

(i) An inmate who is receiving a religious vegetarian diet is not permitted to possess, purchase from the commissary, or consume food that is prohibited by the inmate's religious dietary laws. Documentation of any violation of this provision shall result in removal of the inmate from the religious vegetarian diet list and the inmate shall not be eligible to reapply for 90 calendar days.

Amended by R.1999 d.380, effective November 1, 1999.

See: 31 N.J.R. 2125(a), 31 N.J.R. 3338(a).

Rewrote (g); and added (i).

10A:17-5.11 Religious holidays

(a) Religious holidays of recognized faith groups shall be acknowledged.

(b) Special religious services or activities may be scheduled for inmates of a particular faith so those inmates may observe their religious holidays. The scheduling of these special religious services and activities shall depend upon the following:

1. Availability of correctional facility space;
2. Availability of staff for supervision; and
3. Other essential operational considerations.

10A:17-5.12 Receiving and sending religious material

(a) Inmates shall be permitted to receive through the mail and retain religious literature and the indicia of religion, such as missals, prayer books, shawls and prayer rugs.

(b) Inmates shall be permitted to send out of the correctional facility religious literature or indicia of religion, such as missals, prayer books, shawls and prayer rugs.

(c) The receipt, retention or sending out of religious material is subject to the restrictions and procedures in N.J.A.C. 10A:3-6 Contraband and Disposition of Contraband, and N.J.A.C. 10A:18 Mail, Visits and Telephone.

10A:17-5.13 Interfaith religious activity within the correctional facility

(a) Although the Chaplain shall serve the correctional facility as a minister of the faith which he or she represents, the Chaplain shall not limit counseling, pastoral or other ministerial activities and/or responsibilities to inmates of the Chaplain's religious preference and affiliation.

(b) Where only one Chaplain serves the correctional facility, he or she shall cooperate with representatives of other faith groups that have been approved to minister to inmates in the correctional facility.

(c) Inmates of various religious preferences and affiliations shall be permitted to participate in the religious activities and services of other faith groups whenever it is feasible and appropriate.

(d) No person shall disparage the beliefs of an inmate participating in the authorized religious activities and/or services of other faith groups or deliberately seek to persuade an inmate to change religious affiliation.

(e) No chaplain(s) or religious volunteer(s) shall teach or interpret the beliefs or practices of a faith other than their own faith.

10A:17-5.14 Community volunteers for religious activities

(a) Community volunteers for religious activities shall be recruited, oriented, trained and evaluated in accordance with N.J.A.C. 10A:17-2 Volunteer Service Program.

(b) The Chaplain shall be the immediate supervisor of volunteers for religious activities, and shall familiarize the volunteers with the rules in this subchapter and any other internal management procedures pertaining to religious activities.

Amended by R.2003 d.403, effective October 20, 2003.

See: 35 N.J.R. 2780(a), 35 N.J.R. 4894(b).

In (b), substituted "internal management procedures" for "rules" preceding "pertaining to religious activities".

10A:17-5.15 Chaplaincy service for inmates confined to the infirmary, hospital or Close Custody Units

(a) The Chaplain may visit an inmate confined to a Close Custody Unit and/or the inmate may request and be provided religious counseling or pastoral services in compliance with N.J.A.C. 10A:5 and N.J.A.C. 10A:4-10.

(b) The Chaplain may visit inmates confined to the correctional facility infirmary or hospital and inmates may request religious counseling or pastoral services. These services shall be provided by the Chaplain or a volunteer religious group leader from the community.

(c) The correctional facility Chaplain may visit inmates who are patients in a community hospital and inmates may request religious counseling, inmate marriage information or other pastoral services.

(d) The procedure for requesting religious counseling or pastoral services shall be outlined in the Inmate Handbook published pursuant to N.J.A.C. 10A:8-3.

Amended by R.2003 d.403, effective October 20, 2003.

See: 35 N.J.R. 2780(a), 35 N.J.R. 4894(b).

In (c), inserted ", inmate marriage information" preceding "or other pastoral services"; in (d), substituted "services" for "service" following "pastoral".

10A:17-5.16 Chaplaincy services for inmates in satellite units

Inmates assigned to satellite units may receive counseling or pastoral services provided by the Chaplain (see N.J.A.C. 10A:17-6, Correctional Facility/Unit Chaplaincy) or a volun-

teer religious group leader from the community (see N.J.A.C. 10A:17-2, Volunteer Service Program).

Amended by R.2003 d.403, effective October 20, 2003.
See: 35 N.J.R. 2780(a), 35 N.J.R. 4894(b).

Inserted N.J.A.C. references throughout.

10A:17-5.17 Nontraditional religions

(a) Correctional facility Administrators shall not be required to provide every religious sect or group with:

1. Outside clergy;
2. Space; and/or
3. Schedule time for religious activity.

(b) An inmate belonging to a nontraditional religion may be permitted to practice his or her religion if the Administrator determines, after consultation with the Chaplain and the Coordinator, Chaplaincy Services, that the religion is entitled to official recognition within a correctional facility/unit, and that the practice of this religion would not threaten or otherwise interfere with the internal discipline, safety, security or orderly operation of the correctional facility/unit.

Amended by R.2003 d.403, effective October 20, 2003.
See: 35 N.J.R. 2780(a), 35 N.J.R. 4894(b).

In (a), substituted "Administrators" for "Superintendents" in the introductory paragraph; in (b), inserted "/unit" following "facility" throughout.

10A:17-5.18 Initiating religious groups within the correctional facility/unit

(a) An inmate who wishes to organize a religious group which is not already officially recognized in the correctional facility/unit shall submit a written request to the Administrator which contains the following information:

1. The official name of the religious organization or religion;
2. The names of all correctional facility/unit religious group members known to the inmate;
3. The name, address and affiliation of the person(s) who is to lead the religious service who must be able to comply with the procedures established in N.J.A.C. 10A:17-2;
4. A description of religious beliefs or theology, including religious literature or scripture utilized;
5. A description of ritual practices, including time and manner of conducting religious services;
6. A description of any indicia of religion and religious ritualistic elements;
7. A statement of the group's religious goals and objectives; and
8. A list of the religious holidays, with explanations as to purpose of each.

(b) The Administrator shall, after consultation with the Chaplain and the Coordinator, Chaplaincy Services, consider all relevant factors which shall include, but are not limited to, the following:

1. Safety of inmates and staff;
2. Security and the orderly operation of the correctional facility; and
3. The availability of time and space.

(c) The Administrator shall determine whether the religious group shall be granted official recognition within the correctional facility and shall provide a written notice of the decision to the following:

1. The Chaplain;
2. The Coordinator, Chaplaincy Services; and
3. The inmate(s) who submitted the request.

Amended by R.2003 d.403, effective October 20, 2003.
See: 35 N.J.R. 2780(a), 35 N.J.R. 4894(b).

In (a), inserted "/unit" following "facility" in the introductory paragraph and inserted "/unit religious group" following "facility" in 2; substituted "Administrator" for "Superintendent" throughout.

10A:17-5.19 Ministerial services to the staff

Upon request, the Chaplain shall provide pastoral services to the correctional facility/unit staff, and shall be available for counseling especially in periods of bereavement, emergencies and other crisis situations.

Amended by R.2003 d.403, effective October 20, 2003.
See: 35 N.J.R. 2780(a), 35 N.J.R. 4894(b).
Inserted "/unit" following "facility".

10A:17-5.20 Clergy from the community

(a) Clergy from the community who wish to provide ministerial services to an inmate may be approved for a contact visit with an inmate in compliance with N.J.A.C. 10A:18-6.

(b) An inmate who wishes to receive visits during regularly scheduled visit times from clergy from the community shall submit to the person designated by the Administrator the name of the clergy to be added to the inmate's visitor list as established in N.J.A.C. 10A:18-6.3.

(c) Special visits from clergy from the community must be authorized by the correctional facility Administrator or designee in compliance with N.J.A.C. 10A:18-6.5.

Amended by R.2003 d.403, effective October 20, 2003.
See: 35 N.J.R. 2780(a), 35 N.J.R. 4894(b).
Substituted "Administrator" for "Superintendent" throughout.

10A:17-5.21 Files and records

(a) During reception into a correctional facility, each inmate's religious preference shall be recorded in his or her classification record.