


Idaho Department of Correction 	<b>Standard Operating Procedure</b>	Title: <b>Property: Religious</b>		Page: 1 of 8
		Control Number: <b>320.02.01.002</b>	Version: <b>9.0</b>	Adopted: 01/09/2010

**Bree Derrick, deputy director, approved this document on 05/15/2020.**

Open to the public:  Yes

**SCOPE**

This standard operation procedure applies to all incarcerated individuals housed in Idaho Department of Correction correctional facilities, including individuals in community reentry centers (CRCs), and staff members or contractors who manage group religious property and personal religious property that these individuals own.

<b>Revision Summary</b>
Revision date ( <u>05/15/2020</u> ) version <u>9.0</u> : Removed restrictions for individuals in Restrictive Housing; personal religious property will now be purchased directly through commissary, not the Volunteer Religious Coordinator, also separated the <i>Religious Property Matrix: Ceremonial and Religious Personal Property</i> , now found on the forms pages on EDOC.

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**BOARD OF CORRECTION IDAPA RULE NUMBER**

None

**POLICY CONTROL NUMBER 320**

Property: Control of State-Issued and Inmate Personal Property

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## PURPOSE

The purpose of this standard operating procedure (SOP) is to establish standardized procedures for managing group religious property and religious property personally owned by incarcerated individuals and individuals in CRCs.

## RESPONSIBILITY

### ***Facility Heads***

Facility heads are responsible for the following:

- Implementing this SOP and ensuring staff members adhere to the guidelines, standards, and procedures provided herein.
- Designating staff authorized to handle and store religious property in accordance with the guidance provided herein.

### ***Authorized Staff***

Staff members are responsible for managing group religious property and religious property personally owned by incarcerated individuals and those in CRCs which must be stored and checked in/checked out for use, following facility procedures.

## STANDARD PROCEDURES

### **1. Total Number of Property Items Allowed**

The total property allowed to possess must not exceed six cubic feet as described in [320.02.01.001](#), *Property: State-issued and Inmate Personal Property*. The six cubic feet includes any combination of authorized personal and personal religious property.

### **2. Religious Property**

#### ***Group Ceremonial Items***

Group ceremonial items are items that have been approved for ceremonial use in a group setting during a religious ceremony or service. Group ceremonial items do not personally belong to any individual; those participating in group ceremonies or services use them. Group ceremonial items must be secured when not in use; they are issued (checked out) and then checked in following the religious ceremony or service. For additional information regarding group religious ceremonial items, see SOP [403.02.01.001](#), *Religious Activities*.

The IDOC reviews the list of approved herbs and prayer/ceremonial oils annually. The division Volunteer/Religious Coordinator (VRC) conducts the review and includes in the discussion the various religious groups and facility VRCs whose inmates utilize the items the most.

#### ***Ceremonial Personal Religious Property***

Individuals may use items found in the [Religious Property Matrix: Ceremonial and Personal Religious Property](#) during a religious ceremony or service conducted outside of their cell or bunk area. Ceremonial personal religious property cannot be stored in living areas and therefore must be placed in a storage container and secured in the religious activity center or other approved area. The storage container must be:

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- Purchased by the individual through the commissary.
- Labeled using a permanent marker with the individual's name and IDOC number.
- Contain an accurate inventory that lists all ceremonial personal religious items it contains.

When needed for a religious ceremony or service, a staff member, facility volunteer and religious activity coordinator (VRC), or designated volunteer issues (checks-out) the property to the individual, checks-in the property after the ceremony or service and verifies that all of the ceremonial personal religious items listed on the inventory are accounted for. The staff member, facility VRC, or designated volunteer must then secure the property in the religious activity center, or other approved area. Each facility must describe in field memorandum the check-out/in and documentation procedures at that facility.

When an incarcerated individual is moved to another facility, the facility VRC is responsible to ensure that the individual's ceremonial personal religious property is forwarded to the new facility.

### ***Personal Religious Property***

Personal religious property is part of an individual's personal property and is subject to property limits established in SOP 320.02.01.001, *Property: State-issued and Inmate Personal Property*. Personal religious property items must be purchased by the individual, not with State of Idaho funds. All personal religious property purchases must be through commissary and according to established procedures. The VRC is not responsible for purchasing personal religious property for inmates.

### ***Religious Apparel and Accessories***

All religious apparel and accessories must meet the specifications in the [Religious Property Matrix: Ceremonial and Personal Religious Property](#).

- An incarcerated or CRC individual or may wear a neck adornment and/or medallion at any time but must keep it tucked underneath their shirt, except during a religious ceremony or service or in their cell.
- Head covers, headbands, other religion apparel, icons, photographs, etc. must only be worn or displayed during a religious ceremony or service or in the cell.
- With the exception of the neck adornment and/or medallion tucked underneath the shirt, religious apparel and accessories must not be worn in any other locations. This includes going to and from religious ceremonies or services.
- Prayer/ceremonial rugs must remain in their owner's cell.

### **3. Purchasing Religious Property**

The IDOC commissary supplier is required to carry all religious property identified in Tables 2, 3, and 4 of the list of the religious property in the *Religious Property Matrix: Ceremonial and Personal Religious Property* and inmates are required to purchase all personal religious property from commissary.

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The purchase of Ceremonial Personal Religious Property listed in Table 1, is facilitated by the facility VRC because these items are ordered and purchased by the individual but will be delivered directly to the facility VRC and added to the inmate's storage container and inventory. Each facility must describe this process in a field memorandum.

*Personal Religious Property* listed in Tables 2, 3, and 4 of the *Religious Property Matrix: Ceremonial and Personal Religious Property* must be purchased by the individual through the commissary and according to established procedures. If a specific, approved item is not available from commissary, such as a particular figurine or medallion, the individual will work with the facility and division VRC to get the item added to commissary. It may take up to 90 days for the item to be available for purchase from commissary.

NOTE: If a medallion, figurine or other similar item is available through commissary, that is what the inmate must purchase. For example, if an individual orders a crucifix, they will get the crucifix that is available on commissary. If no crucifix is provided, then a crucifix will be added to the menu.

All requests for religious property that are **not yet authorized** are considered using the process for new and unfamiliar religious components outlined in SOP 403.02.01.001, *Religious Activities*.

#### 4. Alternative or Ancient Languages for Religious Writing

Coded messages pose a significant security threat to correctional facilities and can be used to hide criminal activities inside and outside the facility. However, the IDOC recognizes that languages such as Latin, Greek, Theban, or Rune symbols are used by practitioners of some religions. Therefore, the IDOC has established an allowable method for religious writing. This allowable method is not authorized for role-playing games or other purposes beyond religious practices. To ensure that individuals have the ability to practice the religion of their choice and facilities maintain a safe and secure environment, alternative and ancient languages for religious writing must be managed as described in the following subsections.

Coded messages must not be mailed in or out of a facility in accordance with SOP [402.02.01.001](#), *Mail Handling in Correctional Facilities*.

##### **Allowable Method for Religious Writing**

Individuals must provide within the writing, attached to or in front of the text, a deciphering matrix. For example, a deciphering matrix for the Theban alphabet would look similar to this:



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Using the example above, individuals must translate the Theban alphabet to the English alphabet, and the English translation must appear underneath each line that is written in the alternative and ancient language. If individuals are unable to write in English, they must provide the written translation, in their native language.

### **Method for Monitoring Religious Writing**

When written correctly as described in the above subsection, a staff member scans the religious writing and verifies that the translation matches the deciphering matrix without confiscating the religious writing. If the translation does not match the deciphering matrix or if staff see indications of security threat group (STG) activity (see SOP [504.02.01.002](#), Security Threat Group Management and SOP [504.02.01.001](#), *Investigations and Intelligence Program*), criminal activity, threats to security, or rule violations, the religious writing must be confiscated and turned over to facility investigators for further analysis.

If the religious writing was written as described in this section of this SOP, the facility investigator must complete the analysis within two weeks, but if the writing was not written as described, the facility investigator must complete the analysis within 30 days.

**If no problems were found**, return the materials to the individual from whom they were confiscated.

**If problems were found**, begin misuse procedures in accordance with section 5.

## **5. Misuse of Religious Property**

The misuse of religious property, such as concealing drugs, alcohol, or weapons may result in restrictions being placed on an individual's possession of specific religious items in addition to any disciplinary action taken in accordance with SOP [318.02.01.001](#), *Disciplinary Procedures: Inmate*.

The misuse of religious property could also result in the loss of a specific religious item or practice. For a first offense, possession of or access to specific religious items can be restricted for up to six months. For a repeat offense, possession of or access to specific religious items can be restricted for up to one year.

Some examples of misuse include, but are not limited to the following:

- Clipping pictures or articles from books or magazines
- Improperly using codes and symbols
- Using prayer/ceremonial oils as cologne or perfume or placing the oils on light bulbs

If the religious property is considered evidence for a criminal investigation, ensure the property is confiscated and secured in accordance with SOP [116.02.01.001](#), *Custody of Evidence*.

Use the following process steps when an individual is suspected of misuse of religious property:

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Functional Roles and Responsibilities	Step	Tasks
Staff Member	1	Determines if the individual has committed a misuse of religious property.
Staff Member	2	<ul style="list-style-type: none"> <li>• <b>If misuse warrants disciplinary action</b> – confiscate the property and begin the disciplinary action process in accordance with SOP 318.02.01.001, <i>Disciplinary Procedures: Inmate</i>.</li> <li>• <b>If misuse does not warrant disciplinary action</b> – confiscate the property and send an Information Report to the facility’s religious activity oversight committee (RAOC). (Skip to step 5.)</li> </ul>
Disciplinary Hearing Officer (DHO)	3	Conduct the disciplinary hearing in accordance with SOP 318.02.01.001, <i>Disciplinary Procedures: Inmate</i> .
	4	<p>If the DOR is:</p> <ul style="list-style-type: none"> <li>• <b>Confirmed</b> – notify the chairperson of the facility’s religious activity oversight committee (RAOC).</li> <li>• <b>Not confirmed</b> – return the religious property to the inmate.</li> </ul>
Facility’s RAOC	5	<p>Review the DOR or Information Report, and make a recommendation using <i>Misuse of Religious Property Form</i>. Complete the review and recommendation no later than 45 calendar days of the property being confiscated. If the committee cannot make a recommendation without exceeding the 45-calendar day limit, notify the incarcerated individual in writing.</p> <ul style="list-style-type: none"> <li>• Forward the DOR or <i>Information Report</i> and the completed Misuse of Religious Property Form to the Division of Prisons religious activity review committee (RARC).</li> </ul>
Division’s RARC	6	<ul style="list-style-type: none"> <li>• Review the DOR or <i>Information Report</i>, the completed <i>Misuse of Religious Property Form</i>, and the facility RAOC’s recommendation, and document your recommendation on the received <i>Misuse of Religious Property Form</i>. Complete the review and recommendation no later than 45 calendar days of the property being confiscated. If the committee cannot make a recommendation without exceeding the 45-calendar day limit, notify the incarcerated individual in writing.</li> <li>• Forward all of the above completed documents to the Division of Prisons chief or designee.</li> </ul>

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Functional Roles and Responsibilities	Step	Tasks
<b>Division of Prisons Chief or Deputy Chief of Probation and Parole or Designee</b>	<b>7</b>	<p>Within 45 calendar days of the property being confiscated:</p> <ul style="list-style-type: none"> <li>Make a decision. If you cannot make a decision within the 45-day limit, notify the incarcerated individual in writing. Notify the facility head or designee. Notify the chairperson of the facility's RAOC. Forward the <i>Misuse of Religious Property Form</i> that has original signatures to the facility head or designee.</li> </ul>
<b>Facility Head or Designee</b>	<b>8</b>	Implement the decision and document the issue and decision in the offender management system as a c-note.
Facility Head or Designee	<b>9</b>	<p>File the <i>Misuse of Religious Property Form</i> that has original signatures in the approved area, as designated by the facility head, and forward one copy to each of the following:</p> <ul style="list-style-type: none"> <li>Incarcerated individual</li> <li>The chairperson or designee of the facility's RAOC</li> <li>The property officer or designee</li> <li>The commissary (if applicable)</li> </ul>

## DEFINITIONS

**Ceremonial Group Religious Property:** Approved religious items that are purchased and used by groups, but that must be secured in the religious activity center when not in use and must be checked in/out by incarcerated individuals for group religious ceremonies.

**Ceremonial Personal Religious Property:** Approved religious items that are purchased by an incarcerated individual for personal religious use, but which are not allowed to be kept in the with the incarcerated individual's cell and must remain secured in the religious activity center or other approved area when not in use.

**Coded Messages:** A system of symbols, letters, or words given to certain arbitrary meanings or a letter substitution that may be written using an alternative alphabet such as Latin, Greek, Theban, or Rune symbols.

**Operational Order:** A document that: (1) is normally used in cases of long-term restrictive housing, and (2) describes restrictions, exceptions, modified conditions of confinement, or other processes specific to an inmate.

**Personal Religious Property:** Approved religious items that are: (1) purchased by incarcerated individuals for religious use, and (2) allowed to be kept with their personal property or in their living area.

**Religious Activities Oversight Committee:** A committee that oversees religious activities in a correctional facility, including community reentry centers (CRCs).

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**Religious Activities Review Committee:** A committee that oversees religious activities throughout IDOC.

**Volunteer and Religious Activity Coordinator (VRC):** An Idaho Department of Correction (IDOC) staff member(s) or contractor(s) who (1) coordinates, recruits, and manages volunteers and volunteer activities; and (2) coordinates and supervises religious activities for the IDOC.

## REFERENCES

[\*Misuse of Religious Property Form\*](#)

[\*Operational Order\*](#)

[\*Religious Property Matrix: Ceremonial and Personal Religious Property\*](#)

Standard Operating Procedure [116.02.02.001](#), *Custody of Evidence*

Standard Operating Procedure [318.02.01.001](#), *Disciplinary Procedures: Inmate*

Standard Operating Procedure [320.02.01.001](#), *Property: State-issued and Inmate Personal Property*

Standard Operating Procedure [402.02.01.001](#), *Mail Handling in Correctional Facilities*

Standard Operating Procedure [403.02.01.001](#), *Religious Activities*

Standard Operating Procedure [504.02.01.001](#), *Investigations and Intelligence Program*

Standard Operating Procedure [504.02.01.002](#), *Security Threat Group Management*

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