



Arkansas Community Correction

Two Union National Plaza Building
105 West Capitol, 3rd Floor
Little Rock, AR 72201-5731
501-682-9510 (office) 501-682-9513 (fax)

ADMINISTRATIVE DIRECTIVE: 19-09 Chaplaincy Services

TO: Arkansas Community Correction Employees

FROM: Kevin Murphy, Director

SUPERSEDES: 17-29

APPROVED: _____ **Signature on File** _____ **EFFECTIVE:** April 15, 2019

- I. APPLICABILITY.** This policy applies to all staff, residents, ministers and volunteers carrying out ministries inside an agency facility, and any spiritual advisor or minister providing ongoing linkage between a religious group and an Arkansas Community Correction (ACC) resident.
- II. POLICY.** It is ACC policy to allow residents access to the opportunities and means to learn about religions and to practice a religion of choice without undue restriction. (2-CO-5E-01, 2-CO-5E-02)
- III. RESPONSIBILITIES AND GUIDANCE.**
 - A.** The Center Supervisor at each ACC residential facility is responsible for the oversight and direction of Chaplaincy Services and will ensure they are available to residents at each facility. Each Center Supervisor is responsible for the coordination of day-to-day Chaplaincy Services at respective centers and ensuring the chaplain has access to all areas of the facility.
 - B.** The chaplain is responsible for coordinating all ministry activities within the center; working with center staff to address special dietary needs or special conditions; and coordinating with the Community Leaders in the use of religious volunteers and community resources. The chaplain should ensure equitable distribution of religious resources among faith groups commensurate with the number of residents practicing to include the use of religious facilities and equipment.

The chaplain must ensure residents have:

- opportunities to practice his/her faith individually or with others, as authorized
 - information available about religious programming
 - access to approved publications related to religious beliefs and practices
 - the ability to observe authorized practices pertaining to diet, holy day ceremonies, work restrictions and communal sacramental rights - provided such rites do not conflict with policy/procedures or jeopardize the security and orderly operation of the facility.
 - access to the information concerning faith-based programs and services available in the community. (4-ACRS-5A-22)
- C.** The dietitian, in coordination with the Deputy Director for Residential Services, must coordinate and approve additional or substitute food items involved in the observation of religious tenets. Fasts or dietetic restrictions are permitted. Food or beverage items that would otherwise be contraband must have prior approval of the Deputy Director for Residential Services. Application for approval of visits by volunteers should follow normal visitation procedures but special visits by outside ministry groups or volunteers should be channeled through the chaplain of the facility who will make a recommendation to the Center Supervisor.
- D.** Center intake personnel are responsible for allowing each resident to identify their religious orientation and to submit said information to the chaplain. Center intake personnel must inform residents that they are free to change the designation of their religious orientation by notifying the chaplain.
- E.** Staff must not show favoritism toward nor selectively impose restrictions against a particular religion and all resident participation in religious activities must be voluntary.
- F.** Center staff should involve Chaplaincy Services, as appropriate, when notifying offenders of family emergencies and notifying families of offender mishaps.
- G.** ACC must not purchase religious materials but may arrange access to donated religious materials through the chaplain or appropriate staff, in consultation with the appropriate Center Supervisor. The chaplain will inform offenders about the availability of donated religious materials.
- H.** Residents must not be subjected to coercion, harassment or ridicule from staff, volunteers or other residents due to their religious affiliation or beliefs. Religious programming for residents will include the use of community resources and religious facilities and equipment. Resources will be distributed among faith groups authorized to meet, commensurate with their representation within the population, including the use of facilities and equipment.
- I.** Center staff will receive training regarding religious practices at the Residential Services Basic Academy.

IV. RESTRICTIONS.

- A.** Incarcerated individuals may have generally diminished rights consistent with incarceration and specific limitations on religious conduct deemed necessary to meet legitimate penological objectives. Restrictions of religious practice may be placed on clearly defined groups of offenders, based on their security status and the actual or potential breach of security that allowing those practices would entail. Such restrictions must apply evenly to all offenders of the same security status. Where consistent with good security, alternative opportunities for the practice of religion must be afforded.
- B.** Any proposed restrictions on the practice of religion will be considered by the Deputy Director for Residential Services. A representative of the affected religion may appeal the Deputy Director for Residential Service's restriction to the ACC Director.
- C.** Whenever restrictions are necessary, the least severe acceptable restriction will be used, and a substantive equivalent, if available and not imposing an undue burden on ACC residential center officials, will be provided for the restricted activity.
- D.** Any religious activity involving inflammatory statements about the characteristics, beliefs or practices of another group; threats against the order and safety of the facility; or instigation of conflict among the group members that compromises the safety of the group or the safety of others may be curtailed immediately with the approval of the senior security officer on duty.
- E.** Communications between a resident and others are governed by the following:
1. To be considered as "privileged," communication must be between a resident and an ordained member of the clergy.
 2. The communication between a resident and an ordained member of clergy is NOT privileged communication when it involves:
 - planned or future criminal acts, whether inside or outside of the center;
 - violations of ACC Center rules or where the safety and security of other residents, center staff, or the public may be jeopardized; or
 - prior criminal activity by the resident or associates of the resident, whether known or unknown by law enforcement officials.
 3. Communication between lay members of a church, non-ordained missionaries or other volunteers is not considered privileged.