the conclusion of the sweat lodge ceremony.
  - h. MSP is a smoke free environment, and as such tobacco is not allowed inside of the facility except for the pipe ceremony. As a result, the tobacco and pipe mixture must be closely monitored and accounted for. RAC staff are responsible for establishing an inventory accountability system that accounts for all tobacco utilized for pipe ceremonies.
  - i. Tobacco restrictions are subject to change at the exclusive determination of MSP administration and upon approval of the Warden or his designee.
  - j. Inmates that inappropriately utilize or steal the pipe mixture will receive a major disciplinary infraction write-up.
  - k. At the end of each sweat and pipe ceremony, the sacred pipe, pipe wrap and other related items will be visually inspected by RAC or CO staff (with the pipe carrier handling the sacred pipe) and stored as indicated in section #6. b. above.
  - l. The pipe is smoked during sweat lodge ceremony and at weekly “stand alone” pipe ceremonies. For clarity: smudge is the opening part of a pipe ceremony (and any other NA religious activity for that matter), and a pipe ceremony is a component of a sweat lodge ceremony.
7. Drumming
- a. The drum group will provide drumming during the sweat lodge ceremony along with singing and chanting.
  - b. During the sweat lodge ceremony any inmate participant may utilize the drum items.
8. Tepee
- a. At MSP a tepee is located near the sweat lodge area. This tepee, though not necessary to the sweat lodge ceremony, is provided for limited shelter against the weather and to provide an area for participants to change clothing. Whenever inmates are present in the tepee, the “flap” will remain open as well as any section of the tepee walls that will allow assigned staff enough vision to inspect and view the inside of the tepee. Other than inmate clothing, there will be no other items allowed inside the tepee such as wood for a fire.
  - b. Currently the tepee provides an enclosed location for inmates to offer prayers and sit while they are waiting for their turn to enter the sweat lodge.
  - c. No fires or fire pit will be allowed in front of the tepee.
  - d. Inmates are not to use the tepee as a visiting location or for other functions not associated with sweat ceremony activities.
  - e. Use of the tepee is subject to change at the exclusive determination of MSP Administration and upon approval of the Warden or his designee.
9. Sweat Ceremony
- a. RAC or correctional officer staff will monitor the activities in the best manner possible without entering the sweat lodge.
  - b. Inmates are allowed to be either in the tepee, drum group, fire pit, sweat lodge or the immediate area of the sweat lodge location, as long as they are actively participating in the sweat ceremony.
    - 1) Inmates will not be allowed to only visit or loiter around.
    - 2) Inmates will not be allowed to sprawl out to sunbathe, use profanity, or engage in any gang, disruptive, or other behavior not typical of a sweat ceremony.
- Inmates not taking an active part in the sweat ceremony will be returned to their housing unit.



- c. While efforts are made to accommodate participation in traditional religious, cultural and spiritual activities, disruptive activity or violations of security or prison policies and procedures may result in greater restrictions being placed on the activities at the discretion of prison officials after administrative review and approval by the Warden or his designee.
- d. The wood in the fire pit will be lit using newspaper and a lighter controlled by the RAC staff. The purpose of the fire pit is to heat the rocks that will be utilized for the sweat activities. It takes approximately 45 minutes for the fire to adequately heat the rocks.
- e. Heated rocks from the fire pit will be carried to the sweat lodge area by the use of a shovel or heavy wire basket on a metal pole. Gloves are available as personal protective equipment for this process. Antlers will not be approved or utilized for this activity due to security issues.
- f. The heated rocks from the fire pit will be placed in a separate pit within the sweat lodge. This pit is approximately three feet in diameter and 18" deep.
- g. Water is available from the water fountain inside the RAC and through a water spigot located near the side of the RAC building where the sweat activities are occurring. The water is utilized for pouring on the heated rocks inside the sweat lodge to create steam for the sweat, to rinse off the participants, and for drinking.
- h. During the ceremony, heated rocks are regularly being brought from the fire pit to the sweat lodge area so that the sweat lodge activities can continue uninterrupted.
- i. The flap on the sweat lodge will be left closed to the extent possible during the sweat.
- j. At any one time there may be no more than 20 inmates in the sweat lodge.
- k. The number of sweat lodge rounds will depend on the number of participants. Usually, four rounds of sweat are conducted with inmate participants rotating through the sweat lodge. A fifth round may be conducted if it can be completed within the allotted time frame (2½ hours).
- l. During the ceremony inmates may have their shirts off, but they are not allowed to be naked. Nudity is never permitted. At a minimum, every inmate must have underwear and gym shorts on at all times.
- m. Unless there is reason to suspect inappropriate activity in the sweat lodge, RAC or correctional officer staff will not pull the sweat lodge flap open or enter the sweat lodge during a ceremony. Staff should not cross the area between the fire and the lodge but should walk around the fire or behind the lodge while a ceremony is in progress.
- n. When the authorized time period has elapsed, the inmates will clean up the ceremonial area by placing broken rocks, fire ash, and other items in the barrel provided for this purpose.
- o. Used towels and blankets will be placed on the pallets at the location so they can be taken to the laundry for laundering.
- p. The plastic tarps and canvas will be rolled up and placed in the appropriate location in the designated storage shed.
- q. The inmates will be randomly searched, given their ID cards, and sent back to their housing units. If information, suspicion, or activities of inmates justifies the need for random unclothed body searches, Command Post staff will be notified and will provide the appropriate instruction. Any unclothed search shall be conducted in private unless emergency circumstances exist.
- r. The Correctional Officer(s) and/or RAC staff will thoroughly inspect the sweat ceremony area and perform normal search procedures when the sweat ceremony activities have concluded.
- s. The only beverage provided for sweat lodge ceremonies will be water. There will be no other foods or beverages.
- t. Scheduled inmate counts will be conducted utilizing the inmate ID cards turned in prior to the sweat lodge ceremony.
- u. Inmates should be pat searched both coming in to and upon departure from the RAC. Unclothed body searches will be performed on a case by case basis for reasonable suspicion and as cleared by Command Post staff and will be conducted in accordance with standard procedures.

### **Sweat Lodge Ceremony Cancellation**

Sweat lodge ceremonies will generally occur on a weekly basis and will be cancelled when:

1. The temperature in degrees combined with the wind in miles per hour reaches a wind chill factor of 0 degrees or below;
2. there are fire bans by the State, County or DOC authorities due to high fire danger conditions; or
3. there are facility lockdowns, emergencies, gang activity, or other documented security concerns.

If ceremonies have been cancelled for two or more consecutive weeks, consideration, based on the RAC schedule, will be made to allow for a substitution day. RAC staff will appropriately note any sweat lodge ceremony cancellations in the RAC logbook, but only after approval by Command Post staff or higher authority.

### **PIPE CEREMONY - religious ceremony involving the use of the sacred pipe (currently available at MSP, Glendive and Great Falls)**

1. Pipe ceremonies occur as scheduled by RAC staff.
2. Pipe ceremony activities may be an "open call", where inmates are not listed on the call-out sheet or be based on a pre-signup process per direction of the MSP Administration.
3. At the authorized time, RAC staff will call the respective housing units to release the inmates who are attending the pipe ceremony. The inmates will check out of their housing units according to established protocols and proceed to the RAC, where they will turn their ID card in to RAC staff or the C.O. RAC or C.O. staff will make entries in the RAC logbook of the date, time and the number of inmates that attended each ceremony and make photocopies of every inmate ID card which will be retained on file as a record of inmate attendance.
5. Inmates are allowed to smudge at the beginning of the ceremony as outlined above for smudging (see item #5 on page four).
6. The sanctuary room in the RAC will be utilized for the stand-alone pipe ceremonies.
7. All inmate participants will sit in a circle and are not allowed to be up and walking about during the pipe ceremony.
8. The designated pipe carrier, under staff supervision, will facilitate the activity related to the pipe and pipe mixture provided by RAC staff, unless there is a NA volunteer advisor present to fulfill this role.
9. The bowl of the pipe will be filled with the pipe mixture which is an approved combination of pipe tobacco, bearberry and red willow. Botanicals may be allowed at the request of the pipe carrier, but only with the approval of RAC staff. All items used with the pipe will be controlled through RAC staff and the amounts distributed will be based on established procedures and the number of inmates attending the ceremony.
10. Inmate participants will pass the pipe around and offer their prayers as they conduct the ceremony. Generally, time and supplies will be provided to allow for four rounds. One additional round will be allowed if there is time to do so, but the allotted time must be according to the RAC schedule.
11. The only personal property items outlined in MSP 4.1.3, Inmate Personal Property for the Native American religion that are allowed to be brought to the RAC by the inmates participating in the pipe ceremony are their medicine bag and eagle feathers.
12. RAC or correctional officer staff will monitor activities and provide direction as needed.
13. Inmates should be pat searched both coming in to and leaving the RAC. Unclothed body searches will be performed on a case by case basis for reasonable suspicion and as cleared by Command Post staff, and will be conducted in accordance with standard procedures. Unclothed searches shall be conducted in private unless emergency circumstances exist.
14. At the end of the pipe ceremony the sacred pipe, pipe wrap and any other items may be visually inspected by RAC or CO staff with the pipe carrier handling the sacred pipe. Prison staff should be aware of the high spiritual significance of the sacred pipe and reverence in which it is held. It should be visually rather than manually inspected. If the components of the sacred pipe need to be assembled or disassembled for inspection the pipe carrier should perform this task. If, after a visual inspection, it is suspected that the pipe has

been used to conceal contraband staff may confiscate the pipe for appropriate action, otherwise it will be placed in a suitable wrap or cloth and stored in a separate safe and secure storage unit at the RAC or WRC.

15. Smoking of the pipe by inmates or the pipe carrier is limited to the RAC or the sweat lodge ceremonial area during designated ceremonies.

16. If a scheduled pipe ceremony is cancelled due to facility need there will be no makeup or rescheduling.

**TALKING CIRCLE CEREMONY– religious ceremony involving the use of a talking feather or another approved NA object. (currently available at MSP, MWP and Glendive.)**

1. Talking circle ceremonies occur as scheduled by RAC staff.
2. Inmate participants will not be listed on the inmate call-out list.
3. At the authorized time, RAC staff will call the respective housing units to release the inmates who are attending the talking circle ceremony. The inmates will check out of their housing unit according to established protocols and proceed to the RAC, where they will turn their ID card to RAC staff or the C.O.
4. The sanctuary room in the RAC will be utilized for talking circle ceremonies. Inmates utilize the sanctuary room in the RAC and all inmates sit in a circle. No inmates are allowed to be up and walking about during talking circle.
5. Inmates are allowed to smudge at the beginning of the ceremony. See item #5 on page four for the smudging procedure.
6. The inmate with the feather has the floor to speak with no negativity. Sidebar conversations by the other participants are not allowed. Each inmate is given the opportunity to speak. If an inmate has taken too much time during his opportunity, another inmate will give a sign (usually a cough) that it is time to move to the next person.
7. Inmates participating in the talking circle ceremony will be accountable for following the rules and being respectful. Inmates who engage in disruptive behavior during the talking circle ceremony may be removed from the ceremony and sent back to their housing unit.
8. The only personal property items outlined in MSP 4.1.3, Inmate Personal Property for the Native American religion that are allowed to be brought to the RAC by the inmates participating in the talking circle ceremony are their medicine bag and eagle feathers.
9. RAC or correctional officer staff will monitor activities and provide direction as needed.
10. Inmates should be pat searched both coming in to and leaving the RAC. Unclothed body searches will be performed on a case by case basis for reasonable suspicion and as cleared by Command Post staff, and will be conducted in accordance with standard procedures
11. RAC staff will make entries in the RAC logbook of the date, time and the number of inmates that attended each talking circle ceremony.
12. If Talking Circle is cancelled for the week due to facility need there will be no makeup or rescheduling.

## **DRUM GROUP PRACTICE (currently available at MSP, MWP, CCC and Great Falls)**

1. Drum group practice for designated inmates is not considered part of any NA ceremony or religious activity.
2. To qualify and remain a member of the drum group an inmate must have at least 6 months clear conduct.
3. Only those inmates on the authorized callout list are allowed to attend the scheduled practice session.
4. At the authorized time, RAC staff will call the respective housing units to release the inmates who are on the call-out list to attend the drum group practice session. The inmates will check out of their housing unit according to established protocols and proceed to the RAC, where they will turn their ID card in to RAC staff or the C.O.
5. Drum group practice will be held in the RAC sanctuary room or outside, weather permitting.
6. Inmates are allowed to smudge at the beginning of the practice session. See item #5 on page four for the smudging procedure.
7. Auxiliary groups (drum group, worship team) are allowed 16 participants. RAC staff will interview potential participants, confirm clear conduct with housing unit staff, and add new members as needed.
8. Inmates should be pat searched both coming in to and leaving the RAC. Unclothed body searches will be performed on a case by case basis for reasonable suspicion and as cleared by Command Post staff, and will be conducted in accordance with standard procedures
9. The only personal property items outlined in MSP 4.1.3, Inmate Personal Property for the Native American religion that are allowed to be brought to the RAC by the inmates participating in a drum group practice are their medicine bag and eagle feathers.
10. RAC or correctional officer staff will monitor activities and provide direction as needed.
11. RAC staff will make entries in the RAC logbook of the date, time, and the number of inmates that attended each drum group practice session.
12. If drum group practice is cancelled for the week due to facility need, there will be no makeup or rescheduling.