

	<p align="center"><b>JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES</b></p>	<p><b>REFERENCES: 505 KAR 1:140 3-JDF-5F-01, 02, 03</b></p>
<p><b>CHAPTER: Detention Services</b></p>		<p><b>AUTHORITY: KRS 15A.065</b></p>
<p><b>SUBJECT: Religious Programs</b></p>		
<p><b>POLICY NUMBER: DJJ 720.3</b></p>		
<p><b>TOTAL PAGES: 5</b></p>		
<p><b>EFFECTIVE DATE: October 5, 2018</b></p>		
<p><b>APPROVAL: Carey D. Cockerell , COMMISSIONER</b></p>		

**I. POLICY**

Each regional juvenile detention center shall designate space and time frames for youth to participate in religious services. DJJ reserves the right to restrict religious actions, rituals, material, or publications that pose a risk of harm to staff or other juveniles and that interfere with the orderly operational management of a facility. All participation in religious services and activities shall be voluntary on the part of the youth.

**II. APPLICABILITY**

This policy shall apply to each regional juvenile detention center..

**III. DEFINITION**

Refer to DJJPP 700.

**IV. PROCEDURES**

- A. Each DJJ facility shall ensure the opportunity for religious belief and practice is afforded to juveniles without fear of discrimination, penalty, coercion, harassment, ridicule, or intimidation.
- B. DJJ shall designate an Agency Religious Program Coordinator who will assist in the coordination of religious protocol, practices, and processes for the Department. The responsibilities of the Agency Religious Program Coordinator are as follows:
  - 1. Establish the processes and procedures for the religious program;
  - 2. Establish a process for juveniles to identify religious preferences and religious accommodations needs upon entering a DJJ facility;
  - 3. Establish a process for juveniles to change religious preferences or accommodations;

<b>POLICY NUMBER</b> <b>DJJ 720.3</b>	<b>EFFECTIVE DATE</b> <b>10/05/2018</b>	<b>PAGE NUMBER</b> <b>2 of 5</b>
--	--	-------------------------------------

4. Monitor facilities and programs to verify that juveniles are not subjected to discrimination, coercion, harassment, or ridicule due to religious affiliations in DJJ facilities;
  5. Verify that facility staff are trained regarding DJJ policy juveniles and their religious preferences;
  6. Educate each visiting religious leader regarding DJJ religious policy and guidelines;
  7. Maintain a database tracking all religious accommodation requests;
  8. Maintain all religious accommodation documentation; and
  9. Designate a staff person to act on his or her behalf in the absence of the religious coordinator.
- C. Each DJJ detention facility shall designate a qualified staff, based on experience, education, licensure/credentials, and training, as the Facility Religious Coordinator. The Facility Religious Coordinator shall plan, direct, and coordinate all aspects of religious programming within the facility as follows:
1. Collaborating with program administrators and staff to plan, direct, and coordinate all aspects of the religious program;
  2. Developing and maintaining close relationships with religious resources in the community;
  3. Providing religious materials and publications to each facility so that juveniles are able to access this information;
  4. Reviewing request for religious accommodations forms;
  5. Reviewing and processing accommodation requests, by conducting the initial assessment of all accommodation requests submitted by a juvenile, then forwarding to the Agency Religious Program Coordinator for final approval; and
  6. Educating facility staff regarding this policy.
- D. DJJ staff shall allow a juvenile to designate any or no religious affiliation as a preference and indicate any religious accommodations needed upon intake to a facility or any time while in custody.
1. Religious declaration documentation and a request for accommodations shall be in writing, signed and dated by the juvenile, and DJJ staff receiving the accommodation request.
  2. DJJ staff shall forward religious declaration documentation and each request for an accommodation to the Facility Religious Coordinator.
  3. The religious accommodation request review process is as follows:

<b>POLICY NUMBER</b> DJJ 720.3	<b>EFFECTIVE DATE</b> 10/05/2018	<b>PAGE NUMBER</b> 3 of 5
-----------------------------------	-------------------------------------	------------------------------

- a. The signed accommodation request shall be reviewed by the Facility Religious Coordinator and the facility Superintendent;
  - b. The facility Superintendent or the Facility Religious Coordinator shall forward the accommodation request documentation to the Agency Religious Program Coordinator and copy the Regional Director and the Facilities Regional Administrator (FRA);
  - c. The Agency Religious Program Coordinator or designee shall:
    - i. Review the religious accommodation request;
    - ii. Consult with the Office of Legal Services regarding the accommodation request and make the determination of whether to accept or deny the religious accommodation request; and
    - iii. Notify the facility Superintendent and Facility Religious Coordinator of the accommodation request determination.
  - d. The religious accommodation request determination shall be forwarded to the juvenile.
4. A religious dietary accommodation request shall be implemented by DJJ staff upon receipt of the request to the extent possible. The Facility Religious Coordinator shall forward the request to the Agency Religious Program Coordinator for review and determination. The Agency Religious Program Coordinator shall forward the determination to the Regional Director, FRA, facility Superintendent, and the Facility Religious Coordinator.
  5. A juvenile shall have the right to appeal an accommodation request that is denied by the Agency Religious Program Coordinator. Upon request of a juvenile to appeal an accommodation request that is denied the Facility Religious Coordinator or facility Superintendent shall submit the appeal request to the Commissioner for review and disposition and send a copy to the Agency Religious Program Coordinator. The appeal shall be submitted to the Commissioner not later than five (5) days after the receipt of the request of a juvenile to appeal the denial.
- E. A juvenile shall have the following religious rights and responsibilities:
1. A juvenile shall submit a request to change religious designation in writing. If accommodations are requested for this new religious designation, the accommodation process shall be followed;
  2. A juvenile shall be permitted to possess items essential to the practice of the particular religious faith, provided such items do not pose a risk of harm to staff or other juvenile or interfere with the orderly operational management of a facility;
  3. A juvenile shall have access to approved religious publications;

<b>POLICY NUMBER</b> DJJ 720.3	<b>EFFECTIVE DATE</b> 10/05/2018	<b>PAGE NUMBER</b> 4 of 5
-----------------------------------	-------------------------------------	------------------------------

4. Each religious item and material is subject to review before entering the facility; and
5. Approval or denial of a religious item shall be determined through the accommodation process.
  - a. When an item has been approved, the Facility Religious Coordinator shall consult with the juvenile's family for assistance in obtaining the approved item; and
  - b. The Agency Religious Program Coordinator shall consult community religious resources regarding each request for religious items for juveniles.
- F. Visitation from a personal minister, pastor, or religious counselor, for a juvenile, who meets the requirements of a volunteer shall be permitted at scheduled times and other times as approved by the facility Superintendent or designee;
  1. If a juvenile requests assistance in obtaining a religious leader, the Agency Religious Program Coordinator or the Facility Religious Coordinator shall provide assistance to the juvenile in finding a religious leader; and
  2. A juvenile may decline a visit with personal minister, pastor, or religious counselor.
- G. The Facility Religious Coordinator shall coordinate each religious program with the facility schedule. The juvenile shall be notified of such programming. DJJ staff shall document juvenile participation in the programming.
  1. Juvenile's participation in a religious service and counseling shall be voluntary;
  2. DJJ staff shall supervise all religious programs and supervision shall be provided in a manner that reflects awareness of and sensitivity to individual religious beliefs;
  3. Space and equipment shall be available for religious services commensurate with the faith group's representation within the population;
  4. DJJ shall take into consideration work restrictions related to religious observance practices and special religious ceremonies;
  5. Juveniles shall not be penalized for not participating in religious activities; and
  6. DJJ staff shall not conduct religious programming or activities at a DJJ facility.

<b>POLICY NUMBER</b> <b>DJJ 720.3</b>	<b>EFFECTIVE DATE</b> <b>10/05/2018</b>	<b>PAGE NUMBER</b> <b>5 of 5</b>
--	--	-------------------------------------

- H. DJJ staff shall not harass or ridicule juveniles because of a religious designation.
- I. DJJ shall not coerce or attempt to convert a juvenile toward a religious designation.
- J. A volunteer minister, pastor, or religious counselor, approved by the Facility Religious Coordinator and DJJ, shall have access to each area of the facility identified for religious programming.
- K. Any volunteer minister, pastor, or religious counselor, approved by the Facility Religious Coordinator and DJJ, shall comply with the DJJ policy regarding the confidentiality of the juvenile's information.
- L. The Agency Religious Program Coordinator, Facility Religious Coordinator, and facility Superintendent or designee shall approve the donations of religious equipment or material.

**V. MONITORING MECHANISM**

Monitoring shall be the responsibility of the facility Superintendent, the Agency Religious Program Coordinator, the Facility Religious Coordinator, and the Quality Assurance Branch.