


NH DEPARTMENT OF CORRECTIONS POLICY AND PROCEDURE DIRECTIVE	CHAPTER <u>Resident Programming</u> STATEMENT NUMBER <u>672</u>
SUBJECT: RELIGIOUS PROGRAMMING (RSA 622:22/23) AND DIETS PROPONENT: <u>Nicholas Duffy, Director</u> <i>Name/Title</i> <u>Community Corrections 271-0078</u> <i>Office Phone #</i>	EFFECTIVE DATE <u>07/02/2020</u> REVIEW DATE <u>07/02/2021</u> SUPERSEDES PPD# <u>7.17</u> DATED <u>03/20/2014</u>
ISSUING OFFICER:  <i>Helen E. Hanks, Commissioner</i>	DIRECTOR'S INITIALS: _____ DATE : _____ APPENDIX ATTACHED: YES _____ NO _____
REFERENCE NO: See reference section on last page of PPD.	

I. PURPOSE:

To establish guidelines for developing and operating religious programs and diets for the New Hampshire Department of Corrections (NHDOC).

II. APPLICABILITY:

To all residents), staff, chaplains, and volunteers who are involved in the management and/or operation of religious programming and diets.

III. DEFINITIONS:

As used in this document, the following definitions shall apply:

- A. Animal Pelt: A skin of an animal with or without fur or wool.
- B. Approved Religious Volunteer: Religious volunteer who has met all institutional application requirements and has obtained volunteer training.
- C. Proselytize: Advocating or promoting a religion and/or attempting to convert an individual to a religion.
- D. Resident: A Person under the care and custody of the NH Department of Corrections.
- E. Recognized Faith Group: A religion, religious denomination, or sect supported by literature stating religious principles and recognized by a group of persons who share common ethical, moral or intellectual views which are not defamatory, racial, political, or derisive in nature.
- F. Religious Activity: An activity conducted by or under the auspices of the Chaplain and designed specifically for worship, instruction, spiritual guidance, or counseling.
- G. Internally Facilitated Group (IFG): A faith group lacking outside volunteer support which is allowed to meet periodically, facilitated by a Religious Peer Facilitator.
- H. Religious Peer Facilitator: A resident who is approved to facilitate approved religious functions for their peers.
- I. Religious Property: Religious property consists of individual and group items listed in Attachment 1 that are approved as resident property because of their membership in a recognized religion. Items may be added or deleted from the list after review and recommendation by the Religious Review Committee and approval of the Commissioner.
- J. Religious Review Committee (RRC): A committee made up of the institutions' Chaplains, Wardens or designee, Director of Security and Training, Director of Community Corrections or designee, Administrator of Programs, Commissioner, Assistant Commissioner, and Director of Professional

Standards or designee, that meet to consider and make recommendations to the Commissioner regarding additions and deletions from the authorized Religious Property Lists and the introduction of new religious components to the Department's religious services program. The Commissioner reserves the right to request additional members attend the RRC committee as specialized education on religious program demonstrates necessity.

K. Vegetarian: No meat/flesh

IV. POLICY:

It is the policy of the NH Department of Corrections that:

- A. All residents shall have access to religious resources, services, instruction, or counseling on a voluntary basis. Residents shall be notified through published resources of opportunities available for religious programming at their assigned facilities.
1. All residents are afforded the right to practice individual worship consistent with the Department's abiding interest in preserving the safety, security and orderly operation of its institutions.
 2. Residents requesting the introduction of a previously unrecognized or unfamiliar faith group or practice to the religious services program shall provide the Chaplain a comprehensive response to each of the questions on New or Unfamiliar Religious Components Questionnaire form (Attachment 2). The Chaplain will bring the request to the Religious Review Committee meeting for consideration of inclusion in the NHDOC religious programming. The Religious Review Committee shall determine if the belief or practice can be incorporated in the facility's religious programming, giving due consideration to the need to maintain facility safety and operations. If a resident seeks a review of the decision of the RRC, he or she must follow the process as outlined in administrative rule COR 313 Complaints and Grievances by Persons under DOC Supervision. If the RRC approves the addition of a faith group, it shall be added to the list of recognized faith groups managed by the NHDOC chaplains in Attachment 7, NHDOC Recognized Faith Groups and Diet Considerations. Once recognized by the NHDOC, the religious group will be allowed to meet together at least once a month to pursue congregate practice/worship, subject to the restrictions of their custody level, security concerns and the availability of NHDOC staff and volunteers to be present during the religious meeting.
 3. To obtain additional property or dietary privileges associated with a recognized faith group or to attend special events for a particular recognized faith group, a resident must declare a preference for that faith and obtain a Religious Preference Card (Attachment 3) from the Chaplain. No resident may possess more than one Religious Preference Card at a time. The resident may need to wait up to thirty days before switching to a different religion to allow for administrative processing and documentation of change. All residents may attend any and all regularly scheduled religious services (as found on each institution's chapel schedule), but IFGs (Internally Facilitated Groups) and other special events, such as sweat lodges and feasts may be open only to Religious Preference cardholders of that faith.
 4. NHDOC will provide all residents with the opportunity to pursue congregate practice of any recognized faith group, subject to the restrictions of their custody level, security concerns and the availability of NHDOC staff or an approved religious volunteer qualified to lead the observance of the rites or worship of that recognized belief or practice. If situations arise where NHDOC needs to temporarily limit group sizes due to safety or security of the institution, residents may be limited to attending only congregate religious practice of their declared religious preference.
 5. The NHDOC will conduct on-going, coordinated outreach to identify and recruit appropriate volunteers to meet the needs for congregate worship for recognized faith groups that do not currently have approved volunteers. If the coordinated outreach fails to identify and recruit an appropriate volunteer, the NHDOC, with the recommendation of the Chaplain of the facility, may appoint up to two qualified residents to lead the observance of the rites or worship of that recognized belief or practice, with the supervision of the NH DOC staff. The residents seeking to be facilitators shall apply to the facility Chaplain using Attachment 4 – NHDOC Facilitator Application and Agreement – explaining their reasons for wanting to become a facilitator, their knowledge of the religion and length of time in the religion. In order to be eligible to be a peer facilitator, residents need to be a cardholding member of that religion for the entire previous calendar year from date of application, and remain in that religion while a facilitator. They shall be disciplinary free of "A" level offenses for one year from the date of the request and disciplinary free of "B" level offenses for 6 months from the date of the request. New "A" or "B" level offenses will result in the Religious Peer Facilitator's immediate

removal as facilitator. The Chaplain shall submit the individual's information to the Warden of the facility and to the Investigations office of the facility to triage any concerns they may have with the individual becoming a facilitator. If there are no concerns regarding the resident becoming a facilitator, the Chaplain shall approve the request of the resident to become a facilitator for that recognized faith group. The approval shall be granted for a period of one year from the date of the approval. At the end of the term, the current facilitator may reapply for the position, along with any new applicants. Residents who are transferred from one facility to another will need to meet with the Chaplain at the new facility and reapply to become a peer facilitator at the new facility. The Chaplain will review the outline and/or copy of the religious service that the facilitator wishes to present to the religious group which will be submitted to them in advance of the religious service.

6. Photocopies for religious materials for a resident led group can be requested through attachment 5, request to photocopy religious materials for group facilitators. The Chaplain will review all religious materials for appropriateness. Requests may be denied if it is deemed to be inconsistent with policy guidelines, the message of the religious group or excessive copies are being requested. Group Facilitators should attempt to avoid copy requests if materials can be projected for viewing or posted electronically. If a request for copies is denied a resident may follow policy and procedure 313.00 in order to appeal the decision.
 7. Residents may receive pastoral visitation and spiritual guidance from ordained clergy or faith community appointees in the visiting room, as long as they have gone through the process to become a visit room only volunteer (Volunteer Level 1) per PPD 1010. Visit room only volunteers are generally not allowed to also serve as volunteers for congregate religious activities.
 8. As an adjunct service for recognized faith groups without a volunteer, the NHDOC, through the efforts of the Chaplains, may also seek to identify and obtain free videos depicting appropriate religious activities, sermons or rites to be broadcast over the NHDOC cable TV network at scheduled times if such network is available. These videos are not to be seen as a replacement for individual or congregate worship, but rather as a supplementary resource for residents desiring additional religious activity or who by means of their custody level or the lack of an appropriate volunteer do not have access to congregate worship. Each recognized faith group may be limited to no more than two one-hour videos per week. All videos must be approved by the Religious Review Committee. A foreign language video (i.e. other than English) may be used if it has been screened by a NHDOC approved translator and meets all other criteria. If a recognized faith group does not currently have an approved religious volunteer or approved religious peer facilitator available for congregate services, a video may be approved on an interim basis by the facility chaplain in consultation with Administrator of Programs and facility Warden or designee, until the next meeting of the Religious Review Committee in order to provide alternative access to some programming while an approved religious volunteer or approved religious peer facilitator is being sought.
 9. Each recognized faith group may request one special feast per calendar year to coincide with a significant holiday, event, or ritual time of that faith. Such requests must be made in writing to the facility Chaplain at least 60 days in advance of the date of the special feast, and is subject to change based on availability of menu items through the facility kitchen. Each resident is authorized to attend only one feast per calendar year and only of their declared faith. In order to participate in a feast event, a resident must possess the Religious Preference Card associated with that faith designation.
- B. The Administrator of Programs and the facility Chaplain shall monitor religious activities on a continuing basis to ensure adequacy and provide a summary at the Religious Review Committee meetings of their findings.
 - C. The NHDOC will provide appropriate space for the engagement of religious programming for residents within each facility.
 - D. All interactions between residents, religious peer facilitators and religious volunteers must follow the same standards set forth in PPD 1010. Religious volunteers may not become overly familiar with residents, or conduct business of any type for/with them. Residents may not become overly personal/familiar with volunteers including, but not limited to, such behaviors as; asking volunteers for personal recommendations, seeking to conduct any type of business for a resident or their family/friends, asking for family welfare checks, seeking letters of recommendation, making phone calls on behalf of a resident, etc. In order to participate in NHDOC programs led by or involving approved religious volunteers, residents and approved religious volunteers must inherently agree to these terms. Violation of these rules

and expectations may result in disciplinary action for the resident and possible termination of the approved religious volunteer's status as such.

V. PROCEDURES:

A. Reception Procedure

Residents arriving at the prison will be given the opportunity to declare a religious preference during the intake process with the booking officer. During the reception process, residents are issued a prison "Resident Manual", which contains information about the Chapel Program and religious opportunities available to them.

B. Pastoral Counseling

1. Chaplains shall interview residents referred to them by NHDOC staff. Personnel making such referrals shall provide the Chaplain with sufficient information relative to the resident so that the Chaplain may proceed with appropriate counseling. Referrals can be made to the chaplain through a phone call, email or in-person conversation. All referrals will be documented in the offender management system in the Notes section. Residents can also self-refer by sending a request slip to the chaplain.
2. Residents may ask to see the Chaplain at any time. Chaplains shall respond to these requests from residents as promptly as possible, consistent with the urgency of the request and Chaplain availability. If a Chaplain is not available, staff are to inquire about the nature of the need to defer to other disciplines such as Nursing or Behavioral health to support in the absence of a Chaplain.
3. The Chaplain shall appropriately assist residents with a death or serious illness in their family in accordance with PPD 660 (Family Crisis Visits/Funeral Attendance).

C. Chapel Activities

Whenever possible, Chapel activities shall be held in a Chapel or other suitable space. Chapel activities shall be performed in compliance with the following:

1. Attendance shall be voluntary;
2. All residents in the general population are free to attend;
3. The Chaplain, approved religious volunteer or approved religious peer facilitator shall:
 - a. Deliver a clear and understandable message to the attendees in English (while other languages may be spoken; the NHDOC is only obligated to provide the message in English to ensure NHDOC staff can supervise the content of information being shared in order to affirm safety and security is being maintained);
 - b. Provide an appropriate learning or worship atmosphere;
 - c. Not provide, provoke, or invite criticism of any religious, racial, ethnic, or other groups; and
 - d. Not proselytize;
4. The Chaplain shall coordinate religious programs within the facility activities schedule; and
5. The Chaplain shall plan services in coordination with other activities, to avoid scheduling conflicts, as security concerns allow.

D. Baptism, Communion & Other Sacramental Rituals

1. Baptismal services may be conducted in the facility;
2. Communion services may be conducted on a regular basis; and
3. Other sacramental rituals may be conducted as appropriate.
4. All of the above activities will be coordinated through the facility Chaplain.

E. Religious Education

The Chaplain shall develop, conduct and/or oversee a program of religious education. The Chaplain shall submit proposed programs to the facility Administrator of Programs. This program will be provided to the Director of Community Corrections/designee for review, approval and dissemination to the Warden/Director of the facility and Commissioner's Office. The program may include the following activities:

1. Religious classes (lectures, instruction, discussions);
2. Religious forums;
3. Prayer therapy groups;
4. Religious choirs, ensembles, singing groups;
5. Self-study courses;
6. Religious group counseling;
7. Spiritual maturity groups;

8. Instruction in doctrines, rituals and ideals of various religious faiths; and
9. Religious functions or services by approved outside groups.

F. Special Religious Needs

1. Residents shall have access to religious publications of their faith. The Chaplain shall regularly review all religious literature entering the institution through religious volunteers. Residents may make arrangements with a Chaplain to obtain personal copies of certain approved religious books and periodicals. All books and publications so retained must be in compliance with the rules and regulations regarding personal property and be approved through the Literary Review Committee, including the following:
 - a. There is no distinction between a book and a bible. Residents are allowed to have as many bibles/books of sacred text provided their total book count does not exceed the maximum number of books outlined in policy and procedure directive 386.00.
 - b. Religious books must comply with book size as outlined in policy and procedure directive 386.00. Any exceptions shall be requested in writing to the facility Warden/Director or designee.
2. The institution recognizes that certain religious faiths impose dietary restrictions upon their members; therefore, it shall be the policy of the institution to provide each resident with the opportunity to satisfy minimum dietary requirements of their religious faith if these activities do not jeopardize the security of the institution.
 - a. Residents will use the Religious Diets Request Application (Attachment 6) when requesting a religious diet.
 - b. There are four diets provided by the NHDOC (as defined in Attachment 7) they include kosher/halal; vegetarian with egg, vegetarian without egg; and no pork.
 - c. Individuals who have declared a preference for the Jewish faith and have a Religious Preference Card confirming it are authorized during Passover to purchase unleavened bread (Matzah) from an approved vendor. The unleavened bread during Passover shall be consumed in their cells or during appropriate Passover events approved by the Chaplain. The two types of Matzah that are authorized are the one-pound box of square Matzah for Passover and boxes of six handmade Shmurah Matzah for Passover. Each individual may order a total of four boxes of any combination of the two that are approved. The orders shall be processed through the facility Property Room from February 1st through April 30th from the approved vendor. Recognizing there are basic kosher guidelines to Passover dependent on the person's particular Jewish religious movement (e.g. Pharisees, Hasidism, Kabbalah and Orthodox etc.), they can consult with the Chaplains for literature resources to guide their food choices during Passover as well as through any approved Jewish religious volunteers.
 - d. When a resident requests a specific diet, after newly declaring a change in religious preference, the resident must consult with the NHDOC Chaplain, and practice the newly declared religion for up to thirty days (30) days to allow the kitchen staff time to make the dietary change at the 30 day mark.. If a religious diet interferes with the health of a resident, the NHDOC Chief Medical Officer and Dietician will be consulted to ensure no adverse health outcomes occur. This review will be documented in the resident's electronic health record.
 - e. When the Chaplain receives an application and verifies a request for a diet as being based upon a sincerely held religious belief, the Chaplain will notify the NHDOC Dietician, who will enter the diet in the electronic medical record. The Chaplain will then verify that the information has also been entered into the NHDOC electronic management system (CORIS) under alerts and concerns and the diet change has taken affect. This process may take up to thirty (30) days.
 - f. When there is evidence that a resident receiving a religious diet has consumed or been in possession of food items that violate their approved religious diet, the person with the evidence will complete an Incident Report pursuant to PPD 390.00 Processing Spot, Disciplinary, Incident and Intelligence Reports and forward to the facility Chaplain. Upon review of the Chaplain and affirmation of facts provided, a disciplinary report will be completed for the charge of 39B by the observing staff member. All guilty pleas or findings for this charge will be reported by the Hearings Office to the Chaplain who, in addition to other sanctions which may be imposed by the Hearings Officer, will require the following:

- 1) First offense – required counseling with the Chaplain, this will be documented in CORIS Notes;
 - 2) Second offense – required counseling with the Chaplain, this will be documented in CORIS Notes;
 - 3) Third or subsequent offense – required counseling with the Chaplain and re-evaluate the sincerity of the belief to conform to the religious diet, this will be documented in CORIS Notes; and
 - 4) The Hearings Officer may not sanction a resident by suspending or terminating their religious diet. The Chaplain will document in writing any counseling regarding religious diet violations.
- g. If there are four offenses within a 1-year period or less, approval for a residents religious diet may be withdrawn by the Warden/Director at the recommendation of the Chaplain if the resident is found as being in violation of the terms of the religious diet program to which the resident has agreed in writing. Residents will be notified in writing by the Warden/Director, at the recommendation of the Chaplain, of their recommendation for removal from the religious diet program. The resident may, within fifteen days of the Warden/Director's notice, request in writing that the diet not be removed, and state specific reasons. The Warden will respond within five days, giving the decision. Any such decision may be appealed to the Commissioner pursuant to PPD 313.00. The filing of an appeal will not stay implementation of the Warden/Director's decision. Removal is not punitive in nature, but provides an opportunity for the resident and staff to re-evaluate the program's appropriateness to meet the residents demonstrated needs. The Chaplain will notify the kitchen and dietician of any diet removals approved by the Warden/Director and include this in the resident's CORIS Notes. All requests for special events that require services or specific food should be submitted in writing to the Chaplain at least 60 days prior to the requested observance.
- h. Religious diets will be prepared and provided to the Special Housing Unit, Secure Psychiatric Unit and Residential Treatment Unit according to the approved religious diet.
3. Religious apparel, such as head coverings and religious medallions may be worn in accordance with facility security requirements and this policy. Residents wearing religious head coverings shall follow all work area health and safety requirements, including but not limited to wearing hairnets in food preparation areas and wearing hearing protection in industrial areas. Residents wearing religious head coverings are subject to the following requirements:
- a. The religious head covering shall be removed during all formal standing and emergency facility counts.
 - b. The religious head covering shall be removed upon the request by security staff during a search or inspection.
 - c. Religious head coverings are not permitted inside temporary holding cells. Religious head coverings shall be treated with respect by staff and stored in a safe location during these periods.
- There are four types of NHDOC approved religious head coverings. The only authorized colors for kufis/yarmulkes are black, white and gray and only solid colors and/or traditional paisley patterns for bandanas, halos, and headdresses will be allowed. Residents can only have one type of religious head covering on their property list at a time. The choices are:
- a. Bandana / Halo – worn sweatband style with 3" fold.
 - b. Headdress – must be form fitting, not flowing or draping.
 - c. Kufi – skull cap.
 - d. Yarmulke – skull cap.
4. Items that have been authorized to be stored in the residents living area will be kept in an authorized clear plastic box no larger than 14inches x 8inches x 6inches tall. Whenever the religious items are not specifically in use, they should be stored in the box with the lid on. Residents who only have one or two religious items will not be required to have a box. Residents last name only will be written in one (1) inch plain block letters on the bottom of the box. There will be no other writing or decoration on the box whatsoever. This includes religious symbols. The description of the items will be recorded on the resident's property list in the electronic client record (ECR) and the owner should retain the proof of purchase. Other personal items designated for storage in the group locker will be stored as directed by the Chaplain. Religious property will not be marked with the owner's name and identification number, except at the request of the owner.

5. Residents desiring to fabricate religious property may submit the Fabrication of Religious Item for Individual Use form (Attachment 8), to the Religious Review Committee. Such requests will be considered on a case-by-case, item-by-item basis. Requested Items must already be listed as authorized in the individual and group items list attached to this policy to be considered for approval.
6. The use of wine for religious purposes will be limited to ceremonial or ritual functions where the Religious Volunteer or Chaplain shall be the only person permitted to actually consume the wine for the ceremony.
 - a. The Religious Volunteer shall be a duly authorized member of the clergy with rights and privileges granted by an ordaining authority.
 - b. The use of wine for religious purposes shall be restricted to use solely for those religious rituals and ceremonies that are historically documented to require wine as a part of the ritual or ceremony.
 - c. The wine shall not be stored at the facility, but shall be brought in immediately before the religious ritual or ceremony requiring the presence or consumption of the wine as noticed on the Operations Bulletin and approved in advance for entry. No amount of wine is to be consumed by any resident at any time.
 - d. Any amount of wine that is not consumed by the Religious Volunteer or Chaplain shall be removed from the facility immediately after the religious ritual or ceremony.
 - e. The amount of wine brought into an institution at one time cannot exceed two ounces.
 - f. The facility Chaplain shall be notified in advance by the official of their intent to bring wine into the institution for use in a religious ritual or ceremony.
 - g. All items brought into or removed from the facility may be subject to search by the security personnel pursuant to PPD 357.00 Contraband Introduction, Prevention and Detection.

G. Change or Establishment of Religious Preference or Faith

In order to declare a religious preference, a resident needs to contact the facility Chaplain and request to be recognized for that preference. A resident who has declared a preference is not required to attend that religion's services or study group and may attend the services and study groups of any other religion. A resident may request to be removed from the preference list of a religion at any time. When a resident is removed from the preference list, any religious property as outlined in Attachment 1 that has been authorized for possession based on the personal items allowed for identified faith groups only associated with the religious preference the resident is being removed from will be sent out of the facility by the resident. If a resident expresses a desire to change religious preference or faith, the Chaplain should encourage that resident to seriously consider all implications of such a change. The resident must initiate the conversion of record to another religious preference through the Chaplain using the Request to Change Religious Preference form (Attachment 9) citing current religious designation and that affiliation under which they would like to be recorded. The Chaplain shall not attempt to influence a resident to change religious preference or faith. Residents are not permitted to actively recruit other residents. As stated in Section IV A, no resident may possess more than one Religious Preference Card, nor may residents switch cards more often than once a month.

H. Specific Denominational, Church or Sectarian Activities

The Chaplain shall schedule celebration of the sacramental rituals necessary to meet minimal requirements of a given religious faith, providing there is an Approved Religious Volunteer to lead such rituals or if the Chaplain is qualified to lead rituals of that particular faith. Such arrangements may require special times or environments. When a residents religion requires abstinence from work or special dietary requirements on holy days and seasons, efforts shall be made to arrange work assignments and schedules to accommodate that belief. The Chaplain shall make written recommendations for work absences for approval on a case-by-case basis. This will ensure that residents have the opportunity to participate in practices of their religious faith that are deemed essential by the faiths' judicatory, limited only by documentation showing threat to the safety of persons involved in such activity or that the activity itself disrupts order in the institution.

I. Unauthorized Religious Practices

The following religious practices and activities are never authorized:

1. Animal sacrifice;
2. Language or behaviors that could reasonably be construed as a threat to safety, security or the orderly running of the institution, (e.g., curses, nudity);
3. Self-mutilation;

4. Use, display or possession of weapons or what appears to be a weapon (e.g., paper sword);
5. Animal Hides (examples: Prayer rug) (Some exceptions for small pouches or leather laces may be authorized but only as outlined in this policy).
6. Paramilitary exercises;
- 7.. Self-defense training;
8. Sexual acts;
9. Profanity;
10. Consumption of alcohol by a resident.;
11. Ingestion of illegal substances;
12. Encryption;
13. Disparagement of other religions; and/or
14. Unapproved resident led groups. (See PPD 5.36.)

J. Sweat Lodge Ceremonies

1. Sweat Lodge Ceremonies are Native American religious ceremonies held for ritual purification of the participants. The NHDOC has allowed the construction of a Sweat Lodge at NHSPM in Concord and the Northern NH Correctional Facility (NNHCF) in Berlin.
2. Logistics
 - a. The Lodge shall be constructed, under the guidance of an approved Native American Volunteer and supervised by NHDOC staff, in an area approximately 20 x 40 feet, within a segregated area surrounded by a ten foot tall fence with a locking gate. NHDOC will provide the fence.
 - b. The institution will permit residents to obtain, by donation, the materials necessary for the construction, operation and maintenance of a Sweat Lodge within the facility grounds, as approved by the Warden. The Chaplain will use reasonable efforts to secure the outside volunteers and supplies necessary.
 - c. Once erected, the Sweat Lodge framework will remain up and in place. The only other items authorized to be left in the area are a cow or buffalo skull (or reproduction) and a limited number of stones from previous Sweat Lodge Ceremonies that are added to the fire pit wall.
 - d. The applicable facility will secure a fire permit for the ceremony.
 - e. Sweat Lodge Ceremonies will be scheduled on a quarterly basis.
 - f. The chronological timeline for each Ceremony day will be reflected on an Operations Bulletin produced by the applicable facility for the event.
3. Implements will be provided by outside volunteers unless otherwise noted:
 - a. Sapling trees, preferably willow or cedar;
 - b. Stones for heating. Approximately 50 stones (about 9-inch diameter) are necessary for each ceremony, preferably lava rocks;
 - c. Firewood, enough for a four-hour fire. Wood must be delivered to the facility no later than 14 days prior to the Ceremony day. Volunteer C-2 residents may be solicited to help cut and split the firewood;
 - d. Shovel and rake to move hot stones from fire pit to Lodge (provided by NHDOC);
 - e. Deer antlers for use inside the Lodge to move hot stones;
 - f. Sage, sweet grass, cedar, copal, osha root, tobacco and Kinnikinnick; all for ceremonial use;
 - g. Smudge bowl, communal Native pipe and drum from Native group property locker;
 - h. Non-metal bucket of water with ladle or plastic cup for pouring over hot stones in the Lodge (provided by NHDOC);
 - i. Water hose at the ready for fire suppressant, should it become necessary;
 - j. Canvas tarps and/or blankets to cover Lodge framework during Ceremony only;
 - k. Four directional flags may be displayed on poles stuck in the ground;
 - l. NHDOC will provide drinking water for the Lodge area; and
 - m. An altar area may be set up within the Lodge area and may permanently display a buffalo or cow skull or replica thereof.
4. Participants
 - a. Qualified C-4, C-3 and C-2 residents who are NHDOC Native American Card-Holders will be allowed to participate in Sweat Lodge Ceremonies.

- b. Residents must sign up for each Ceremony no later than two weeks prior to the ceremony date. Late sign-ups will not be accepted unless circumstances beyond the residents control caused a late request.
 - c. Only those who have attended at least three-fourths of the weekly Native American Circle times during the quarter (a minimum of nine circles/quarters) will be allowed to attend the Lodge Ceremony. All other card-holders may join the Ceremony participants for the feast.. This standard may be relaxed for excused absences on a case-by-case basis via request slip to the Chaplain. Typically, an unexcused absence is anytime one could have attended but chose not to.
 - d. Each facility Chaplain will be responsible for tracking attendance for eligibility purposes.
 - e. No Sweat Lodge Ceremonies shall be conducted without the presence of an approved outside volunteer of the same sex as the resident participants and each Ceremony shall be conducted according to the traditions of the outside volunteer running the Ceremony. The volunteer will have the final say as to who may not be allowed to participate.
 - f. All participants must sign a medical release and memorandum of understanding (attachment 10) prior to participating. A list of individuals participating will be sent to the Nursing Director or designee to review participants for appropriateness and identify any potential health concerns with participation.
 - g. Resident participants will be excused from work or program requirements.
5. Procedures
- a. Participants will be provided access to rest room facilities.
 - b. Resident participants may bring two personal towels and a personal drinking cup with them to the Lodge site. Participants must wear gym shorts at a minimum at all times.
 - c. Resident participants are subject to search prior to entering the Lodge area and strip search prior to return to general population. NHDOC will not interrupt Ceremonies for searches unless specifically approved by the Shift Commander and a compelling need exists.
 - d. NHDOC reserves the right to postpone any Sweat Lodge Ceremony to another day based upon weather, wind direction, security issues, safety concerns and/or fire safety standards.
 - e. Residents who have a Native American Religious Preference Card, are responsible for ensuring easy access is available to and in the Lodge area through the winter by keeping the snow shoveled.
 - f. As with all parts of NHDOC facilities, the ground used for the Lodge will not be recognized as “sacred ground”, but it is respected ground to be used for Sweat Lodge Ceremonies only. As such, the entire area and all participants are subject to search at any time, even inside the Lodge during a Ceremony, should security concerns indicate a compelling need to do so.
 - g. If there are more eligible resident participants signed up than can be safely accommodated in a single Ceremony, NHDOC staff and the volunteer will decide whether to hold an additional Ceremony on another day, or to hold separate abbreviated Ceremonies on the scheduled day.
 - h. The Lodge area shall be kept clean at all times. Tarps, blankets and other NHDOC implements will be stored at the facility between Ceremonies. Participants shall be responsible for maintaining the site and providing any authorized personal ceremonial supplies.
- K. Religious Review Committee (RRC) Proposals – to request recognition of a new or unrecognized faith or additional property or practice considerations for recognized faiths.
- 1. All proposals must be submitted through the facility Chaplain for consideration of the Religious Review Committee by using Attachment 11, RRC Proposal Form, no later than two weeks prior to The next Religious Review Committee Meeting.
 - 2. Each proposal form may only address one item/practice.
 - 3. No resident may submit more than 4 proposals per RRC meeting.
 - 4. If a resident seeks review of a decision of the RRC he or she must follow the process outlined in PPD 313.00. A resident whose Proposal is denied once may resubmit the proposal at the next RRC meeting, provided the resident presents new substantial information/support regarding the necessity of approval, as determined by the Chaplain bringing it forward.
 - 5. If a resident’s proposal has been denied twice by the RRC, it may not be resubmitted for at least two years, unless a substantive court ruling occurs relating to it. All third-time proposals must be approved for resubmission at the Commissioner’s level.

6. All of the above rules apply to proposals of the same type. If one resident's proposal is denied twice, a similar proposal will not be considered new if filed by a different resident. .
7. Chaplains shall seek additional information from residents if RRC requests are unclear.
8. Chaplains shall deny requests that have already been denied by the RRC twice.

REFERENCES:

Standards for the Administration of Correctional Agencies
Second Edition Standards
2-CO-5E-01

Standards for Adult Correctional Institution
Fourth Edition Standards
4-4273; 4-4319; 4-4512 through 4-4521

Standards for Adult Community Residential Services
Fourth Edition Standards
4-ACRS-4A-03; 5A-22

Other
NH RSA 622:22/23

<http://www.religionfacts.com/judaism/branches>

<https://www.justice.gov/crt/religious-land-use-and-institutionalized-persons-act-0>

<https://www.congress.gov/106/plaws/publ274/PLAW-106publ274.pdf>

Attachments
Duffy/lb