

**SAN BERNARDINO COUNTY
PROBATION DEPARTMENT PROCEDURE**

RELIGIOUS PROGRAMS

Title 15, Section 1372

Authority:

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Purpose:

To establish guidelines in providing non-denominational religious services and practices, and/or religious counseling at least once each week to interested youth housed in Juvenile Detention and Assessment Centers (JDACs) and Treatment Facilities (TFs).

Definitions:

Office of Restorative Justice (ORJ) and Pacific Youth Correctional Ministries (PYCM): The ORJ is a branch of the San Bernardino Catholic Diocese known as Catholic Detention Ministry that offers pastoral care and outreach to victims, the incarcerated, and the families of both. The PYCM is a contracted organization that provides volunteers to create or facilitate model chaplaincy ministries. The ORJ and PYCM provide services of volunteer chaplains to ensure youth in custody receive religious services of their choice.

Religious Accommodation Request Form (Attachment A): A form used by youth to request religious services such as literature, visits by clergy, and dietary requests.

Religious Accommodation Request Log (Attachment B): A form used to document a youth's name and completed Religious Accommodation Request forms.

Religious Volunteer (RV): Volunteers authorized by the Department to provide religious services to youth housed in JDACs and TFs.

Religious Services Liaison (RSL): Responsible for collaborating between all religious volunteers, including the Chaplains, and the Religious Programming Coordinator to ensure the religious needs of youth are being met.

Religious Programming Coordinator (RPC): Responsible for coordinating religious services for youth housed at the JDACs and TFs.

Volunteers in Probation (VIP): Authorized volunteers who provide volunteer services on behalf of the Department.

Responsibilities:

- I. Probation Correction Officers (PCOs):
 - A. PCOs assigned to Booking/Holding Liaison shall enter the youth's stated religious preference information into their CE file, and provide information to the youth regarding religious services as indicated in the Orientation Handbook.
 - B. PCOs assigned to living units shall provide information to youth regarding voluntary religious programming at the facility, including but not limited to, the days and times of services and the purpose of the Religious Accommodation Request form.

- C. Monitor youth during religious programs/activities to ensure appropriate behavior and safety.
- D. Ensure youth who elect not to participate in religious programs/activities are able to participate in another staff monitored activity outside of their room. Ensure religious services are conducted away from youth who elect not to participate to prevent youth from hearing or seeing the service.
- E. Document the religious and alternate program activity in a New Event–Log–Activity Log in CE. Indicate the number of youth participating in each activity as well as the youth not participating and the reason why.
- F. Ensure all Religious Accommodation Request forms are legibly written and signed by the youth. Place a copy in the youth's file and submit the original to Central Control.
- G. Refer all religious questions outside of departmental training to the RSL or RPC.

II. Central Control:

- A. Fax the Religious Accommodation Request form to the number provided on the form prior to the end of shift.
- B. Log all Religious Accommodation Request forms received during the shift in the Religious Accommodation Request Log Binder.
- C. Document the completed request form in the youth's CE file in a New Event–Institution–Support Service.
- D. Forward requests for a religious diet to Medical Services, the RSL, and Food Services for processing.
- E. Document all spiritual visits in a New Event-Log-Log Note in the youth's CE file (include the name of the visitor, date, time, and location).

III. Probation Corrections Supervisor I (PCSI):

- A. Ensure staff provide religious services as scheduled while maintaining safety and security of the facility.
- B. Ensure youth who elect not to participate in religious services are able to participate in another staff monitored activity.
- C. Ensure the most up to date Religious Program schedule is posted/advertised on the unit bulletin board to ensure youth are provided information of their rights and access to such services.
- D. Refer all religious questions outside of departmental training to the RSL or RPC.
- E. Report to the Watch Commander/Treatment Facility Supervisor when religious services are limited/restricted due to a legitimate governmental interest or concern (safety, security, order, and control). Document the reason for denial of religious services in a New Event–Log–Activity Log.

IV. Watch Commander (WC)/Treatment Facility Supervisor (TFS):

- A. Ensure youth are permitted to participate in religious services while maintaining safety and security of the facility.
- B. Ensure religious services are not limited or restricted for anything other than a legitimate governmental interest or concern (safety, security, order, and control) which shall be evaluated on a case-by-case basis.
- C. May cancel religious services in the event of safety or security concerns (e.g., emergencies, escapes, Code Blue, Code Red, etc.). If religious services are cancelled, notify the facility Directors (notification may be emailed). Attempt to notify volunteers in advance whenever possible.

V. Medical Services:

- A. Review the health record with the physician/provider upon receipt of a Religious Accommodation Request form for diet accommodation. Assess the impact of the requested diet on the youth's overall health.
 - 1. Return the form to the RSL with findings within three (3) days of the physician/provider's review.
 - 2. Document findings in the health record.
- B. When youth request to partake in a religious fasting diet:
 - 1. Consider pre-existing health conditions prior to the physician/provider approval of fasting diets.
 - 2. Perform face-to-face evaluations every other day and document in the health record.
 - 3. Notify the on-site/on-call physician/provider and the RSL for follow-up when there is an identified concern for the health of the youth.

VI. Food Services:

- A. Arrange for existing menu options or develop new menu options with a registered dietician when applicable upon receipt of a Religious Accommodation Request form for diet accommodation.
- B. Refer any concerns to the RSL and RPC for follow-up.

VII. Religious Services Liaison (RSL)/Designated Probation Correction Supervisor I:

- A. Attend or designate a representative to attend all religious services, special events and trainings, and ensure the event(s) is adequately staffed.
- B. Coordinate and oversee all requests for religious access, services, and visitation of religious denominations not regularly scheduled at the JDACs to ensure compliance with procedure.
- C. Document and forward all reported complaints involving religious volunteers to the RPC.
- D. Ensure all requests that will not be addressed by the Chaplain (e.g., religious dietary requests, and non-Protestant/Christian and Catholic services), have been processed and the results documented on the Religious Accommodation Request form.
- E. Forward approved dietary requests to Food Services for processing.
- F. Prepare a monthly Religious Services Facility Request Report, include the results to each request, and submit the report to the RPC.
- G. Respond to and follow up on youth grievances as outlined in the Grievances and Appeals procedure.

VIII. Religious Programming Coordinator (RPC)/Designated Probation Corrections Supervisor II:

- A. Verify all background checks and clearances for RVs are completed prior to any program participation pursuant to the Volunteers in Probation (VIP) Program procedure.
- B. Verify the completion of training for all RVs through the established VIP training program, which includes but is not limited to safety, security, confidentiality, facility programming, and pertinent department policies and procedures.
- C. Assist in developing annual training provided for staff regarding religious programming.
- D. Immediately address volunteer conduct/behavior, which compromises facility, staff, or youth safety and/or security. All conduct/behavior issues should be reported to the facility Directors as soon as possible.
- E. Review all reported and documented complaints involving religious services that allegedly violate department policy and/or procedure and forward to Professional Standards if applicable.

- F. Shall conduct six (6) meetings annually, which may include the participation of the VIP Coordinator, facility Directors or designee, ORJ, and PYCM for the purposes of:
 - 1. Coordinating access to the JDACs for religious services.
 - 2. Routine institutional management discussions.
 - 3. Reviewing religious requests or complaints.
- G. Ensure the RSL coordinates all requests for religious access, services, and visitations of religious denominations not regularly scheduled at the JDACs.
- H. Address requests for religious services and/or counseling which fall outside of the ORJ and PYCM's respective religious purview and ensure they are processed.
- I. Serve as the department contact for all questions regarding specific religious requests (e.g. religious materials, personal religious items, holidays and religious diets, etc.) or questions as coordinated by the RSL.
- J. Retain a record of the Monthly Religious Services Facility Reports submitted by the RSL.
- K. Maintain statistical reports of total hours of service of each volunteer with the assistance of the ORJ and PYCM. Submit the report on a quarterly basis to the VIP Coordinator or designee.
- L. Provide an annual update to the Detention Corrections Bureau's (DCB) Deputy Chief Probation Officer (DCPO).
- M. Review all grievances received and address appeals as outlined in the Grievances and Appeals procedure.

IX. Religious Volunteers:

- A. Participate in Annual Safety Training and updates.
- B. Comply with requirements of department policies and procedures which address volunteers including Prison Rape Elimination Act (PREA) training.
- C. Shall only provide services to youth that volunteer and/or request services through the Religious Accommodation Request form.

X. Chaplain:

- A. Ensure all religious volunteers complete religious volunteer training.
- B. Monitor religious volunteers to ensure they are in compliance with department policies and procedures.
- C. Monitor services to ensure religious Protestant/Catholic services are conducted within the faith's guidelines.
- D. Provide religious services within the safety and security guidelines established at the JDACs and TFs.
- E. Ensure religious volunteers sign in and out at facility reception (or designated location).
- F. Immediately notify the WC of problems or complaints regarding safety, security, and/or the welfare of youth.
- G. Process referrals for services from the Protestant/Christian community and Catholic community, respectively, and determine the appropriateness for their inclusion.
- H. Refer all requests for religious services and/or counseling which fall outside of their respective religious purview to the RPC.
- I. Coordinate visits when requested by youth or facility managers.
- J. Process Religious Accommodation Request forms received.
- K. Provide a monthly Religious Accommodation Request Report to the RPC.
- L. Recruit prospective religious volunteers.
- M. Process and arrange the one-time clearance requests from the ORJ and PYCM for volunteers of religious holiday services (e.g. Christmas, Easter, etc.).

- N. Respond to and follow up on youth grievances within three (3) days and submit resolution to the facility RSL.

Guidelines:

- A. Youth attendance at religious programs shall be voluntary.
- B. Religious programs shall provide the opportunity for religious services and practices, availability of clergy, and availability of religious diets.
- C. Requests for religious diets shall be reviewed by Medical Services and the RSL. Absent a safety and security reason or compelling governmental interest, err on the side of the diet.
- D. Each unit or facility will provide orientation to all youth and advertise religious services on bulletin boards to ensure youth are aware of their right and access to such services.
- E. Religious Accommodation Request forms shall be accessible and in plain view on each living unit for youth to complete for requested services.
- F. Every effort shall be made to accommodate religious services/requests by the least restrictive means available in an effort to not substantially burden the exercise of the religion. Staff shall communicate other alternative means available for a youth to practice their respective religion.
- G. Requests for religious services (not normally/regularly offered) are reviewed by the RSL, RPC, Chaplain, and Medical Services/Food Services (when applicable). Reasonable efforts will be made for participation in religious services. If limitations to the request are necessary, such limitations shall be imposed in the least restrictive manner.
- H. Requests which may be considered a burden to governmental interest or may compromise the safety and/or security of the facility may be denied. Examples include, but are not limited to:
 - 1. The number of youth requesting a service is insufficient to justify use of staff resources.
 - 2. Services would require a significant change in established schedules of required programs, activities, or room usage.
 - 3. Services, studies, or materials promoting violence, racism, or criminal behavior.
 - 4. The consumption of alcoholic beverages and/or controlled substances.
- I. Religious requests, which may need to be limited or denied, shall be immediately forwarded through the chain of command to the DCB DCPO. A written denial explaining the decision will be provided to the youth and shall be reviewed/approved by the DCB DCPO.
- J. Services provided in another language other than English shall be monitored by Probation staff capable of understanding.
- K. A youth shall be allowed to participate in an activity outside of their room if they elect not to participate in religious programs. They shall be monitored by staff separate from the religious program or activity and will not have restrictions imposed they would not ordinarily have if religious services were not taking place.
- L. Youth are allowed individual bibles. Other religious materials are available on the living unit and/or the institutional library.
- M. All visitors are subject to searches in JDACs and TFs as outlined in the Searches in Detention and Treatment Facilities procedure.
- N. Authorized head coverings for the purpose of religion are subject to search as outlined in the Searches in Detention and Treatment Facilities procedure. For the purpose of the head covering only, the search shall be completed by the same gender.
- O. Holiday caroling, during Christmas for example, is prohibited. Religious services are to remain non-denominational.
- P. Atheism is a declared religion and shall be treated as such upon request to allow equal access to all faiths.
- Q. Spiritual visits should not be scheduled during mealtimes, parental visitation, shower/hygiene time, or when there is a health, safety, and/or security concern in the facility.

Revised: October 19, 2020

Attachments:

A – Religious Accommodation Request Form

B – Religious Accommodation Request Log



RELIGIOUS ACCOMMODATION REQUEST FORM

Date/Time: _____ Facility: _____ Unit: _____

Youth's First/Last: _____ DOB: _____ PIN: _____

Religious/Church Affiliation: _____

Religious Land Use and Institutional Persons Act of 2000 (RLUIPA) "No government shall impose a substantial burden on the religious exercise of a person residing in or confined to an institution unless the burden is in the furtherance of a compelling governmental interest and is the least restrictive means of furthering that interest."

Type or Request:

Speak with Chaplain Speak with personal Religious Leader Speak with a Religious Volunteer

Name of Volunteer or Religious Leader: _____

Grief Support Religious Literature Dietary Other _____

Comments: *(briefly tell us what your need is)*

Youth's Signature: _____

Date: _____

Staff's Signature: _____

Date: _____

STAFF USE ONLY

STAFF: Log request in CE

CENTRAL CONTROL: Log request in CE–Youth File–Institution–Support Services

Place signed copy in youth's file

Fax form to Chaplain (877) 735-3863

Submit original to Central Control

Forward copy of dietary requests to Medical, RSL, Food Services

Note: STAFF/CENTRAL CONTROL SHALL PROCESS ALL REQUESTS BY THE END OF SHIFT ON THE DATE RECEIVED

RELIGIOUS SERVICES LIAISON:

Review Date: _____ Request has been processed by: Chaplain Food Services RSL

Action Taken: _____

(Any denial of service shall be processed according to procedure)

Form uploaded into CE? Yes No

Religious Services Liaison Signature: _____

Religious Dietary Requests ONLY

MEDICAL SERVICES:

Health record reviewed and request approved? YES NO Reason for denial: _____

Medical Services Supervisor/Designee Signature: _____ Date: _____

*Return the form to the RSL. Forward a copy to Food Services only when approved.

FOOD SERVICES:

Refer concerns to the RSL and RPC if an accommodation for a religious diet request cannot be made.

