



# POLICY AND PROCEDURES

**NUMBER:** 1616

**SUBJECT:** Religious Headgear/*Faith Items*

**ACA STANDARDS:** None

**DIRECTOR:** Herbert Bernsen

**EFFECTIVE DATE:** 7/1/2012

**REVISION DATE:** 1/16

## I. POLICY

The St. Louis County Department of Justice Services will accommodate the wearing of religious headgear by inmates as part of a religious practice, so long as such practice does not compromise the safety, order or security of the facility.

## II. RESPONSIBILITIES

All St. Louis County Department of Justice Services' staff are responsible for the following procedures.

## III. DEFINITIONS

**Religious Headgear:** An article of clothing worn as part of a doctrinal observance of a religious faith practiced by a member. Religious headgear includes, but is not limited to:

- a. **Hijab:** Headgear worn by Muslim women to cover the hair, neck, and ears when in front of men who are not close relatives or the woman's spouse.
- b. **Niqab:** A face veil worn with the hijab in religious groups that covers all of the face except the eyes.
- c. **Yarmulke:** A skullcap worn by Jewish men and boys.
- d. **Turban:** A cloth winding worn by many religions that may vary greatly in size, shape, and color, depending on origin.
- e. **Coif:** The headpiece that is worn by Catholic nuns as part of the garment known as a habit.
- f. **Kufi:** Brimless, rounded cap.
- g. **Veil:** Headdress covering up part of all of the hair, neck, and upper torso of a religious woman.

*[Prayer Rug: A piece of fabric, used by Muslims, placed between the ground and the worshipper for cleanliness during prayer.]*

#### **IV. PROCEDURES**

##### **A. General Procedures for Religious Headgear**

1. All inmates who enter the facility with religious headgear, regardless of type or religion, will all follow the same policies and procedures.
2. Inmates with religious headgear will be required to be searched according to policies and procedures for searches (See Policy # 813).

NOTE: An inmate cannot refuse to be searched. If an inmate refuses to remove the headgear for search, all normal policies and procedures will be followed. (See Policy # 823) Inmates who do not comply with searches are subject to losing the privilege of retaining the headgear.

3. Any inmate that is deemed to be a suicide risk (precautionary, medium, or high risk) will not be allowed to retain any type of religious headgear.

##### **B. Intake**

1. The Intake Supervisor will be notified immediately upon the arrival of an inmate wearing religious headgear.
2. All incoming inmates wearing headgear for religious purposes will be searched. The search will take place before the inmate is seen and cleared by medical. The inmate will be taken into the police interview room where the headgear will be removed for search and then replaced. The officer conducting the search will place the magnetic curtain over the window before the search begins. Female inmates will ONLY be searched by female officers and male inmates will ONLY be searched by male officers. The Intake Supervisor will ensure a proper staff member is available for all searches.
3. The inmate will be allowed to retain and wear the headgear while in open seating and if attending court while in intake.

NOTE: Females wearing a niqab will be allowed to retain the hijab but are not allowed to retain the niqab. The niqab will be placed in the inmate's property for return upon release.

4. When mugshots are taken, a partition will be placed so the inmate cannot be viewed by the inmates in open seating. Mugshots will be taken by an officer of the same sex as the inmate and all other staff on duty will remain out of view while the pictures are taken.
5. Two mugshots will be taken of inmates wearing headgear. One will be without the headgear and one will be with the headgear.
6. While in intake, it is the responsibility of the Classification Specialist to inform the inmate of policies and procedures regarding religious headgear if the inmate is assigned to general population. If there is not Classification Specialist available, the responsibility falls to the Intake Supervisor.
7. A caution code will be entered in IJMS by the Classification Specialist to inform staff if an inmate is in possession of approved religious headgear.

**C. General Population**

1. After the inmate is searched and dressed for the move to population, the inmate will be instructed to place the headgear in the property box until they arrive at their cell.
2. Upon arriving on a floor, it is the responsibility of the Supervisor on the floor to inform the inmate of the policies and procedures regarding religious headgear. Female inmates are to be informed that males enter the female housing units for various reasons (i.e. commissary, medication pass, Supervisor tours, responding to emergencies, etc.)
3. Inmates in general population or special management housing, may only wear the headgear while inside of their cell. Any time an inmate leaves their cell (i.e. dayroom activities, shower, meals, clinic, court, programs, etc.) the inmate must remove the headgear.

Note: An exception will be made for inmates attending religious services. Inmates will be allowed to carry religious headgear to and from their cell and the headgear may be worn during the service. Religious headgear will be searched prior to and following the service.

**[D. Prayer Rugs]**

1. *Prayer rugs are available for purchase through the inmate commissary system. Prayer rugs will not be provided to an indigent inmate for his/her personal use.*

2. *Inmates will only be allowed to use the prayer rugs while in his/her cell during prayer time only. When the rug is not being used for prayer, it is to be stored in the inmate's property box.*

3. *Inmates will be allowed to use the prayer rug during services conducted in the multi-purpose room by religious leaders. The inmate will be allowed to carry the prayer rug to and from the service. The prayer rug will be searched prior to and following the service. The prayer rug will be returned to the inmate's cell immediately following the search at the completion of the service.*

4. *When conducting cell searches, prayer rugs will be handled gently. The prayer rug will be searched and then returned to the same location and position it was in prior to the search.]*

**[E. Special Management Housing**

1. *Inmates in special management housing may be restricted from retaining religious headgear and/or prayer rugs if security and/or classification concerns or special management housing conditions warrant more restrictive conditions.]*