



KAY IVEY
GOVERNOR

State of Alabama Department of Corrections

Alabama Criminal Justice Center
301 South Ripley Street
P. O. Box 301501
Montgomery, AL 36130-1501
(334) 353-3883



JOHN Q. HAMM
COMMISSIONER

August 11, 2023

ADMINISTRATIVE REGULATION
NUMBER 461

OPR: CHAPLAIN SERVICES

CHAPLAIN SERVICES

I. GENERAL

This Alabama Department of Corrections (ADOC) Administrative Regulation (AR) establishes the responsibilities, policies, and procedures for conducting the Chaplain Services.

II. POLICY

It is the policy of the ADOC to provide inmates of all ADOC recognized faith groups with reasonable opportunities to pursue their religious beliefs and practices consistent with facility security, safety, health, and orderliness.

III. DEFINITIONS AND ACRONYMS

- A. **Assistant Chaplain**: A non-state employee recommended by the Facility Chaplain, with the Warden's approval, who has been endorsed by their own religious community who assists the Facility Chaplain with the religious and Faith/Character-Based Programs. An Assistant Chaplain must have successfully completed Advanced Volunteer Training.
- B. **Community Sponsor**: An organization or individual(s) approved by the Facility Chaplain and the Warden to bring ministry items for a religious program and/or food for a specific religious Sacred Day.
- C. **Congregate Religious Items**: The ADOC shall require these items to be kept at the place designated for congregating storage. The ADOC prohibits wearing, showing, or outer display of such items anywhere except the designated place for congregating activities. These items become facility property for the religious community's use, per AR 462, *Religious Program Services*. Personal possession is prohibited. Items are limited to one unless otherwise specified.
- D. **Facility Chaplain**: A state employee who has been endorsed or ordained by their own religious tradition who plans, directs, and coordinates all aspects of religious and Faith/Character-Based Programs, including approval and training of lay personnel, community, and cleric volunteers to accommodate the needs of

the inmate population. For those facilities that do not have an assigned Facility Chaplain, the Warden shall designate a Volunteer Chaplain, or state employee to perform Facility Chaplain functions.

- E. **Faith/Character-Based Programs**: Rehabilitative programs designated to help inmates develop life skills, personal growth, spiritual growth, and accountability with outcomes of positive personal, family, facility, and community relationships.
- F. **Grievance Procedure**: A formal means to alert ADOC personnel of suspected violations of regulations, policies, etc., regarding religious programming.
- G. **Inmate Request for Religious Assistance**: An inmate form used to make a request for the recognition of a new religion, practice, and/or a new religious item not currently recognized by the ADOC.
- H. **Pastoral Programs Supervisor**: A state employee who is responsible for overseeing the religious programs conducted within the ADOC serves as an administrative consultant and liaison for religious and Faith/Character-Based Programs between the ADOC and federal, state, and community agencies.
- I. **Pastoral Visit**: A ministerial visit requested by an inmate or the inmate's pastor. This visit shall comply with AR 303, *Visitation*. This visit is intended to allow someone from the inmate's pre-incarceration religious organization's staff to visit a maximum once every six months not during regular visitation schedules. The Warden may grant a waiver if extenuating circumstances dictate a need.
- J. **Recognized Religion**: A religion or practice that has been reviewed and identified within AR 462, *Religious Program Services*.
- K. **Regional Chaplain**: A Facility Chaplain who has demonstrated positive leadership in Chaplain Services with the predisposition to oversee and understand regulations with an expertise for maintaining continuity of the religious and Faith/Character-Based Programs.
- L. **Religious Activities Review Committee (RARC)**: A committee composed of the Deputy Commissioner of Governmental Relations and Inmate Rehabilitation, Pastoral Programs Supervisor, and Regional Chaplains for the purpose of reviewing and developing ADOC policies and procedures for religious and Faith/Character-Based programs.
- M. **Religious Program**: An activity or event conducted for the purpose of promoting worship, religious education, spiritual guidance, counseling, and Faith/Character-Based Programs.
- N. **Volunteer**: An individual from the community who assists, without being on the state payroll, with the facility religious and Faith/Character-Based Programs. The volunteer must have successfully completed volunteer training, as defined in the training manual.
- O. **Volunteer Chaplain**: A non-state employee who functions as a Facility Chaplain.

IV. RESPONSIBILITIES

- A. The Deputy Commissioner of Governmental Relations and Inmate Rehabilitation is responsible for:
 - 1. Ensuring inmates have the opportunity to practice their recognized religion;
 - 2. Providing oversight for the Pastoral Program Supervisor;
 - 3. Supervising the chair of the RARC;
 - 4. Designating the Regional Chaplains; and
 - 5. Assisting with the selection of the Facility Chaplain.

- B. The Pastoral Programs Supervisor is responsible for:
 - 1. Performing tasks assigned by the Deputy Commissioner of Governmental Relations and Inmate Rehabilitation;
 - 2. Maintaining data on religious groups, RARC decisions, and facility reports;
 - 3. Serving as the Chairperson and facilitator of the RARC;
 - 4. Serving as the liaison to the Faith/Character-Based Programs;
 - 5. Facilitating training, training curriculums, and workshops with the RARC for Regional Chaplains, Facility Chaplains, Assistant Chaplains, Volunteer Chaplains, and volunteers;
 - 6. Collaborating with the ADOC Training Division and the Alabama Correctional Academy for employee training on Faith/Character-Based Programs and religious issues;
 - 7. Maintaining training records for Regional Chaplains, Facility Chaplains, Assistant Chaplains, Volunteer Chaplains, and volunteers;
 - 8. Meeting with Regional Chaplains as needed to maintain consistency of Chaplain Services;
 - 9. Recommending chaplains to the position of Regional Chaplains and RARC members to the Deputy Commissioner of Governmental Relations and Inmate Rehabilitation;
 - 10. Recommending applicants to the position of Facility Chaplain to the Warden based upon State Personnel and Departmental Personnel procedures;
 - 11. Creating the Chaplain Service monthly report format; and
 - 12. Disseminating RARC decisions to all facilities.

- C. The Warden/Designee is responsible for:
 - 1. Designating areas for religious services to be conducted;

2. Selecting a Facility Chaplain after conferring with the Deputy Commissioner of Governmental Relations and Inmate Rehabilitation and the Pastoral Programs Supervisor;
3. When a facility does not have a Facility Chaplain, the Warden shall confer with the Regional Chaplain and Pastoral Programs Supervisor who shall recommend a Volunteer Chaplain to the to the Deputy Commissioner of Governmental Relations and Inmate Rehabilitation;
4. Approving religious volunteers/community sponsors for entry into their facility by completing their portion of the most recent forms approved for use by the RARC;
5. Completing their portion of ADOC Form 461-B, *Inmate Request for Religious Assistance*; and
6. Monitoring the Chaplain Service programming according to the standards established by ARs and RARC to ensure programs comply with established guidelines.

D. The RARC is responsible for:

1. Processing and responding to ADOC Form 461-B, *Inmate Request for Religious Assistance*; and
2. Developing and editing ARs and other policies involving chaplain-related duties.

E. The Regional Chaplain is responsible for:

1. Assisting Facility Chaplains or Volunteer Chaplains at their assigned facilities.
2. Actively participating on the RARC by:
 - a. Assisting the Warden in selecting Volunteer Chaplains;
 - b. Providing specialized training to Facility Chaplains as needed;
 - c. Assisting facilities within their region in following the established policies and procedures; and
 - d. Notifying the Pastoral Program Supervisor of religious volunteers being barred or suspended from a facility.

F. The Facility Chaplain is responsible for:

1. Planning, directing, and coordinating the facility religious programs and the Faith/Character-Based Programs in accordance with the ARs and Warden's approval;
2. Ministering to inmates, employees, and/or their families;

3. Acting as an advocate for the dignity of all inmates' religious practices according to AR 462, *Religious Program Services*;
4. Making a good-faith effort to have adequate volunteer staff available to implement religious and Faith/Character-Based Programs;
5. Processing and maintaining data on inmates participating in religious programs and Faith/Character-Based Programs;
6. Completing the Chaplain's portion of Form 461-B, *Inmate Request for Religious Assistance*;
7. Advising the Warden/Staff about spiritual, moral welfare, ethical, and social concerns of inmates and employees;
8. Notifying inmates when family members are seriously ill, have been in an accident, or have died;
9. Notifying the next-of-kin in cases of a death of an inmate as directed by the Warden in accordance with AR 311, *Inmate Deaths*;
10. Notifying the next-of-kin in cases of serious injury or illness of an inmate as directed by the Warden in accordance with AR 408, *Emergency Notification*;
11. Providing the monthly activities/calendars of the religious programs and Faith/Character-Based Programs;
12. Submitting a Chaplain's Report of all religious programs and Faith/Character-Based Programs to the Deputy Commissioner of Governmental Relations and Inmate Rehabilitation, the Warden, and Pastoral Programs Supervisor by the tenth of each month;
13. Conducting facility orientation for volunteer staff;
14. Developing and maintaining a close relationship with community religious resources;
15. Ensuring new inmates are provided with information on religious programs available at the facility;
16. Visiting inmates in Death Row, Restrictive Housing, Health Care Unit, or other special housing units, if applicable, to ensure their religious needs are met within the guidelines of these areas;
17. Identifying authorized vendors from whom inmates may request to purchase religious items and literature;
18. Collaborating with the Warden on disciplining volunteers who violate ADOC policies. The Warden will determine the appropriate progressive discipline to remedy the violation;

19. Notifying the Regional Chaplain of religious volunteers who are suspended or barred from a facility;
 20. Reviewing and approving inmate religious material received in the mail in accordance with AR 448, *Inmate Mail*;
 21. Coordinating clergy/pastoral visits when requested by an inmate or outside clergy in accordance with AR 303, *Visitation*; and
 22. Maintaining religious endorsement or denominational affiliation. Chaplains are granted up to five days per year of duty time for this purpose.
 23. Providing ADOC Form 461-A, *Inmate Religious Declaration*, to inmates upon request and signing ADOC Form 461-A, *Inmate Religious Declaration*, to document completed form from the inmate.
- G. ADOC employees are responsible for following the guidelines established by this AR.
- H. The inmate is responsible for knowing and following the procedures established by this AR.

V. **PROCEDURES**

- A. Inmate Religious Declaration:
1. An inmate shall complete ADOC Form 461-A, *Inmate Religious Declaration*, at departmental intake to participate in scheduled religious sacred days/sacred events and possess religious items.
 2. An inmate may request ADOC Form 461-A, *Inmate Religious Declaration*, from the Facility Chaplain or Volunteer Chaplain and may submit a new form every six (6) months. The inmate's electronic record shall be updated to reflect the change.
 3. An inmate's declaration to a specific religion does not limit that inmate from attending other religious services open to everyone.
- B. A Facility Chaplain shall:
1. Be provided with office space, religious service space, and support services necessary for carrying out chaplain services;
 2. Have physical access to all areas of the facility to minister to the inmates and staff, unless a facility emergency exists; and
 3. Receive donations of equipment and materials from organizations, institutions, or ministries for use in chaplain service programs in accordance with AR 103, *Property Control*; the *ADOC Accounting Manual*; the *ADOC Property Manual*; and the *State of Alabama Fiscal Policy and Procedure Manual*.
- C. Religious Activities:

1. Inmates ordering congregate religious items (e.g., oils, media materials, religious emblems, etc.) must complete and sign ADOC Form 462-A, *Inmate Religious Property Disclaimer/Release*. Personal ownership of congregate items is prohibited. Materials belong to Chaplain Services at that specific facility and for that particular faith group.
2. Inmates may not persuade or coerce other inmates from their position of faith against their will. Nothing in this provision shall prohibit inmates from freely sharing their religious faith with other inmates.

D. Religious Activity Areas:

1. Each facility shall designate areas appropriate for conducting requested religious services/activities. Religious activity areas shall be subject to reasonable and respectable observations and inspections as necessary to maintain safety, security, and orderliness.
2. The Facility Chaplain shall ensure that religious activity areas are scheduled as follows:
 - a. Without restriction based on race, religious affiliation, national origin, disability, or political belief;
 - b. Based on recognized religious beliefs (e.g., privacy of confessional, etc.) offering equal status and protection, keeping in mind the size of the congregation; and
 - c. In accordance with security and other facility activities in mind.

E. Procedure for Inmate Request for Religious Assistance:

1. The inmate shall complete ADOC Form 461-B, *Inmate Request for Religious Assistance*. This form is available at the Facility Chaplain's office. For those facilities that do not have an assigned Facility Chaplain, the forms are available at the Warden/Designee's office.
2. The inmate shall complete ADOC Form 461-B, *Inmate Request for Religious Assistance*, with valid documentation to support his/her request and submit the form to the Facility Chaplain or Volunteer Chaplain.
3. The Facility Chaplain or Volunteer Chaplain shall review the request and determine its validity in accordance with ADOC ARs and RARC decisions. The Facility Chaplain or Volunteer Chaplain shall complete the appropriate section on the ADOC Form 461-B, *Inmate Request for Religious Assistance*, and submit the request for the Warden's recommendation.
4. The Warden shall review the request, respond in accordance with established ADOC ARs and return the form to Facility Chaplain.
5. The Facility Chaplain or Volunteer Chaplain shall forward the form to the Regional Chaplain.
6. The Regional Chaplain shall submit the form to the RARC.

7. The RARC shall make the final determination approving or denying the request and document the decision with a letter to the inmate signed by the the Deputy Commissioner of Governmental Relations and Inmate Rehabilitation.
 8. The RARC shall send a letter to inform the inmate of the decision and shall inform the facilities of the decision.
- F. Provision of Religious Items:
1. The RARC shall approve items used for religious activities in accordance with AR 462, *Religious Program Services*.
 2. The inmate may purchase religious items from authorized vendors or may receive items from approved religious organizations.
 3. The Facility Chaplain/Volunteer Chaplain or the Warden/Designee shall coordinate the reception of all religious items.
- G. Storage of Religious Items: As facility space allows, the Facility Chaplain/Volunteer Chaplain shall allow for storage for congregate religious items, objects, and symbols.
- H. Copyright of media: The Facility Chaplain/Volunteer Chaplain shall ensure the use of media does not violate copyright laws.
- I. Mental Health Referrals: When ADOC (or other appropriate staff/personnel) has been notified that an inmate's family member is seriously ill, has been involved in an accident, or has passed away, the Facility Chaplain/Volunteer Chaplain shall:
1. Refer inmate to the facility's Mental Health Unit; and
 2. Advise inmate that mental health services are available.

VI. DISPOSITION

Any forms used will be disposed of and retained according to the Departmental Records Disposition Authority (RDA).

VII. FORMS

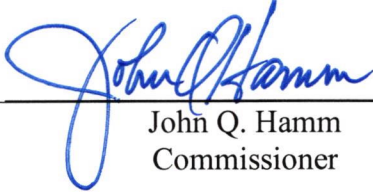
- A. ADOC Form 461-A, *Inmate Religious Declaration*.
- B. ADOC Form 461-B, *Inmate Request for Religious Assistance*.

VIII. SUPERSEDES

This Administrative Regulation supersedes AR 461, *Chaplain Services*, dated December 7, 2015, and any related changes.

IX. PERFORMANCE

- A. Code of Alabama 1975 § 14-1-1-1 *et seq.*
- B. American Correctional Association Performance-Based Standards & Expected Practices for Adult Correctional Institutions §§ 5-ACI-5A-03, 5-ACI-7F-01, 5-ACI-7F-03, 5-ACI-7F-04, 5-ACI-7F-05, 5-ACI-7F-06, 5-ACI-7F-07, 5-ACI-7F-08 (5th ed.)



John Q. Hamm
Commissioner



INMATE RELIGIOUS DECLARATION

1. **General Information:** a. Name: _____
 b. Race: _____ c. Sex: _____ d. AIS#: _____
 e. DOB: _____ f. Date Arrived: _____

2.a. **Religious Preference (check one):**

- | | |
|--|---|
| <input type="checkbox"/> Buddhism | <input type="checkbox"/> Nation of Islam |
| <input type="checkbox"/> Catholicism | <input type="checkbox"/> Native American Spirituality |
| <input type="checkbox"/> Hinduism | <input type="checkbox"/> Odinism/Asatru |
| <input type="checkbox"/> Jehovah Witness | <input type="checkbox"/> Orthodox Islam |
| <input type="checkbox"/> Judaism | <input type="checkbox"/> Protestantism |
| <input type="checkbox"/> Kemeticism | <input type="checkbox"/> Rastafarianism |
| <input type="checkbox"/> Moorish Science Temple of America | <input type="checkbox"/> Wiccan |
| <input type="checkbox"/> Nation of Gods and Earths | |
| <input type="checkbox"/> Other (****) | |
- _____
(Specify)

2.b. With this religious declaration I, _____, am declaring my sincere interest as a practitioner of the same. (Print Name)

3. I am a member of: _____ and have been for _____ years(s). (Name of Religious Community)

4. My pastor/spiritual guide is: _____ from: _____ (Printed Name) (City or Town)

5. Before incarceration, I attended religious instruction: _____ annually monthly weekly occasionally never (Circle your answer)

(Inmate's Signature) (Date)

RELIGIOUS DECLARATION CHANGE

Any religious declaration change may be made every six (6) months. The change is made according to my own free will. This declaration does not preclude an inmate from attending other religious services. Upon declaration change, previous religious paraphernalia shall be handled in accordance with AR 338, *Inmate Property*, and AR 306, *Contraband and Evidence Management*.

I hereby change my religious preference from: _____ to: _____

(Inmate's Signature) (Date)

(Chaplain's Printed Name) (Chaplain's Signature) (Date)

Distribution: Inmate
Facility Classification
Facility Chaplain or Volunteer Chaplain



INMATE REQUEST FOR RELIGIOUS ASSISTANCE
Chaplain's Recommendation

_____ I recommend approval or partial approval of this request. The religious beliefs, practices, and/or religion is/are legitimate based on the following explanation and authoritative sources:

_____ This request is currently approved in ADOC policies and procedures.

_____ I recommend denial of this request. The religious beliefs, practices, and/or religion is/are not legitimate based on the following explanation and authoritative sources. This request violates departmental policies. (Explanation can be based on compelling facility or governmental interest.):

_____ After my review and research due to limited knowledge of the addressed issues, I recommend this request be submitted to the Regional Chaplain for further review.

(Chaplain's Printed Name)

(Chaplain's Signature)

(Date)

