

GEORGIA DEPARTMENT OF CORRECTIONS



Standard Operating Procedures

Policy Name: Religious Accommodations

Policy Number: 106.11

Effective Date: 05/21/2025

Page Number: 1 of 6

Authority:
Commissioner

Originating Division:
Inmate Services Division
(Chaplaincy)

Access Listing:
Level II: Required Offender
Access

I. Introduction and Summary:

The purpose of this policy is to describe guidelines pertaining to religious accommodations and special religious requests and provides for religious programming for offenders/juveniles/residents, including program coordination and supervision.

II. Authority:

- A. United States Constitution, First and Fourteenth Amendments;
- B. Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA), 42 USC § 2000 cc., et seq.;
- C. Holt v. Hobbs, 135 U.S. 853 (2015);
- D. Georgia Department of Corrections (GDC) Standard Operating Procedures (SOPs): 106.04, Chaplaincy Services; 106.08, Islamic (Muslim) Guidelines; 106.12, Wicca (Witchcraft) Guidelines; 106.13, Native American Guidelines; 206.01, Offender Personal Property Standards; 109.11, Local Management of Volunteer Services; 227.06, Offender Receipt of Mail; 228.02, Facility/Center Barber/Cosmetology Shops, and 409.04.28, Alternative Entrée Program; and
- E. ACA Standards: 2-CO-5E-01; 4-4514; 4-4517; 4-4519; 4-ALDF-4A-10; 4-ALDF-5A-01; 4-ALDF-5C-17; 4-ALDF-5C-18; 4-ALDF-5C-24; 4-ACRS-4A-03; 4-ACRS-5A-22; 4-ALDF 5C-20; 4-ALDF-5C-21; 4-ALDF-5C-22; 4-ALDF-5C-23, and 4-ALDF-5C-24.

III. Definitions: None.

IV. Statement of Policy and Applicable Procedures:

- A. Religious Accommodations: The Department allows religious paraphernalia and practices that are specifically permitted by policy. Additional religious accommodation guidelines are as follows:

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1. **Worship:** Chaplaincy shall provide worship services in accordance with SOP 106.04, Chaplaincy Services and as provided in other SOPs, including 106.08, Islamic Guidelines, 106.12, Wicca Guidelines and 106.13, Native American Guidelines. Subject to the facility's interests in maintaining security and order, offenders may pray individually or engage individually in religious practices in their assigned cells or by their assigned beds. Offenders should be considerate of how their prayer or religious practice might interfere with other offenders in their living area. Overt religious conduct that unduly imposes on other offenders is not allowed in the dorms or living units.

B. Religious Representatives:

1. Chaplains are provided at each state facility and are granted access to all areas of the facility. Each chaplain is responsible for their facility's overall religious program, including supervising and conducting or coordinating all religious programs in accordance with policy. Chaplains serve the entire population, not only offenders of that chaplain's religious affiliation or denomination. When a religious leader of an offender's faith is not represented through the chaplaincy staff or volunteers, the chaplain or designated staff member assists the offender in contacting a person who has the appropriate credentials from the faith judicatory. That representative ministers to the offender under the supervision of the chaplain. The distribution of resources among faith groups authorized to meet shall be commensurate with their representation within the population. This includes the use of space and equipment.
 - a. Chaplains ensure that all offenders are permitted access to pastoral visits and allowed access to religious services. Chaplains will verify that visiting religious representatives are in good standing with their religious faith group or denomination and are bona-fide religious representatives or clergy. Visiting religious representatives also shall comply with the requirements of SOP 109.01 to be recognized as Certified Volunteers or Visiting Volunteers.

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C. Diet:

1. The Department shall provide an “Alternative Entrée Program” as set forth in SOP 409.04.28 to meet the religious dietary needs of offenders.
 - a. In the event foods not available from the Alternative Entrée Program, commissary or package program are required for a recognized religious celebration, permission to purchase non-perishable religious food items from an approved vendor may be requested and approved through the Special Religious Request procedure. The total weight of food items purchased each quarter for such religious celebrations shall not exceed what is allowed for delivery in the inmate package program each quarter. No perishable food items may be ordered, and quantities ordered may be limited for security and/or sanitation reasons.
 - b. Certified Volunteers or Visiting Volunteers who are religious representatives and/or clergy representing faiths or denominations that mandate the observance of special meals at regular, recognized times during the year may provide approved meals to all members of their faith at one or more prisons subject to the approval of the Warden or Superintendent at each such facility.

D. Literature: Offenders may only possess approved religious publications, and such publications must also conform to the guidelines of SOP 206.01, Offender Personal Property Standards. Any exceptions to these guidelines shall be requested through the Special Religious Request procedure.

1. Personal Grooming: Any special religious grooming requests beyond the requirements of SOP 228.02, Facility/Center Barber/Cosmetology Shops shall be requested through the Special Religious Request procedure. In all cases, it shall be the offender’s responsibility to specify all religious requirements that necessitate special consideration.

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2. Religious Medallions: Religious medallions, symbols and paraphernalia shall comply with SOP 206.01, Offender Personal Property Standards. Special requests for unusual items that do not fit the guidelines of SOP 206.01, Offender Personal Property Standards shall be requested through the Special Religious Request procedure.
3. Anointing Oils:
 - a. Religious representatives and clergy whose denomination or faith requires the use of anointing oils during services or pastoral visits shall obtain approval from the facility chaplain and warden prior to bringing such substances into a facility.
 - b. Offenders may purchase anointing oils through the facility commissary or directly from an approved vendor. Oils purchased by offenders shall not exceed 6.5 ounces. No "homemade" derivatives sent from anyone other than a vendor shall be allowed. Oils purchased by offenders shall be alcohol free and non-flammable. Offenders must turn in used bottles before placing a subsequent order or making another commissary purchase of oils. Misuse of anointing oils may be grounds for confiscation thereof, future denial of purchase, and/or a disciplinary report.
 - c. Approved anointing oils purchased by the offenders may be stored in their assigned locker box in the cell.

E. Special Religious Requests:

1. Least Restrictive Means. The Department endeavors to accommodate all special religious requests. The Department will apply the least restrictive means approach when evaluating a special religious request that is considered to create a security issue, conflict with current policy or that may cause a disruption in the normal operation of the facility. A least restrictive means approach looks for accommodations or alternatives instead of complete bans.

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2. Approval Process. Offenders seeking an accommodation not already approved by the Department may submit a Special Religious Request using Attachment 1, Special Religious Requests. The offender shall obtain the Special Religious Request form from their assigned Counselor. The offender shall complete the form in full and submit it to the Counselor, who shall immediately issue the offender a receipt and enter the request into SCRIBE in the Accommodations tab for review by the Facility Chaplain, Warden, Director of Field Operations, Director of Chaplaincy Services and the General Counsel (or their designees). The Facility Chaplain shall make a recommendation for approval or disapproval of the Special Religious Request based solely upon whether the offender has updated his or her Religious Preferences as provided in SOP 106.04, Chaplaincy Services. The offender may submit such an update in conjunction with the submission of a Special Religious Request. The review conducted by the Warden and Director of Field Operations shall be based upon the security needs of the facility, the security risk posed by the offender, and the overall security needs of the GDC. The review conducted by the Director of Chaplaincy Services shall be based upon the prevailing understanding of the religious tenants of the beliefs espoused by the offender. The review conducted by the General Counsel shall be to ensure consistency, continuity and Constitutional compliance. In the event of a lack of unanimity on whether or not the request should be approved, the Director of Field Operations, Director of Chaplaincy Services and General Counsel (or their designees) may meet as a panel to review the request and issue a decision. The request will be approved or fail based upon a majority vote of the three. Once a decision is issued, the offender shall be notified by the Facility Chaplain or the Chief Counselor if the facility does not have a Chaplain. The review process shall be completed not more than thirty (30) days from the date the counselor receives the original request. The deadline set forth herein may be extended for good cause, which shall include, but not be limited to special religious requests seeking the purchase of an item not available from a vendor already authorized pursuant Paragraph (IV)(3)(b), *supra*. Offenders seeking an item from a new or alternative vendor must provide contact information for a representative of the vendor who will serve as the point of contact for vetting of its operation and/or the product sought.

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3. Religious Paraphernalia. Religious paraphernalia may be requested and approved through the Special Religious Request procedure. Offenders are responsible for purchasing, at their own expense and through a friend or family member approved to provide financial support on their visitation list, any items approved through the Special Religious Request procedure. If the offender has no friends or family approved to provide financial support, then the offender may arrange for payment pursuant to SOP 406.19. These items shall be purchased through an approved vendor and the items will be inspected, after purchase, to ensure that it meets all security requirements.
4. Donations. Outside faith groups, community members, volunteers, religious service Providers and approved vendors may donate approved sacred objects or other religious items for either individual or communal use, provided these donations are approved by the Warden or Superintendent and do not jeopardize the security of the facility. Donations of these items may not be earmarked for individual offenders. All religious items are subject to security search and may be kept by the Facility Chaplain or Security Staff when not in use.

V. Attachments:

Attachment 1: Special Religious Request

VI. Record Retention of Forms Relevant to this Policy:

Upon completion, Attachment 1 shall be maintained in the offender's institutional file and retained according to the retention schedule for that file.