 <p>ARIZONA DEPARTMENT OF CORRECTIONS</p> <p>DEPARTMENT ORDER MANUAL</p>	<p>CHAPTER: 900</p> <p>INMATE PROGRAMS AND SERVICES</p>	<p>OPR:</p> <p>DIR OPS PS</p>
	<p>DEPARTMENT ORDER: 904</p> <p><i>INMATE RELIGIOUS ACTIVITIES/MARRIAGE REQUESTS</i></p>	<p>SUPERSEDES:</p> <p>DO 904, 04/17/2000</p>
	<p>EFFECTIVE DATE:</p> <p>JULY 11, 2005</p>	

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PURPOSE

The purpose of this Department Order is to ensure that inmates are allowed to participate in religious activities, have access to religious materials, religious diets and other legitimate aspects of their faith and, if approved, may marry in accordance with state law.

The above *Substantive Policy Statement* is advisory only. A *Substantive Policy Statement* does not include internal procedural documents that only affect the internal procedures of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules made in accordance with the Arizona Administrative Procedure Act. If you believe that this *Substantive Policy Statement* does impose additional requirements or penalties on regulated parties you may petition the agency under Arizona Revised Statutes section 41-1033 for a review of the Statement.

PROCEDURES

904.01 PASTORAL SERVICES

- 1.1 The Pastoral Activities Administrator shall:
 - 1.1.1 Directly supervise Senior Chaplains at all institutions.
 - 1.1.2 Make recommendations to the Division Director regarding Department-wide religious issues.
 - 1.1.3 Provide verbal and/or written directions for use by chaplains in resolving issues related to religious publications, diets, articles, apparel, practices and observances.
- 1.2 Wardens and Deputy Wardens shall ensure that chaplains and inmates have access to each other.
- 1.3 At Department-operated institutions Senior Chaplains shall:
 - 1.3.1 Report directly to the Pastoral Activities Administrator.
 - 1.3.2 Supervise other chaplains within an institution.
 - 1.3.3 Attend all Warden's management meetings as a member of the executive staff representing the religious program.
 - 1.3.4 Ensure that at least one chaplain attends unit meetings conducted by the Deputy Warden when requested.
 - 1.3.5 Ensure that at least one chaplain is on duty at each institution at least eight hours each Saturday and Sunday.
 - 1.3.6 Create and manage all religious programs at the institution.
 - 1.3.7 Serve as the point of contact for all outside religious activities and persons or groups requesting admittance to the institution for religious purposes.

- 1.3.8 Interact with inmates during their daily activities (e.g., dining, recreation, work) to provide moral and religious instruction.
- 1.3.9 Meet with inmates in detention or disciplinary isolation as often as possible.
- 1.3.10 Conduct a minimum of two services per month at the assigned institution or unit.
- 1.4 At Contract Prisons, sections 1.3.1 through 1.3.10 above shall be conducted according to the contract requirements.
- 1.5 The Senior Chaplain/Chaplain shall coordinate with the Warden, Deputy Warden or designee, to notify inmates of serious illnesses or deaths in their families. Chaplains may assist in the notification process if on duty, but shall not be called back to work to make notifications.

904.02 RELIGIOUS PREFERENCES

- 1.1 Inmates shall be given the opportunity to designate a religious preference during the initial intake process. This designation shall be entered on an Inmate Orientation DT-06, Form 901-5.
 - 1.1.1 Once inmates arrive at the assigned unit and receive orientation, they shall be given an additional opportunity to designate a religious preference if they did not do so during the initial intake process. This designation shall be entered on the Religious Preference and Privilege Request, Form 904-1.\
 - 1.1.2 Inmates may designate "none" during either of the processes outlined above. An inmate who does not designate a religious preference shall not be permitted to request religious privileges, except as outlined in 1.2 of this section.
- 1.2 An inmate may request a change in religious preference statement at any time by:
 - 1.2.1 Completing a new Religious Preference and Privilege Request form.
 - 1.2.2 Submitting the completed form to the Senior Chaplain/Chaplain for processing and distribution.
 - 1.2.3 Providing additional information or documentation, which may be required, if within one year of a previous designation.
- 1.3 Native American Ethnicity - Due to the sacred nature of the Sweatlodge, participation in these ceremonies requires verification of Native American ethnicity.
 - 1.3.1 For inmates currently not identified as Native American ethnically, verification shall be provided by the inmate prior to the authorization of privileges.
 - 1.3.2 Verification shall include evidence that the inmate is:
 - 1.3.2.1 Descended from a U.S. Indian Tribe (may have a valid Bureau of Indian Affairs (B.I.A) or Tribal number).

1.3.2.2 Presently a member of a U.S. Indian Community.

1.3.2.3 Duly recognized by a U.S. Indian Community.

1.3.3 When verification is received, it shall be forwarded to the Pastoral Activities Administrator for review.

1.3.4 Upon confirmation by a recognized Native American Leader, the Pastoral Services Administrator shall notify the Senior Chaplain that the inmate is eligible for participation and enter the information on the Adult Inmate Management System (AIMS).

904.03

RELIGIOUS ACTIVITIES - Wardens, Deputy Wardens and other Administrators shall ensure that staff demonstrate respect for inmates' religious beliefs and do not coerce/harass inmates into changing their religious affiliation, and that faith system representatives are treated with equal respect, regardless of the faith that they represent.

1.1 Coordination of Religious Activities - In the absence of a chaplain, Wardens, in conjunction with the Pastoral Activities Administrator, shall appoint a staff member to coordinate religious activities until a chaplain is assigned.

1.2 Facilities for Religious Activities - Wardens, in conjunction with the Pastoral Activities Administrator, shall provide at least one appropriate area in each unit for religious activities. Such space need not be reserved solely for religious activities.

1.2.1 Religious symbols of the faith group may be displayed during the religious activity, but shall be removed and stored at all other times.

1.2.2 The Department's Associate Deputy Wardens at each private prison shall ensure that contractors provide space for religious activities.

1.3 Religious Publications - Wardens and Deputy Wardens shall ensure that institution libraries include a section for religious publications that are inventoried and managed by the librarian in consultation with the Senior Chaplain. Publications that threaten the safety and security of the institution, e.g., materials that advocate violence, rebellion or blatant prejudice/bigotry against any race or creed shall not be included. Donations to libraries become the property of the Department in accordance with Department Order #301, Fiscal Management.

1.3.1 No separate, designated religious libraries shall be maintained.

1.3.2 Some religious material may be maintained in a unit where a chaplain has an office, or where a designated area for religious activities is located within a unit.

1.4 Number/Length of Religious Activities or Services - The Senior Chaplain/Chaplain, in conjunction with the Warden, shall determine the number of formal religious activities per unit per week following an assessment of the religious needs of the institution/unit. Private Prisons shall conduct activities in accordance with the contract requirements.

1.4.1 Regular worship/study opportunities shall be provided for faith groups according to inmate requests, space/time considerations of the monthly religious services calendar; safety and security requirements of the institution; and the availability of a qualified religious leadership.

1.4.2 Services in which volunteers assist or conduct the service shall be scheduled for a minimum of 12 hours, unless the volunteer requests less time.

1.5 Coordination of and Security for Religious Activities

1.5.1 The Senior Chaplain/Chaplain shall coordinate all religious activities, groups, and individual/group religious volunteers.

1.5.2 Wardens and Deputy Wardens shall provide the security necessary for religious activities, and shall ensure that security personnel assigned to such activities do not participate in the activities.

1.6 Requests to Conduct Religious Activities

1.6.1 Any outside religious group wanting to conduct religious activities in an institution shall submit a written request to the Senior Chaplain/Chaplain.

1.6.2 The request shall include the:

1.6.2.1 Name of the group.

1.6.2.2 Type of activity.

1.6.2.3 Proposed date and time of the activity.

1.6.2.4 Materials/equipment to be used.

1.6.3 The Warden or Deputy Warden, in consultation with the Senior Chaplain/Chaplain, shall approve or disapprove the request within five work days of receipt.

1.6.4 The Senior Chaplain/Chaplain shall advise the religious group, in writing, of the decision. Reasons for disapproval shall be explained.

904.04 RELIGIOUS ACCOMMODATIONS

1.1 Religious Claims

1.1.1 The Warden or Deputy Warden shall:

1.1.1.1 Consult with the Senior Chaplain/Chaplain or the Pastoral Activities Administrator on the validity of an inmate's religious claim.

- 1.1.1.2 Ensure that inmates who follow faith systems requiring special observances and/or the wearing of religious apparel are accommodated within the compelling interest of prison safety and security whether or not compelled by, or central to, the inmate's system of religious belief.
- 1.1.1.3 Ensure that inmates are not denied access to religious items or opportunities as part of the sanctions of disciplinary isolation, unless specifically restricted by the custody level and security of the unit.
- 1.1.2 The Senior Chaplain/Chaplain shall contact the Pastoral Activities Administrator regarding appropriate religious publications and materials, special religious diets or other special requirements of an inmate's faith system in the event such issues need clarification.
- 1.1.3 Inmates shall be authorized to possess religious property consistent with the practices of the inmate's chosen religion, as outlined in Department Order #909, Inmate Mail/Property and Stores, Attachment A.
- 1.1.4 An inmate who wishes to purchase religious items shall submit the request, using an Inmate Letter, to the Senior Chaplain, which shall include the size and description of the item requested and shall list all previously approved items in their possession.
 - 1.1.4.1 The Senior Chaplain shall verify the inmate's religious preference, determine if the requested item is on the approved items list, approve or deny the request and forward it to the Deputy Warden.
 - 1.1.4.2 Requested items not on the current approved items list shall require approval from the Pastoral Activities Administrator.
 - 1.1.4.3 The Deputy Warden shall, in consultation with the Warden, determine if there are any compelling interests supporting denial of the request and approve or deny the request. The Deputy Warden shall return the request to the Senior Chaplain who shall return the request to the inmate and distribute copies to Inmate Banking, the Pastoral Activities Administrator and retain a copy for file. Denied requests shall be returned to the inmate with a written explanation for the denial.
 - 1.1.4.4 Staff assigned to Inmate Banking shall accept and process orders for approved items from approved sources on a list published and distributed by the Pastoral Activities Administrator. If a source has not been identified, the inmate shall provide a source acceptable to the Pastoral Activities Administrator, from which to obtain the item.

- 1.1.4.4.1 When an approved item is unavailable for purchase through approved sources, for example an eagle feather, the Warden, in consultation with the Pastoral Activities Administrator, shall determine the method for obtaining the item.
- 1.1.4.5 When not being used in personal or group ceremony, approved religious property items shall be stored in a religious property box specifically approved for that purpose. An approved religious property request signed by the Chaplain listing all items shall be posted on the outside of this box. Non-religious items may not be stored together with approved religious items in the religious property box. An inmate may be required to remove the non-religious item(s) from the religious box and store those items in another approved location. Disciplinary Reports for combined storage of religious and non-religious items may be issued at the discretion of a supervisor.
- 1.1.5 Other ceremonial use of religious items is permitted as follows:
 - 1.1.5.1 Smudging material - Smudging (smoldering herbs) by followers of religious traditions that smudge is permitted, unless specifically restricted by the custody level and security of the unit. The location and time of this activity shall be determined by the Senior Chaplain and Deputy Warden.
 - 1.1.5.2 Sacramental wine - If permitted by the religious tenets, no more than two ounces shall be allowed for use only by the priest, chaplain or religious leader. Inmates shall not partake of sacramental wine.
 - 1.1.5.3 Communion supplies - Volunteers, pastoral visitors and staff chaplains are permitted to bring communion supplies for religious ceremony subject to notification and approval by the Chaplain in consultation with the Warden/Deputy Warden. Only a sufficient supply for participants in scheduled services shall be authorized and any remaining supply must be removed from the facility when the volunteer/visitor departs.
 - 1.1.5.4 Other ceremonial items - Other requested supplies/items may be authorized for group ceremony by the Senior Chaplain after consultation/approval from the Pastoral Activities Administrator and the Warden/Deputy Warden.
- 1.2 Requests for Work Abstinence - Inmates may request to be excused from work on specified holy days documented as "no-work" days for the religion in question.
 - 1.2.1 Inmates who request to abstain from work shall remain in their cells or dormitory on the requested days, and further refrain from recreation activities, phone calls, shopping at the inmate commissary, etc. However, when directed by staff, inmates may leave their cell or dormitory to accomplish routine institutional practices such as showers and meals.

- 1.2.2 Requests to observe "no-work" days recurring each week, such as Sundays and Sabbaths, shall be submitted in writing to the Senior Chaplain, who shall consult with the Warden/Deputy Warden or designee regarding appropriate work assignments prior to approval.
 - 1.2.3 Requests to observe "no-work" days not recurring each week shall be submitted in writing 30 days prior to the day in question to the Senior Chaplain, who shall coordinate with work supervisors and/or Deputy Wardens.
 - 1.2.4 Questions regarding days documented as "no-work" days for a particular religion shall be referred to the Pastoral Activities Administrator for a decision.
- 1.3 Requests for Food Abstinence - Inmates requesting and granted approval to refrain from food on designated days or for designated periods, such as Ramadan, shall not be required to turn out for meals and shall not be penalized for failure to take their designated diet. Food abstinence is not mandatory, but may be requested in accordance with provisions for fasting outlined in Department Order #912, Inmate Food Service System. Questions regarding religious fast requests for a particular religion shall be referred to the Pastoral Activities Administrator for a decision.
- 1.4 Special Religious Ceremonies/Property
- 1.4.1 Sweat Lodge - Sweat Lodge ceremonies are religious ceremonies held for the purification of the participant. They are generally three to four hours in length and shall not be interrupted except for legitimate security concerns. If necessary, staff shall require participants to vacate the area, rather than enter the lodge during a ceremony.
 - 1.4.1.1 Sweat Lodges shall be located on the grounds of all institutions where a sufficient number of Native American inmates are eligible to participate and where a request has been made for a Sweat Lodge. The lodge shall be constructed in an area approximately 30 by 40 feet, under the guidance of an approved Native American contract team member. (See Attachment B for details of construction.)
 - 1.4.1.1.1 The lodge site and all associated storage areas are subject to search. Because the lodge and fire pit are sacred areas, searches of them shall be done only with approval from the shift commander and appropriate notification to the Warden or Deputy Warden and the Chaplain.
 - 1.4.1.1.2 The lodge site shall be kept clean at all times. The site shall include a secure place to store religious items and materials. Participants shall be responsible for maintaining the site and any authorized ceremonial supplies.

- 1.4.1.1.3 The lodge area may be screened with a wooden fence or other material for privacy and respect, if such screening may be accomplished without jeopardizing security.
 - 1.4.1.2 Sweat Lodge ceremonies shall operate according to a schedule published by the Chaplain. The Chaplain shall also publish a list of approved participants.
 - 1.4.1.2.1 Ceremonies may be held on a weekly basis and may be assisted by Native American spiritual advisors when such advisors are available.
 - 1.4.1.2.2 At locations where security requires the presence of advisors to perform the Sweat, ceremonies shall be scheduled when advisors are available.
 - 1.4.1.2.3 Male participants shall wear shorts covering the genital and buttocks areas. Female participants shall wear shorts, shirts or T-shirts and brassieres.
 - 1.4.1.2.4 Security staff shall facilitate the lighting of the fire for the Sweat Lodge ceremony.
 - 1.4.2 Multi-faith Gatherings - Religious ceremonies may be held on a weekly basis. The details, times and location shall be arranged through the Chaplain in consultation with the Warden, Deputy Warden or Chief of Security and shall include religions:
 - 1.4.2.1 Not having identified volunteer leadership.
 - 1.4.2.2 Not already scheduled for weekly ceremonies.
 - 1.4.2.3 Having a sufficient number of inmates making the request for group ceremonies.
 - 1.4.3 Smoke Generating Ceremonies - Religious ceremonies involving activities that generate smoke, including group and personal smudging and pipe ceremonies. The frequency and details of group ceremonies shall be arranged through the Chaplain, in consultation with the Warden, Deputy Warden or Chief of Security.
 - 1.4.3.1 Smoke generating ceremonies shall only be conducted outdoors. Inmates who are in detention or a Special Management Unit shall be allowed to conduct the ceremonies only during their regularly scheduled exercise time in an approved exercise area.
 - 1.4.3.2 Personal ceremonies for inmates not on lockdown may be conducted during an inmate's free time on the open yard at a location authorized by the Deputy Warden or designee.

- 1.4.4 Special Annual Religious Events - Closed religious events that are limited to inmates with religious preference designations for the religion in question, volunteers and guest performers not on a participating inmate's visitation list.
 - 1.4.4.1 These events shall be planned by chaplains in consultation and with the assistance of outside sponsors and inmate representatives.
 - 1.4.4.2 Wardens or Deputy Wardens shall approve the final selection list of inmates for attendance in level four and level five institutions.
 - 1.4.4.3 Attachment A provides established guidelines to be followed regarding the authorization and scheduling of events assisted by outside sponsors.
- 1.4.5 Religious/Ceremonial Property - All religious property approved by the Chaplain or by the Pastoral Activities Administrator shall be inspected by the appropriate security staff prior to introduction into the institution/unit. All religious property is subject to periodic security inspection and shall be handled with appropriate respect.
 - 1.4.5.1 Property authorized as outlined in Department Order #909, Inmate Mail/Property and Stores, Attachment A, may be kept in the possession of inmates. Other approved ceremonial items or supplies, such as a ceremonial pipe, drum, musical equipment, and communion supplies, shall be stored in a secure area supervised and inventoried by the Chaplain.
 - 1.4.5.2 Inmates who are in detention or a Special Management Unit shall not possess items specified in this section, such as smudging supplies, in their cells. The Warden/Deputy Warden shall designate the items permitted. Items not approved for personal possession in these instances shall be kept in a secure area designated by the Warden or Deputy Warden. If a supply of these items is available, the inmate may be allowed access for the purpose of engaging in personal religious ceremonies. Indigent inmates may use supplies donated for group ceremonies. The Chaplain shall manage distribution of donated supplies.
 - 1.4.5.3 Religious symbols or clothing items, including head coverings may be worn openly only during religious ceremonies and at no other time or place. These ceremonies include:
 - 1.4.5.3.1 Approved group religious ceremonies.
 - 1.4.5.3.2 Personal ceremonies in the inmate's own living space or recreation pen for lockdown inmates.
- 1.4.6 Restroom or port-a-john facilities shall be available for participants of Sweat Lodge ceremonies and special annual religious events. Use of these facilities shall not terminate participation in the ceremony.

- 1.5 Religious Diets - Inmates who wish to observe religious dietary laws shall provide a written request for a special diet to the institutional chaplain. Religious dietary requests shall be accommodated to the extent practicable within the constraints of budgetary limitations, security and the orderly operation of the institution. Applications for special diets, and processing such requests, shall be in accordance with Department Order #912, Inmate Food Service System.

904.05 RELIGIOUS VISITATION - Wardens and Deputy Wardens shall encourage religious visitation between religious leaders and inmates.

1.1 Visits by Religious Leaders

- 1.1.1 The Senior Chaplain/Chaplain shall arrange all religious and pastoral visits. Authorization for religious visits may be at the discretion of the Warden or Deputy Warden.
- 1.1.2 The Warden or Deputy Warden shall deny a religious visit that may threaten the safety and/or security of the institution.
- 1.1.3 Inmates shall request or consent to a visit by an accredited minister or religious leader prior to the visit being authorized.
- 1.1.4 The Senior Chaplain/Chaplain shall verify the credentials and/or accreditation of the visiting religious leader(s). The Warden, Deputy Warden or Senior Chaplain/Chaplain shall consult with the Pastoral Activities Administrator when there is a question regarding the validity of credentials of religious leaders requesting inmate visitation.
- 1.1.5 Following verification of credentials, the Senior Chaplain/Chaplain shall arrange the pastoral visit including distribution of appropriate gate passes. Pastoral visitors shall not be placed on the inmate's visitation list.

- 1.2 Emergency Visits - At the discretion of the Warden or Deputy Warden, emergency religious visits may be permitted based on the severity of the emergency and the safety and/or security of the institution.

904.06 THE RELIGIOUS ADVISORY COMMITTEE

- 1.1 Committee Membership - The Religious Advisory Committee shall consist of representatives of the religious community.
- 1.1.1 The Director shall appoint the committee members who shall serve at the pleasure of the Director.
- 1.1.2 Senior Chaplains and the Religious Advisory Committee shall recommend new appointments and removals from the committee.
- 1.1.3 Committee members shall serve without any monetary compensation from the Department.

- 1.2 Identification Cards - Each committee member shall be issued an appropriate identification card, as outlined in Department Order #515, Employee Identification System.
 - 1.2.1 This card shall be valid for admission to any institution when the bearer is engaged in committee business.
 - 1.2.2 This card shall not be used to gain access to conduct religious services or visitations unless the member is listed as an active volunteer for the institution served.
 - 1.3 Committee Member Access to Institutions - Committee members shall have reasonable access to all areas of the institution. The Warden or Deputy Warden may require that committee members be escorted by Department staff and may deny them access when a dangerous condition exists.
 - 1.4 Committee Member Activities
 - 1.4.1 Institutional chaplains shall coordinate committee members' activities while they are in the institution.
 - 1.4.2 Committee members are authorized, subject to institution scheduling requirements, to talk with staff members and/or inmates.
 - 1.5 Committee Progress Reports - The committee shall submit quarterly progress reports and recommendations to the Pastoral Activities Administrator.
 - 1.6 Orientation - All committee members shall receive an orientation from Staff Development and Training to prepare them to engage in committee business within Department facilities.
- 904.07 MARRIAGE** - An inmate may marry a person of the opposite sex, provided that the marriage is legal, does not pose a risk to the safe, secure and orderly operation of the Department or jeopardize public safety.
- 1.1 Permission to marry does not supersede or change any instructions governing visitation, release procedures, mail and property or phone calls. Refer to the appropriate Department Order for complete rules and regulations.
 - 1.2 If not in the best interests of the community, a marriage does not guarantee or mandate that an inmate will be approved to reside with a new spouse upon transfer from an institution to any release under community supervision.
 - 1.3 The following requirements apply to both an inmate requesting approval to marry and to the prospective spouse:
 - 1.3.1 Neither person shall be currently married, mentally incapacitated, of a blood relation of first cousins or closer or of the same sex.
 - 1.3.2 The inmate has no major disciplinary charges pending and is not confined in a detention unit, disciplinary isolation or investigative "lock up" detention.
 - 1.3.3 The inmate is eligible to have visitors at the time of the application and remains so qualified until the marriage.

- 1.4 The inmate making the marriage application, whether indigent or not, accepts responsibility for all expenses related to the marriage process including the marriage license fee and ceremony expenses.
- 1.5 The necessary procedures for the issuance of a license and performance of the ceremony shall not present a threat to the safe, secure and orderly operation of the institution or jeopardize public safety.
- 1.6 The inmate shall obtain a Marriage Application, Form 904-2, from the assigned Unit Correctional Chaplain. The inmate shall complete Sections I and II of the Marriage Application and return it to the Chaplain who shall:
 - 1.6.1 Review the application to determine if it is complete.
 - 1.6.2 Return incomplete applications with instructions for proper completion.
 - 1.6.3 Accept and review completed applications to determine if the applying inmate and the prospective spouse meet the eligibility requirements listed above.
 - 1.6.4 Complete Section III of the Marriage Application.
 - 1.6.4.1 The Chaplain shall document in the appropriate comments section if the applying inmate or the prospective spouse fail to meet any of the eligibility requirements.
 - 1.6.4.2 For those applications where the inmate or prospective spouse has failed to meet eligibility requirements, the Chaplain shall forward the packet to the Warden or Deputy Warden.
- 1.7 Approved Marriage Applications shall remain valid for one year. Approval may be withdrawn by the Warden or Deputy Warden if an inmate becomes ineligible.
- 1.8 If a Marriage Application is disapproved, applicants may appeal in writing, to the appropriate Regional Operations Director within ten work days after being notified of the disapproval. Inmates assigned to Private Prisons shall appeal to the Division Director for Offender Operations. Decisions made by the Division Director or Regional Operations Director shall be final.
 - 1.8.1 Pursuant to ARS §25-125, a valid marriage ceremony is conducted in the presence of a person who is authorized to solemnize marriages; therefore, the Department shall not authorize telephonic marriages. An application to marry another inmate shall not be accepted and no appeal shall be permitted.
 - 1.8.2 If circumstances have changed, the inmate may reapply 60 calendar days from the date the first application was disapproved.

- 1.9 The Chaplain shall coordinate obtaining a marriage license with all parties involved including the Clerk of the Superior Court, security staff, the inmate and the prospective spouse. A copy of the marriage license shall be attached to the Marriage Application packet.
- 1.10 The Chaplain shall coordinate arrangements for the marriage ceremony when an application has been approved. Coordination shall include arrangements for approved clergy, or a Justice of the Peace to perform the ceremony, who shall ensure that the ceremony meets legal requirements. The Chaplain shall ensure that:
 - 1.10.1 The inmate, the prospective spouse and two witnesses of lawful age are present for the ceremony.
 - 1.10.2 Inmates are not permitted special clothing for a marriage ceremony.
 - 1.10.3 Photographs are not taken and no other publicity arrangements are made.
 - 1.10.4 A copy of the marriage certificate shall be placed in the inmate's Master Record and Institutional Files.
- 1.11 Any inmate who marries in violation of this section may be charged with disobeying a direct order and disciplined for such activity.

DEFINITIONS

ACCREDITED MINISTER/RELIGIOUS LEADER - An individual representative of a religious group who visits an inmate and is approved to visit by the Senior Chaplain/Chaplain.

RELIGIOUS ACTIVITY - Any group service, meeting, study group or other group gathering for approved religious purposes.

RELIGIOUS VISIT - A meeting between an accredited minister or religious leader and a specific inmate.

SENIOR CHAPLAIN - Designation given to one chaplain who functions as the supervisor of other chaplains in the same institution or private prison, or a chaplain who functions as the only chaplain in an institution or private prison. In accordance with contract requirements, a private prison may employ a volunteer as a chaplain.

{Original Signature on File}

Dora Schriro
Director

ATTACHMENTS

- Attachment A - Special Annual Religious Events (Sample Request)
- Attachment B - Sweat Lodge (Construction)

FORMS LIST

- 904-1, Religious Preference and Privilege Request
- 904-2, Marriage Application

AUTHORITY

ARS §31-201.01, Duties of the Director; Tort Actions.

ARS §31-206, Chaplains; Duties; Traditional Indian Religious Practitioners.

ARS §25-125, Marriage Ceremony; Official; Witnesses; Marriage License; Covenant Marriages

ARS §41-1493.01, Free Exercise of Religion Protected

Religious Land Use and Institutionalized Persons Act of 2000

Special Annual Religious Events

- Purpose: Annual Intra-faith, community and religious/cultural celebration
- Time/Date: Single day event assisted by outside sponsors which may have morning and afternoon sessions interrupted by count and lunch, where guests depart the facility and inmates return to housing for count.
- Location: Outdoor section of visitation area, weather permitting or other approved location.
- Attendance: **INMATES:** Authorized inmates with appropriate religious preference designation assigned to the unit where the event is held who are eligible to attend group religious activities.
- SPECIAL GUESTS:** Spiritual leaders and Advisors not on the visiting list of any participating inmate
- Agenda: To be announced at the institution with approval from the Warden, Deputy Warden or Administrator
- Supplies/Equipment:

INSTITUTION PROVIDES

Chairs
Tarp/canopy (for shade for senior citizens)
Public address system (optional)
Ceremonial items/supplies available but not personally possessed by inmates (e.g. ceremonial drum and pipe, communion-type supplies, etc.)

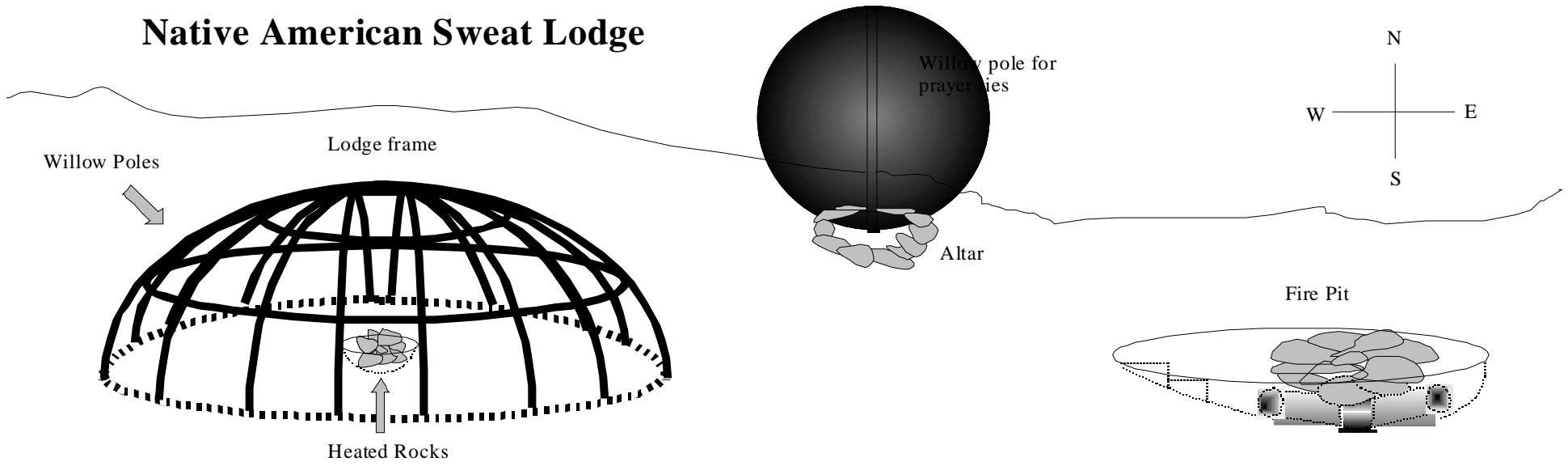
INMATES PROVIDE

Ceremonial supplies approved for personal possession

SPECIAL GUESTS PROVIDE

Musical instruments (contemporary and traditional such as drums, rattles, flutes, keyboards, etc.)
Religious Paraphernalia (supplies and religious ceremonial items, all pre-approved, none to be left with the inmates).

Native American Sweat Lodge



Lodge covered with tarps

