



DEPARTMENT OF CORRECTIONS
MONTANA WOMEN'S PRISON
OPERATIONAL PROCEDURE

Procedure No.: MWP 5.6.1	Subject: RELIGIOUS PROGRAMMING & VOLUNTEER ACTIVITIES
Reference: DOC Policy 5.6.1	Page 1 of 9 and 1 attachment
Effective Date: June 11, 2012	Revision Date: 9/9/2020
Signature: /s/ Jennie Hansen, Warden	

I. PURPOSE

To provide inmates with reasonable and equitable opportunities to pursue any religious or volunteer activities consistent with the secure and orderly operation of the facility and 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 Chapel or other authorized area.

Communal Religious Activities – Any rite, ceremony, event or program that is customarily associated with the practice of a religious faith group, including but not limited to corporate gathering of adherents of a faith group for the purpose of worship, prayer, teaching and/or sharing.

Native American Liaison- A Spiritual/ Cultural Leader that ensures inmates receive opportunities for spiritual care and counseling, facilitates the delivery of sacred traditions utilizing Indigenous people, which encompass Indigenous culture factors based on spirituality, scaredness, education and social responsibilities.

Non-workday – A day when an inmate is excused from work based upon a religious belief, holiday or observance.

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 *MWP 4.1.3, Inmate Personal Property*. See *attachment A of MWP 4.1.3* for the descriptions, dimensions, and possession limits for religious items allowed for general population and restrictive housing unit inmates.

Prison Issue Board – Administration and staff from the department and contracted facilities and prisons who meet to discuss and coordinate the policy and operational functions of the facility.

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Religious Activity Specialist –Institutional employee under the supervision and approval of the Associate Warden of Programming and Operations who reports, reviews and schedules all inmate religious and volunteer activities.

Religious Issues Committee (RIC) – a committee, composed of the following individuals, convened as needed by the Religious Activities Specialist to consider facility religious matters.

- The Religious Activities Specialist
- The DOC Legal Chief or designee
- The Associate Warden of Programming and Operations or designee
- Other staff as designated by the Associate Warden of Programming

Religious and Volunteer Activities – Refers to a variety of activities offered by volunteers which promote rehabilitation and transition planning, personal growth and character development through social, educational, leisure and other services that enhance personal development and create links between those incarcerated and their communities.

III. PROCEDURES

A. Declaration of Religious Preference

1. An inmate’s declaration of religious preference is the key to her having authorization to attend religious activities or receive religious accommodation at MWP. Inmates must declare a preference in order to:
 - a. Attend communal religious activities.
 - b. Possess approved religious property items.
 - c. Receive other religious accommodations (i.e., diets, work exception, hair style, etc.) – see section III.E. on page 4.
2. In order to facilitate the authentic expression of religious belief, staff will give each new inmate the opportunity to declare her sincere religious preference during the initial intake process.
 - a. Admissions staff will have each new inmate fill out an *MWP Inmate Religious Preference Statement form (attachment B)*. Staff will then enter the inmate’s declared preference into the OMIS database.
3. Volunteers and MWP staff may not attempt to coerce or influence an inmate to change her religious preference while at MWP, however inmates may change their declared preference.

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- a. The inmate will complete the applicable sections of the Statement of Religious Preference form (Attachment A) and send it through the internal mail to the Religious Activities Specialist.
- b. Inmates with a declared religious preference may possess the associated religious property items for their faith group as listed in MWP 4.1.3 Inmate Property.
- c. 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 her declared religious preference.
- d. 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.
- e. An inmate may utilize the established inmate grievance procedure to address the decision of the Religious Activities Specialist.
- f. Staff will update the OMIS database of approved changes in religious preference.

B. Religious and Volunteer Activities

1. The Religious Activity Specialist will maintain a list of active religious, spiritual and volunteer activities. The list will be dynamic, reflecting ongoing program changes.
2. Changes to, or cancellation of, scheduled volunteer activities 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 Specialist, dependent on staffing and space availability. Whenever a scheduled volunteer activity is cancelled, the cancellation, reason for cancellation, and reschedule date (if applicable) must be maintained in a log.

C. Religious Personal Property and Communal Items

1. Inmates with a declared religious/spiritual preference may possess the associated religious property items for their faith group as listed in *MWP 4.1.3, Inmate Personal Property*.
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 her declared religious preference.

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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 or designee, the RIC will determine approved communal and personal religious property items and levels for a faith group not listed in procedure *MWP 4.1.3, Inmate Personal Property*.
 - a. The RIC, in close coordination with the Prison Issues Board (PIB) will finalize the list of personal religious property items for inclusion on attachment A of MWP 4.1.3 Inmate Personal Property.
 - b. The Religious Activities Specialist will maintain the approved addendum to the communal and personal property list until it is officially added to *attachment A of MWP 4.1.3, Inmate Personal Property* during the annual Prison Issues Task Force inmate property list finalization process.
5. An inmate may only use her personal religious property items in her cell or at communal religious/spiritual activities. Inmates attending communal Native American religious activities may only bring and utilize their eagle feathers and medicine bag. The Chapel will provide the botanicals utilized at Native American communal religious activities.
6. Inmates may only utilize their religious personal property items in accordance with the religious purpose for which they were designed.
 - a. Any other use of religious personal property items is prohibited.
 - b. If an inmate chooses to wear her religious medallion (crucifixes, medicine bag, etc.), she must wear it around her neck using the necklace item that came with the medallion and keep it tucked under her shirt. She may wear it on the outside of the uniform only when attending a religious service or activity.
 - c. Violations of the above stipulations may result in confiscation of the item(s) as contraband in accordance with *MWP 3.4.1, Institutional Discipline*.

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D. Religious Accommodations

1. Inmates who desire one of the following religious accommodations must write to the Religious Activities Specialist, using an Religious Accommodation Request form, requesting the specific religious practice accommodation they seek. Sufficient detailed information must be included in the request for the Religious Activity Specialist assess validity of the request and when necessary seek qualified volunteers to provide services. All validated requests for accommodations will be presented to the RIC for approval. These services may include but are not limited to:
 - a. Special diet
 - b. Grooming exceptions
 - c. Work exemption
 - d. Property items
 - e. Communal activities
2. The Religious Activity Specialist will make an initial determination on the issues of special diet, grooming exceptions and work exemptions.
3. Religious property items are subject to approval by the RIC and PIB, based on property limits and rules affecting similar property. Property items may include objects, apparel and literature.
4. Approved religious accommodations may be recorded in MWP Procedure 5.61. Religious Programming and Volunteer Activities, MWP4.1.3 Personal Property, OMIS and/or other approved location.
5. If an inmate is not satisfied with the disposition of the Religious Activities Specialist or the RIC, the inmate may utilize the administrative remedy process (See MWP 3.3.3 Inmate Grievances). Any grievance submitted prior to the written response of the RIC will not be processed because of the premature state of the grievance.

E. Religious Program Organization

1. Religious programs offered at MWP are under the direction of the Religious Activities Specialist.

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2. The Religious Activity Specialist will provide for the equitable delivery of religious activities regardless of religion or affiliation.
3. Religious activities volunteers, under the supervision and direction of the Chaplain may be used to assist in the implementation of religious activities.
4. The Religious Activity Specialist will arrange for confidential and non-judgmental religious counseling to inmates who request it. Clergy and volunteers are compelled to divulge communications with an inmate in regard to matters that constitute a threat of harm to self or others 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 MWP security requirements. Staff in general and the Chaplain in particular, will determine appropriate behavior.
6. The Religious Activity Specialist will provide weekly religious activity sign-up sheets to all general population inmates to facilitate orderly movement within the institution. Changes to, or cancellation of, scheduled religious activity may occur at any time, and may not be subject to rescheduling.
7. When necessary, the Warden or designee may identify alternative activities and implement the least restrictive alternative consistent with the security and orderly running of the facility.
8. The following activities are never authorized:
 - a. Animal sacrifice.
 - b. Language or behaviors that might constitute or be construed as a threat.
 - c. Nudity.
 - d. Self-mutilation.
 - e. Use or display of weapons.
 - f. Exclusion by race.
 - g. Paramilitary exercises.
 - h. Self-defense training.
 - i. Sexual acts.
 - j. Profanity.
 - k. Consumption of alcohol.

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- l. Ingestion of illegal substances.
- m. Proselytizing.
- n. Encryption.

F. Religious Program Resources

- 1. To the extent practical, all religious/faith groups will have equal access to religious facilities and communal articles.
- 2. The Chapel, program rooms, gym or yard are available for scheduled religious activities.
- 3. The Religious Activity Specialist will have secure and respectful storage compartments and space for communal articles according to practical needs.

G. Religious Program Staffing

- 1. The Religious Activity Specialist or contracted Spiritual Leader at MWP will be allowed access to all areas of MWP in order to meet the individual inmate's right of access to a religious/spiritual advisor. All security procedures and requirements will be followed to gain such access.
- 2. Religious activities volunteers will be selected and supervised in accordance with *MWP 1.3.16, Religious Volunteer Services, and DOC 1.3.12, Staff Association and Conduct with Offenders*. Volunteers will conduct religious activities under the supervision and direction of the Religious Activity Specialist. Volunteers are prohibited from being on an inmate's correspondence and visiting list at any time.
- 3. When an approved volunteer for a faith group to which an inmate subscribes is not available, the Religious Activity Specialist, in response to an inmate's formal request, will facilitate contact with an approved and credentialed representative by whatever correspondence is practical.
- 4. Security staff and additional resources (as available) will be provided to maintain security at MWP, and to assist in ensuring the safety of staff, volunteers, and inmate participants.
- 5. A staff member must monitor all religious group activities, and inmates may not direct, lead, or conduct religious activities.

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H. Religious Activities Available to General Population and Restrictive Housing Inmates

1. General Population
 - 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.
 - i. Community service activities supervised by religious/spiritual volunteers.

2. Restrictive Housing
 - a. Out-of-cell religious activity will not be conducted in restrictive housing units. 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 a need arises for an approved representative of a religious faith group to counselor pray with a restrictive housing inmate, assigned staff will escort the representative to and from the restricted housing unit. These visits must be coordinated with the schedule in cooperation with staff and might be held in the non-contact room. To ensure privacy and confidentiality, unit staff will provide direct supervision and a proper place for these services.

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I. 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.
2. Inmates may receive or have available religious printed materials that are permanent in nature (e.g., Bible, Koran, etc.). These publications will be included in the publications limit listed in *MWP 4.1.3, Inmate Personal Property*.
3. Inmates who speak a non-English language may receive or have available non-English editions of the Bible or like permanent texts, as is practical or as is available through recognized national bodies of the inmate's faith group.
4. The Restrictive Activities Specialist may distribute religious publications under the following guidelines. Incoming bulk publications will be processed in accordance with MWP procedure on incoming packages and must meet the approval of the Associate Warden of Programming or designee for disbursement. Bulk items distributed will be limited to approved religious pamphlets, denominational publications, flyers, news-type copy, and booklets.

J. Other Considerations

1. Donated Communal Articles
 - a. All donated communal items must be pre-approved from the Associate Warden of Programming or designee.
 - b. Items are subject to search and inspection and are not to be given to an inmate for personal retention.
 - c. Communal items will be stored in the Chapel.

IV. CLOSING

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

V. ATTACHMENTS

Statement of Religious Preference

Attachment A

Montana Women's Prison Statement of Religious Preference

By completing and submitting this information, the chaplain's officer may be better able to address you specific religious and spiritual needs. The information provided also increases our understanding of the religious demographic residing at the Montana Women's Prison.

Inmate Name: _____ DOC ID # _____

Your major religious affiliation: _____
(Examples: American Indian, American Indian/Christian, Buddhist, Christian, Hindu, Jewish, Muslim, Wiccan, etc.)

Your Denominational preference, sect, or other specification: _____
(Examples: **Christian:** Baptist, Catholic, Episcopalian, Jehovah Witness, Latter Day Saints, Lutheran, Methodist, Seventh Day Adventist, etc. **Hinduism:** Sahaivisa, Shaktism, Smartism, Vaishavism, etc. **Jewish:** Conservative, Orthodox, Reformed, etc. **Muslim:** Shiite, Sunni, etc.)

No Religious Preference

In your behalf, may we pass you name on to local religious or spiritual leaders or groups of your chosen affiliation (Pastor, Priest, Rector, Rabbi, Iman, etc.)?

Yes No

To change your religious preference, you must complete a new form.

Please contact the Chaplain's office for religious items, artifacts or spiritual materials. Items must be added to the inmate's property list to be maintained in the cell; other items will be available only in the Chapel. If you have recently changed religious preferences, you would be required to turn in/send out religious artifacts or spiritual materials from the old religious preference in order to receive items, artifacts or spiritual materials for the new religious preference.

Inmates Signature

Date