

RELEASE, HOLD HARMLESS, AND SETTLEMENT AGREEMENT

THIS SETTLEMENT AGREEMENT AND RELEASE ("Settlement Agreement") is entered this _____ day of _____, 2012, by Larry Tarrer and Raymond Garland (each a "Plaintiff" and collectively the "Plaintiffs"), and Pierce County, Pierce County Sheriff's Department, and each individually named defendant as outlined below (each a "Defendant" and collectively the "Defendants").

A. RELEASE AND DISCHARGE

FOR AND IN CONSIDERATION of the terms of this agreement, each of the undersigned does hereby release and forever hold harmless the County of Pierce, in the State of Washington, its current and former officials, officers, agents, assigns, and employed, and specifically the individually named Defendants, Chief Martha Karr, Rich Odegard, Captain Pat Kelly, Captain Marvin Spencer, Lieutenant Charla James, Sergeant Timothy Braswell, Vincent Goldsmith, and Mary Scott, in both their official capacity and individually, and Pierce County Sheriff's Department, from any and all claims, demands, damages, actions, or causes of action, including appeals, whether on account of damage to property; bodily injuries; civil liberties; deprivation; tort; death; local, state, or federal law; or any other theory of law, including, but not limited to, attorney fees and costs, resulting or to result from events which occurred on or about September 2007 to September 2010, in Pierce County, Washington, which are the subject matter of *Larry Tarrer and Raymond Garland v. Pierce County, et al.*, United States District Court – Western District of Washington, Case No. CV10-05670, and are described in the Complaint in that lawsuit. This release does not apply to claims, demands, damages, actions, or causes of action that may arise from events occurring on or after the date of this agreement.

FURTHER, each of the undersigned agrees to save and hold harmless Pierce County and these Defendants from all rights of subrogation of Plaintiffs' insurance carrier or others for Plaintiffs' medical payments and/or disability or personal injury protection payments, wage loss, and property damage, or any liens of any kind whatsoever.

FURTHER, it is understood and agreed that this settlement is the compromise of disputed claims and that the agreement outlined herein is not to be construed as an admission of liability or non-liability by any of the parties to this action.

B. AGREEMENT

1.0 Terms & Conditions

1.1 Grievance Procedure: All accommodations outlined herein are subject to the grievance procedure for current inmates of the Pierce County Detention and Correction Center as outlined in the Inmate Handbook.

1.2 Emergent Situations: All accommodations for religious dress, religious items, diet, medication, and congregate prayer as outlined herein are subject to brief interruption or suspension of accommodations based on an emergency. For purposes of this paragraph, an “emergency” shall be defined as an unforeseen event or situation that requires a brief interruption or suspension of a specific accommodation in order to protect any person from an imminent threat of physical harm.

1.3 Abuse of Religious Accommodations: If an inmate abuses a religious accommodation (e.g., by misusing an approved religious item for other than its intended purpose or by demonstrating misconduct during congregate prayer or study time), PCDCC may deny the relevant accommodation/religious item from that inmate for so long as the reason for the denial remains. Confiscation of religious items and denial of congregate prayer and study opportunities shall be documented in writing, along with the reasons therefore.

1.4 Sincerely Held Belief: All accommodations outlined herein are based on the condition that the inmate requesting the accommodation has a sincerely held belief that the accommodation is part of his/her religious exercise.

2.0 Religious Dress

As with all items authorized to be in the possession of inmates: 1) any use for other than the item's intended purpose may cause it to be confiscated; 2) the item is the inmate's responsibility, and Pierce County Detention and Correction Center (hereinafter "PCDCC") will not be responsible for its loss or damage, not caused by the negligence of the PCDCC; and 3) it will be subject to search which may include but not be limited to both visual and physical (touching) of the item to be inspected.

2.1 Kufis: PCDCC policies and practices will be revised to allow inmates to purchase from the commissary and wear an approved kufi – if they have a sincere religious belief that they should do so – in their cell and during congregate prayer outside the unit.

When not so worn, such kufis must be stored with an inmate's personal items in his cell or blue bin/container that is used to store an inmate's property. Inmates are responsible for properly storing their approved kufi prior to transfers within the jail.

The style(s) of kufi will be determined by the PCDCC. PCDCC will allow outside organizations to place money on an inmate's books in order to enable indigent inmates to obtain a kufi from the commissary, provided that there is no method to earmark funds.

The policy revision will be adopted, and approved kufis will be available for purchase by no later than 90 days from execution of this agreement.

2.2 Pant Hem Length: PCDCC policies and practices will be revised to allow inmates with a sincerely held religious belief to roll up both of their pant hems to equal length so that they do not fall below the ankles, but no higher than approximately two to four inches above the bottom of the back of the heel of the foot while in bunk area, including within their cells, dayrooms, in yards attached to the housing unit, and in multipurpose rooms attached to housing units. Unless otherwise permitted by PCDCC policy or directed by a court, inmates will not be allowed to roll up their pant hems when outside their unit. In all instances, inmates will be required to unroll their pant hems upon request in order to check for contraband and at all times while outside their unit.

The policy revision will be adopted and implemented by no later than 90 days from execution of this agreement

3.0 Religious Diets and Fasting Accommodations

3.1 Halal Food: PCDCC will make halal meals available to Muslim inmates who sincerely believe that eating a halal diet is important to their religious practice, comparable to the kosher meals made available to Jewish inmates. The halal meals will include some halal meat menu items (although not with every meal) and vegetarian items.

3.2 Commissary: Defendants will continue to maintain halal snack items on the commissary menu as is current practice and will continue to offer at least one halal meat item subject to availability from vendor.

3.3 Fasting Accommodations: During the month of Ramadan, PCDCC will offer Muslim inmates meals during non-fasting hours that are of adequate variety, caloric content and nutritional value. PCDCC will provide variety within the three meals served on each day. At least one of the daily meals during Ramadan will include halal meat and dates. In addition, at least one of the meals will include a vegetable or a piece of fruit. Defendants will also attempt to provide some variety in the meals served from day to day, for example by varying the type of lunch meat. However, the parties recognize that in order to provide meals that are non-perishable, and that can be held over for from time of preparation to time of consumption, meals will be repeated throughout Ramadan

3.4 Medication/Fasting: When a Muslim inmate is fasting because of sincerely held religious beliefs, the PCDCC will provide the inmate prescribed medications during non-fasting hours, if the inmate so requests. The inmate must request the accommodation at least 72 hours prior to a change in medication schedule by sending a kite to the clinic. A health care provider will meet with the inmate within two business days of receipt, and no longer than 72 hours from receipt if there are intervening holidays or weekends, to advise him or her about any risks of stopping or delaying the medication(s). This practice will be documented in PCDCC policy.

3.5 Eids: If an inmate kites one week before the Muslim holidays of Eid al Fitr or Eid al Adha, PCDCC will accommodate delivery of a sack meal to the interview room (or multipurpose room in new jail) for observation of Eid-ul-Fitr and Eid al-Adha, subject to the meeting room limitations. The meal will consist of one halal meal, including a serving of halal meat and dates. The gathering will last for up to one hour and thirty minutes.

3.6 The accommodations and policy revisions described above will be implemented by no later than 90 days from execution of this agreement.

4.0 Access to Items for Religious Worship

4.1 Miswak: PCDCC will allow Muslim inmates to purchase from the commissary, and use, a miswak approved by PCDCC that is the same or similar size as the PCDCC issued toothbrush, under the same conditions in which inmates of the same classification level are allowed to possess and use an authorized toothbrush.

4.2 Prayer Oil: PCDCC policies and practices will be revised to allow Muslim inmates to purchase from the commissary and use an approved mildly scented prayer oil/perfume under the same conditions that an inmate may have any similar product and provided that the prayer oil/perfume is in a non-breakable clear container and is not flammable. Any prayer oil approved for purchase is subject to removal at a later time should another employee/inmate develop a medically-documented sensitivity.

4.3 Prayer Rugs: Inmates with a sincerely held religious belief will be permitted to purchase an approved prayer rug from the jail commissary or obtain a second towel from the PCDCC in lieu of a prayer rug. Inmates will, upon request, be provided a previously unused second towel of a different color from regular issue jail towels, to use as a prayer surface in their cell and during congregate prayer. The prayer rug or second towel must be kept with the inmate's personal belongings and the second towel can be exchanged by the inmate for a new, unused towel if it becomes dirty, soiled, or no longer acceptable as a prayer

surface. The authorization of a second towel used as prayer rug will be documented in the inmate's LINX behavior log.

PCDCC will permit outside organizations to put money on an inmate's books in order to enable indigent inmates to obtain a prayer rug from the commissary, provided the jail cannot earmark funds.

4.4 Religious Item on Person at Time of Arrival at the PCDCC: If a new inmate comes to the PCDCC with religious items that meet PCDCC's criteria, the inmate will be allowed access to those items after being assigned to a housing unit. If an inmate arrives without such items, the inmate will be allowed to purchase an approved version from the commissary only.

4.5 The approved miswaks, prayer oil, prayer rugs, and second towels will be available for inmate purchase and/or use by no later than 90 days from execution of this agreement.

5.0 Opportunities for Congregate Prayer and Study

5.1 Jum'ah & Eids: PCDCC will provide opportunity for groups of up to 5 inmates, or 4 inmates plus 1 volunteer imam, if available, from the same housing cluster to gather for Jum'ah, Eid-ul-Fitr and Eid al-Adha in the cluster interview rooms in the old jail (and in the unit multi-purpose rooms in the new jail) subject to classification and keep separate rules. Jum'ah services will last for 55 minutes (actual service time, not including movement or search procedures); Eids will last for 1 hour and 30 minutes (actual service time, not including movement or search procedures). Time out for services will be included as part of the calculation for overall time allowed out of cell during non lockdown hours. If the Jum'ah service exceeds 5 participants, inmates in the same cluster will be permitted to hold a rotation of two Jum'ah services, for up to a total of 10 inmates. Opportunities for congregate prayer during Jum'ah and the Eids will not be precluded by routine lockdown or by other uses of the interview or multi-purpose rooms. Inmates in dry cells will be allowed 10 to 15 minutes to perform ritual ablutions prior to Jum'ah services and the Eids.

Those inmates whose classification restrictions prohibit congregate activities in the interview rooms, but who are entitled to 4 hours or more of out of cell time in the unit day room, shall be allowed to engage in congregate prayer in their unit day room when they are not on lockdown. PCDCC shall define an area in the dayroom that inmates can use for this purpose. Further, such inmates may send a kite to the classification sergeant, requesting expedited review of their classification so that they may participate in Jum'ah and Eid services under the less restrictive terms described in the preceding paragraph. If an inmate submits such a request, PCDCC will review his classification status every 20 days, rather than every 30 days.

When interview rooms are used for congregate prayer services, they may be cleared of all furniture in order to accommodate prayer. PCDCC will include information in the Inmate Handbook advising inmates that they may contact the program coordinator regarding availability of religious services.

5.2 Prayer and Study: Upon written request via kite, and approval of request subject to keep separate and classification rules, PCDCC will allow inmates from the same housing cluster to meet in the interview rooms (or multi-purpose rooms in the new jail) once weekly, in addition to Jum'ah and Eid services, for the purpose of prayer and religious study, subject to the capacity limit of 5 persons for the cluster interview rooms, and subject to room availability based on scheduled and unscheduled activities, such as attorney client meetings and lockdown. Time out for meetings will be included as part of the calculation for overall time allowed out of cell during non-lockdown hours. Meetings shall not exceed 55 minutes (actual meeting time, not including movement or search procedures). This provision does not limit the number of special visits allowed with volunteers, including chaplains. Inmates in dry cells will be allowed 10 to 15 minutes to perform ritual ablutions prior to prayer which will be deducted from their out of cell time.

5.3 The procedures for congregate prayer and study set forth above will be implemented by no later than 90 days from execution of this agreement.

6.0 Access to Religious Resources and Support

6.1 Volunteer Recruiting: PCDCC will establish specific expectations for the Program Coordinator to recruit Muslim volunteers to lead religious services and provide support. These expectations will include quarterly contacts with local and regional Muslim community leaders, organizations and mosques, and if necessary to recruit sufficient volunteers, inquiries to other correctional institutions. The Program Coordinator's outreach effort shall at least initially include soliciting information about resources from the Washington Department of Corrections (DOC). The Program Coordinator's outreach efforts will be documented in writing.

The Program Coordinator's efforts to recruit Muslim volunteers will be reviewed by the Chief or her designee (someone with supervisory authority over the Program Coordinator) on at least a semi-annual basis.

PCDCC will maintain a written roster of Muslim volunteers, along with their contact information, and the dates and times they provide services at the jail.

6.2 Islamic Texts: PCDCC will establish specific expectations for the Program Coordinator to obtain donated Islamic texts and literature for use by inmates in the jail. These expectations will include quarterly contacts with local

and regional Muslim community leaders, organizations, and mosques, and if necessary to identify and obtain resources for Muslim inmates, inquiries to other correctional institutions. The Program Coordinator's outreach effort shall, at least initially, include soliciting information about resources from DOC.

The Program Coordinator's outreach efforts will be documented in writing. The Program Coordinator's efforts to obtain Islamic literature will be reviewed by the Chief or her designee (someone with supervisory authority over the Program Coordinator) on at least a semi-annual basis.

6.3 PCDCC's expectations regarding volunteer recruitment and text/literature procurement, as described above, will be established by no later than 90 days from execution of this agreement.

7.0 Requests for Religious Accommodations

All requests for religious items or accommodations shall be made by the inmate in the form of a kite, identifying the accommodation requested and the inmate's sincere religious belief and affiliation.

If any request for religious items or accommodations is denied, the denial shall be in writing, noting the name and title of the person who denied the request, the item or accommodation requested, and the reason(s) for denial. Kites and responses shall be retained for a period of three years.

8.0 Training

PCDCC will provide annual training to all jail staff, including Command Staff, on First Amendment and RLUIPA issues. The first such annual training will take place by no later than 180 days from execution of this agreement.

Defendants will also provide the training bulletin attached to this agreement as Exhibit A to all jail staff by no later than 90 days from execution of this agreement.

Defendants will retain copies of all training materials for three years.

9.0 Responsible Living Unit (RLU)

Defendants will end operation of the existing Responsible Living Unit by March 16, 2012, or by the date of execution of a signed settlement agreement in this matter, whichever is later. If Defendants establish a new RLU in the future, it will be a secular unit/program open to all eligible inmates regardless of religion.

10.0 Retaining of Records

For a period of two years plus 90 days from the date of this Agreement, the PCDCC will maintain the following written records and provide upon request an electronic copy to designated Plaintiffs' counsel on a quarterly basis:

- a. Written records of the Program Coordinator's efforts to recruit Muslim volunteers and procure donations of Islamic literature, including all persons, organizations, and agencies contacted by the Program Coordinator for these purposes and the dates of those contacts;
- b. Records confirming the discontinuation of the current RLU. If a new RLU is established, records describing the nature, purpose, programming content, and eligibility criteria for the new unit or program;
- c. Requests (kites) by inmates for Islamic religious items or Islamic accommodations, as well as copies of the written responses either granting or denying the request, including the name and title of the person who responded, and for denials, the written reasons for the denial. Prior to production inmate names will be redacted from kites and responses;
- d. All inmate grievances pertaining to the Islamic religious treatment of or Islamic religious accommodations for inmates, as well as the responses to those grievances; Prior to production inmate names will be redacted from kites and responses;
- e. Written materials provided to any PCDCC staff or volunteers for purposes of providing training on the religious rights of inmates, including the requirements of the First Amendment and RLUIPA, as applied in a jail, and terms of this agreement as well as documentation of when such training was provided, who received the training, and who provided it;
- f. Reports documenting the confiscation of Islamic religious items and/or the denial or suspension of Islamic religious accommodations based on an inmate's alleged abuse of the item or accommodation. Prior to production inmate names will be redacted from kites and responses;
- g. If after review of the redacted documents, plaintiffs' counsel wishes to contact an inmate associated with the records produced as part of this agreement, plaintiffs' counsel may provide to defense counsel a sealed, confidential letter addressed to "whom it may concern," along with a copy of the relevant redacted records(s). If the inmate named in the record is still in the custody of the PCDCC, then defense counsel will ensure that the sealed, confidential letter is delivered to that inmate according to

PCDCC policy for legal mail within five business days after receiving the letter from plaintiffs' counsel. If the inmate is no longer in the custody of the PCDCC, defense counsel will notify plaintiffs' counsel of that fact within five business days after receiving the letter from plaintiffs' counsel.

Unless otherwise agreed by the parties, electronic copies of these records will be provided upon request on or before the last Friday of each March, June, September, and December for the two-year-plus-90-day period following the date of this Agreement.

11.0 Updated Policies and Information Handbook

To the extent that any of the terms described above require additions or revisions to the PCDCC policy manual and/or Inmate Information Handbook, the new/revised policies and Information Handbook are attached to this Agreement at Exhibits A and B.

C. INTERPRETATION

1.0 This Agreement, and any document executed in conjunction with it or in performance of its terms, is entered into under the laws of the State of Washington, and if it becomes necessary to interpret any of the terms herein or therein stated, it is the intent of the parties that Washington law shall apply.

1.1 If one or more of the clauses of this Settlement Agreement is found to be unenforceable, illegal, or contrary to public policy, the Settlement Agreement will remain in full force and effect except for those portions of the agreement held to be unenforceable, illegal, or contrary to public policy.

1.2 By this Agreement, the parties hereto do not intend to confer any benefit on any person or entity not specifically identified herein by name. No third party beneficiaries are created by any provision herein.

1.3 Unless otherwise explicitly stated herein, this agreement is not intended to expand or reduce any religious rights of Muslim inmates.

1.4 In the event the Plaintiffs believe the Defendants have failed to perform their obligations under this Agreement, Plaintiffs' counsel will notify Defendants' counsel of the issue and the parties will confer in good faith in order to attempt to resolve the disagreement. If the parties are not able to resolve the issue through informal negotiation, they shall complete mediation within 60 days of the Plaintiffs' initial notice of the issue to Defendants. The mediator shall be chosen by agreement of the parties. The parties will attempt to find a mediator who will agree to mediate at a reduced rate and Plaintiffs and Defendants will each be responsible for one half of the mediator's fee. The parties will act in good faith to complete mediation within 60 days. However, if they are unable to resolve the disputed issue within 60 days of the Plaintiffs' initial notice of the issue to

Defendants, despite their good-faith efforts, then Plaintiffs may file a court action to enforce the terms of the settlement

D. DAMAGES

Plaintiffs will dismiss their claims for damages in exchange for this agreement and without any monetary payment.

E. COSTS AND ATTORNEY FEES

Plaintiffs' counsel will provide Defendants' counsel with an itemized statement of Plaintiffs' attorney fees and costs within two weeks from the date of execution of this Agreement. For purposes of negotiating fees, plaintiffs agree to calculate their demand based on the PLRA rate. Defendants reserve the right to challenge the reasonableness of the PLRA rate in addition to other issues regarding the reasonableness of the amount requested. The parties will negotiate in good faith for the purpose of attempting to agree on the amount of attorney fees and costs to be paid by Defendants to Plaintiffs as part of the resolution of this case. If the parties are unable to reach agreement within two weeks from the date Plaintiffs' costs and fees statement is provided to defense counsel, the parties agree that the Court shall determine the amount of attorney fees and costs to be paid by Defendants to Plaintiffs, in which case Plaintiffs' will base their request for fees upon counsel's actual billing rates, the amount and reasonableness of which Defendants reserve the right to challenge. The parties may extend the negotiation period beyond two weeks by mutual agreement, and may agree to enlist the aid of Magistrate Judge Karen Strombom to assist the parties in reaching an agreement.

F. FULL AND FINAL RELEASE

IT IS UNDERSTOOD AND AGREED that this is a **FULL AND FINAL RELEASE** in full compromise and settlement of all claims of every nature and kind whatsoever, and releases all claims, whether known or unknown, suspected or unsuspected resulting or to result from events which occurred on or about September 2007 to September 2010, in Pierce County, Washington, which are the subject matter of *Larry Tarrer and Raymond Garland v. Pierce County, et al.*, United States District Court – Western District of Washington, Case No. CV10-05670, and are described in the Complaint in that lawsuit.

This agreement replaces and supersedes all oral and/or written proposals and agreements previously made in relation to matters set forth herein, and may be modified only by a writing signed by all parties. There are no other understandings or agreements, verbal or otherwise, in relation to any of the matters contained herein, except as herein expressly set forth.

This Agreement may be executed in counterparts for the purpose of obtaining signatures of the appropriate parties only, each of which shall constitute an original and all of which together shall

be deemed a single document. Signature by facsimile shall be acceptable to evidence execution of this Agreement.

Each of the undersigned acknowledges that they are competent and of lawful age, that they have read the foregoing provisions and know the contents thereof, have had the opportunity to review this Agreement with legal counsel, and sign their same as their own free act.

DATED this 1 day of July, 2012, at GREENVILLE,
_____ County, Illinois.

READ BEFORE SIGNING BELOW



Plaintiff Larry Tarrer

STATE OF ILLINOIS)
 ss:
County of _____)

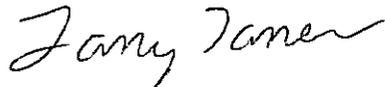
On this day personally appeared before me Larry Tarrer, to me known to be the individual described in and who executed the within and foregoing "RELEASE, HOLD HARMLESS, AND SETTLEMENT AGREEMENT," and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this ____ day of _____, 2012.

(Type/Print Name)
NOTARY PUBLIC in and for the State of Illinois, residing at: _____

My Commission Expires: _____

I LARRY TARRER, HEREBY UNDER OATH SWEAR I HAVE READ AND ACCEPTED
THE AGREED UPON SETTLEMENT HEREIN, AND THIS IS MY TRUE SIGNATURE OF
ACCEPTANCE



1st of July, 2012

DATED this 27th day of July, 2012, at SCCC 191 Constantine Wy
Grays Harbor County, Washington. Aberdeen

READ BEFORE SIGNING BELOW

RAYMOND GARLAND
Plaintiff Raymond Garland

STATE OF WASHINGTON)
County of Grays Harbor ss:)

On this day personally appeared before me Raymond Garland, to me known to be the individual described in and who executed the within and foregoing "RELEASE, HOLD HARMLESS, AND SETTLEMENT AGREEMENT," and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 27 day of July, 2012.

G. L. Robbins
(Type/Print Name) G. L. Robbins
NOTARY PUBLIC in and for the State of Washington, residing at: Aberdeen WA
My Commission Expires: 12-1-15



DATED this 28th day of August, 2012, at Tacoma,
Pierce County, Washington.

READ BEFORE SIGNING BELOW

Chief Martha Karr

Defendant Chief Martha Karr
On behalf of PCDCC and Pierce County

STATE OF WASHINGTON)
County of Pierce) ^{ss:}

On this day personally appeared before me Martha Karr, to me known to be the individual described in and who executed the within and foregoing "RELEASE, HOLD HARMLESS, AND SETTLEMENT AGREEMENT," and acknowledged that she signed the same as her free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 28th day of August, 2012.

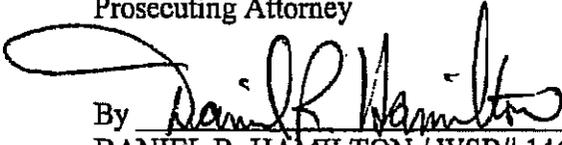


Christina M. Smith
(Type/Print Name) Christina M. Smith
NOTARY PUBLIC in and for the State of Washington, residing at: Tacoma
My Commission Expires: 04/01/2015

AGREED AND APPROVED as as to form and content this 30th day of August,
2012.

MARK LINDQUIST
Prosecuting Attorney

MARK LINDQUIST
Prosecuting Attorney

By 
DANIEL R. HAMILTON / WSB# 14658
Deputy Prosecuting Attorney
Attorneys for Pierce County

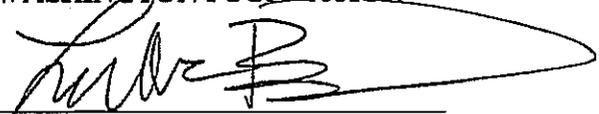
By 
MICHELLE LUNA-GREEN / WSB #27088
Deputy Prosecuting Attorney
Attorneys for Pierce County

AGREED AND APPROVED as to form and content this 6th day of September 2012.

PUBLIC INTEREST LAW GROUP,
PLLC

AMERICAN CIVIL LIBERTIES UNION
OF WASHINGTON FOUNDATION

By 
HANK BALSON / WSB #29250
WENDY CHEN/ WSB #37593
Attorneys for Plaintiffs

By 
SARAH DUNNE / WSB #34869
LA ROND BAKER / WSB #43610
Attorneys for Plaintiffs

Islamic Religious Practices and PCDCC Policies

Purpose of this bulletin:

To familiarize PCDCC corrections deputies and staff with various practices that Muslim inmates may engage in while incarcerated at the PCDCC, in order to increase understanding of inmate behavior, and to minimize potential conflicts between inmates and staff.

Note:

This information bulletin is not intended to provide a complete or definitive explanation of the Islamic religion or common Islamic practices. PCDCC recognizes that within every faith there are varieties of expression, worship, and practice. This bulletin is focused on issues that deputies or staff may encounter, or practices they may observe at the jail, and how those relate to PCDCC policies. Do not use this information to make a determination whether an inmate is practicing his/her religion according to uniform standards.

The PCDCC Policy Manual, chapter 8.02, INMATE RELIGIOUS PROGRAMS, explains the religious services and programs available to inmates in the jail facilities.

Consistent with state and federal law, PCDCC does not discriminate against or promote or endorse any particular religion or religion in general and respects inmates' right to the free exercise of religion.

Please direct any questions about these policies to: _____

Islamic Prayers

- **Time of Prayer:** Islamic Prayers are typically conducted five times a day: at approximately dawn, noon, mid-afternoon, sunset, and nightfall. The specific times for these prayers vary throughout the year. Some Muslims, including those who do not speak Arabic as a primary language, recite the prayers in Arabic.
- **Qur'an/Koran:** The holy book of Islam is the Qur'an (sometimes spelled Koran).
- **Position:** During the prayers, a Muslim faces Mecca (due north when in the Pierce County Jail). A person engaging in Islamic prayer requires space sufficient to perform the physical movements of prayer, which include: standing in an upright position, sitting, and bending down to a prostrate position on the floor. Typically, Muslims prefer to say the daily prayers within a group if it is possible.
- **Area for prayer:** The prayers must be performed on a clean surface. Typically, many Muslims use a "prayer rug" when performing their ritual prayers. In PCDCC, inmates may request issuance of a second towel for this purpose. A towel which becomes dirty may be exchanged for a new, unused towel of a different color than the standard towels issued generally for non-religious purposes. Inmates may also purchase an approved rug from the commissary.
- **Washing before prayer:** It is common for Muslims to cleanse before any prayer or ritual. The type of cleansing varies but will often include washing the hands, face, head, and feet one or three times.
- **Teeth cleaning:** Some Muslims also use a "miswak" or soft tooth-stick to clean their teeth as part of cleansing. Such an item is available for purchase through the commissary and inmates may possess according to inmate rules regarding possession of a toothbrush.
- **Prayer Oil:** Scented prayer oil is also used by some Muslims. Approved prayer oil is available for purchase from the commissary.

[PICTURES OF APPROVED: RUG, TOWEL, OIL, MISWAK]

Islamic Headwear and Pants

Headwear: Some Muslims wear religious headwear, including, for men, kufis, which are small knit caps that fit closely on the head.

- **Area of Use:** The religious head covering may be worn only in the inmate's cell and during congregate prayer. When not so worn, religious head coverings must be stored with an inmate's personal items in his cell or the blue bin/container that is used to store other inmate property.
- **Approved Kufi:** PCDCC permits inmates to purchase from the commissary and wear approved religious head coverings, including a white, knit kufi provided that the inmate has a sincere religious belief that he should do so.

[PICTURE OF APPROVED KUFU.]

- **Misuse:** As with all items authorized to be in the possession of inmates: 1) any use for other than the item's intended purpose may cause it to be confiscated; 2) the head covering is the inmate's responsibility, and PCDCC will not be responsible for its loss or damage; and 3) the head covering will be subject to search, which may include, but is not limited to, both visual and physical (touching) of the item to be inspected.

Pant hem length Some Muslims believe they must avoid "trailing garments" and will either wear pants that do not go below their ankle or will roll up pant legs to their ankle level to prevent them from touching the ground.

Approved Length and Areas: PCDCC permits inmates to roll up their pant hems so that they do not fall below the ankles (approximately 2-4 inches) while in their cell or unit, during congregate prayer, and during prayer times next to the inmate's assigned bed/bunk. Inmates are not allowed to roll their pants up when being removed from any unit. In all instances, inmates are required to unroll their pant hems upon request in order to check for contraband and at all times while outside their unit.

Food Items

Food: Most Muslims believe that they must avoid all pork, alcohol, and food prepared with pork by-products or alcohol. Most Muslims must only eat meat which is slaughtered according to Islamic customs; this meat is called halal.

- PCDCC offers halal meals to those Muslim inmates who sincerely believe that eating a halal diet is important to their religious practice. Inmates can request religious diet accommodations by sending a kite to the Programs Coordinator's office and completing a special diet form.

Fasting During the Islamic Holy Month of Ramadan

Ramadan: Because the Muslim calendar is lunar, the month of Ramadan occurs at a different time each year (roughly 11 days earlier each year) and lasts for 29-30 days depending on the lunar calendar. During Ramadan, it is common for Muslims to fast by abstaining completely from food and drink, each day from before the break of dawn until sunset. Some Muslims also abstain from medication during the fasting period.

- **Ramadan Diet:** During the month of Ramadan, PCDCC offers Muslim inmates sack lunch meals during non-fasting hours. Inmates can request religious diet accommodations by sending a kite to the Programs Coordinator's office and completing a special diet form.
- **Time of fast:** The fast should be broken each day with certain types of food, including dates and water, immediately at sundown.
- **Medications:** When a Muslim inmate is fasting because of sincerely-held religious beliefs, PCDCC will provide the inmate prescribed medications during non-fasting hours, if the inmate so requests.

Islamic Congregate/Group Services

- **Congregate Service - Jum'ah:** In Islam, Friday is a day for communal worship, called Jum'ah. This congregational event takes the place of the daily noontime prayer and includes a sermon, which is delivered by an imam. The service starts with a sermon and is followed by prayers (conducted as described above).
- PCDCC inmates with classification levels 3-8 are permitted to meet with other inmates from the same cluster or housing unit in the multi-purpose room (new jail) or cluster interview rooms (old jail) for a regular Friday Jum'ah service, with approval of a duty sergeant based on classification and keep separate rules. These services are not precluded by routine lockdown and take priority over other uses of the interview rooms, but time out for services will be included as part of the calculation for overall time allowed out of cell during non lockdown hours. The interview rooms may be cleared of all furniture in order to accommodate prayer. Inmates classified at level 2 may engage in group prayer in a designated area of the day room during their regular out-of-cell time. Other opportunities for religious prayer and study are also available. (See PCDCC Policy Manual.)**Washing:** Ritual washing is required before the prayer.
- **Imam** - The "imam" who leads the service can be chosen from among the worshippers. An imam may be anyone, including an inmate, who is designated as the person in the group most qualified to lead group prayer.

Islamic Holy Days/Festivals

Holy Days: Two Islamic holy days which may be observed by inmates in the PCDCC are Eid ul-Fitr and the Eid ul-Adha.

- **Eid ul-Fitr** is the Feast of Breaking the Fast. It occurs at the conclusion of Ramadan. Muslims traditionally attend congregare services, perform a congregare prayer (sometime between sunrise and noon) and share a special meal to mark this holiday.
- **Eid ul-Adha** (also spelled Id ul-Kabir) is the Feast of Sacrifice and coincides with the conclusion of the annual pilgrimage to Mecca. This day is also commonly observed by congregare services, prayer, and a special meal.

PCDCC inmates with classification levels 3-8 are permitted to meet with other inmates from the same cluster or housing unit in the multi-purpose room (new jail) or cluster interview rooms (old jail) for Eid services, with approval of a duty sergeant based on classification and keep separate rules. These services are not precluded by routine lockdown and take priority over other uses of the interview rooms, but time out for services will be included as part of the calculation for overall time allowed out of cell during non lockdown hours. The interview rooms may be cleared of all furniture in order to accommodate the services.

Appendix A - Larry Tarrer & Raymond Garland vs. Pierce County et al

If an inmate kites one week before the Eids, PCDCC will accommodate delivery of a sack meal to the interview room (or multipurpose room in new jail) to be eaten during Eid gathering.

Inmate Religious Programs

2.03.05 Items Inmates May Retain

Inmates may retain such limited items as:

- All legal papers.
- Snapshots (except Polaroid).
- Prescription glasses.
- Medic Alert bracelet or necklace.
- Address book, if it does not have a metal binding.

Verified commissary items from another facility as long as the PCDCC commissary sells the items or their equivalent type or size.

Religious Item on Person at Time of Arrival at the PCDCC: If a new inmate comes to the PCDCC with religious items that meet PCDCC's criteria, the inmate will be allowed access to those items. If an inmate arrives without such items, the inmate will be allowed to purchase an approved version from the commissary only

As with all items authorized to be in the possession of inmates: 1) any use for other than the item's intended purpose may cause it to be confiscated; 2) the item is the inmate's responsibility, and Pierce County Detention and Correction Center (hereinafter "PCDCC") will not be responsible for its loss or damage, not caused by the negligence of the PCDCC; and 3) it will be subject to search which may include but not be limited to both visual and physical (touching) of the item to be inspected.

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3.05.04 LOSS OF PRIVILEGES

The following procedure will not prevent Corrections Deputy control of TV, temporary inmate lockdown or lockout of cell/bunk area to ensure compliance with jail rules and regulation or for the safety and security of the jail.

All privileges (visiting, unit worker assignment, commissary, phone, movies, out of cell time, etc.) may be recommended as a sanction (taken away) for disciplinary reasons by the reporting Corrections Deputy. The Duty Sgt. must approve loss of privilege(s).

All disciplinary loss of privilege reports will be reviewed by the Shift Sgt. within 36 hours of Sgt. receiving the report.

Disciplinary Loss of Privilege Reviews will require:

Reporting Corrections Deputy will write report (PCDCC Incident Report). Copy of report will be distributed to appropriate areas including to the Shift Sgt.

Reporting Corrections Deputy will verbally advise the involved inmate(s) on the reason(s) and intent to remove one or more stated privileges (document same in the report).

The Shift Sgt. will review report with the Unit/Cluster Corrections Deputy.

The Shift Sgt. will meet with the involved inmate within 36 hours of receiving the report for the purposes of allowing the inmate an opportunity to respond before the sanction/discipline is imposed.

The inmate will be provided with the decision, including justification, by the Shift Sgt. The inmate will be advised whether sanction(s) will be upheld, modified, or reinstated.

The decision of the Sgt. will be thoroughly documented as a supplemental to the disciplinary Loss of Privilege report. Copy of report will be sent to the Shift Lt.

The decision of the Sgt. is final - no second level appeals.

Classification will only review those disciplinary Loss of Privilege reports that result in inmate reclassification - in accordance with classification procedures. Otherwise, all disciplinary Loss of Privilege reports will be reviewed by the Shift Sgts.

Loss of Privilege will not prevent inmate access to attorney phone calls or attorney visiting or religious visits or services. Deprivation of regular feeding, correspondence privileges, clothing, bed, bedding, normal hygienic implements, religious accommodations and facilities shall not be used as a disciplinary sanction. Exceptions: Type of clothing and bedding, correspondence privileges or possession of correspondence materials and hygienic implements may be restricted when warranted for legitimate safety reason(s) or by court order.

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The above procedures will require the Shift Sgt. to maintain an in-box to ensure all disciplinary Loss of Privilege reports are reviewed according to the above procedure. This will allow the next Shift Sgt.(s) to conduct review(s) or for the Shift Sgt. to follow up the next day. However, every effort should be made to ensure that each shift is conducting reviews of lost privilege reports generated on their shift.

The Shift Lt. will monitor to ensure that the above procedure is followed.

3.05.05.b Minor Infraction

The following is a list of Minor Infractions:

- Repeated swearing or use of vulgar language.
- Disturbing the sleep of other prisoners.
- Threatening another person with bodily harm or with any offense against his/her person or property.
- Possession of money or currency unless authorized.
- Loaning of property for profit.
- Possession of contraband.
- Failing to perform work as instructed by Corrections Staff when capable of doing so.
- Lying to staff members.
- Intentional failure to follow a legitimate order of corrections staff which refusal does not:
 - Cause a delay in any court proceedings.
 - Involve or require physical contact with corrections staff.
 - Require a change in routine operations.
 - Delay in lockdown/count.
- Failure to prepare for morning inspections or to keep the cell in a clean and orderly manner.
- Entering a cell or bunk area not assigned to you.
- Sitting on or blocking stairways.

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- Moving chairs into rooms, on top of tables or to the upper tiers.
- More than one person in the shower at one time.
- Hanging clothes to dry anywhere other than on clothing hooks.
- Possessing any clothing other than those issued by corrections staff.
- Possession of commissary item in excess of maximum amount based on your class level.
- Running or roughhousing.
- Dorms-Failure to stay on bunk after lockdown.
- Failure to maintain proper personal hygiene.
- Failure to respond when called for medication distribution.
- Failure to sign the commissary forms after merchandise has been delivered.
- Hanging, gluing, taping or affixing anything to walls, doors, windows, cell furniture or vents.
- Excessive use of call-button.
- Disrespect towards staff.
- Knowingly making false complaints via the grievance system.
- Filing excessive duplicate grievances on the same issue.
- After lockdown, prisoners in units or open or modified dorms failing to remain in their assigned bunks/cells unless using the restroom.
- Unauthorized taking of food trays, eating utensils or food items other than those purchased through commissary into cell or bunk areas at lunch and dinner meals.
- Retention of any food item served during meal times.
 - All food served and not consumed during meal periods will be thrown away, including fruit and bread.
- Giving away, trading or selling any food item.
- Giving away, trading or selling anything of value.
- Present in any unauthorized area of the facility.
- Tampering with or modifying the channel selection device on the TV to obtain channels not authorized.
- Deliberate tampering with or closing the door of a room other than your own.
- Using kiting or other jail documents for personal use such as for mail.

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- Two or more visitation no shows.
- Floor-failure to remain on mats after lights out.
- Failure to follow any orders given by Corrections Deputies.
- Intentional failure to follow safety/sanitary regulations.
- Taking chairs to the upper tier.
- Abuse of Religious Accommodations:
- Abuse of religious items.

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4.02.01.s Inmate Dress Code

Unit Corrections Deputies will ensure that inmates are issued jail attire that fit properly and that the Uniform Regulations and/or Dress Code are followed:

- Inmates are required to wear uniform trouser/overall and a t-shirt when out of assigned cell.
- Inmates must be fully dressed, to include wearing a uniform top while in the Corrections Deputies work station or exiting the housing area. During this same time a t-shirt will be worn so that it is tucked into trouser.
- Inmates will not wear more than one set of issued uniform attire or other underclothing at any one time. Along with the issued uniform attire, no more than one (1) shirt and (1) pair of socks will be worn during any one time.
- Inmates are not allowed to wear thermal clothing when escorted beyond the housing unit S/P outer gate. Exceptions: When escorting inmates to the 5th floor recreation court yard and when inmate workers are assigned to duties outside of assigned unit. It will be up to the discretion of the Escorting Corrections Deputy(s) to allow inmates to wear thermal clothing when they are escorted outside of the jail.
- Corrections Deputies will determine proper fit and size of issued clothing. Inmate attire should be worn so that it is neat and clean.
- To the extent possible, Corrections Deputies will ensure inmates are not wearing trousers that are too baggy. The t-shirt should not extend beyond the uniform top. If wearing a different size will not correct this, folding trouser or sleeve will be acceptable. Folding trouser or sleeves other than for this purpose will not be allowed, except as outlined for religious dress.
- Inmate trousers are to be worn no lower than the waist/hips (no sagging).
- Inmates are to wear jail issued sandals.
- Trousers will not be tucked into socks.
- Inmates who write or draw on uniforms will be charged for clothing and/or charged for damages to county property.
- Inmates will not put hands inside of outer clothing – this is a major infraction.
- **Religious Dress**

Kufis: Inmates will be allowed to purchase from the commissary and wear an approved kufi – if they have a sincere religious belief that they should do so – in their cell or bunk area and during congregate prayer outside the unit.

When not so worn, such kufis must be stored with an inmate's personal items in the cell or bunk area in personal bin/container that is used to store an inmate's property. Inmates are responsible for properly storing their approved kufi prior to transfers within the jail.

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- The style(s) of kufi will be determined by the PCDCC. PCDCC will allow outside organizations to place money on an inmate's books in order to enable inmates to obtain a kufi from the commissary, provided that there is no method to earmark funds.
- **Pant Hem Length:** Inmates with a sincerely held religious belief are allowed to roll up both of their pant hems to equal length so that they do not fall below the ankles, but no higher than approximately two to four inches above the bottom of the back of the heel of the foot while in bunk area, including within their cells, dayrooms, in courtyards attached to the housing unit, in multipurpose rooms attached to housing units, and in interview (IV) rooms main jail during prayer services. Unless otherwise permitted by PCDCC policy or directed by a court, inmates will not be allowed to roll up their pant hems when outside their unit. In all instances, inmates will be required to unroll their pant hems upon request in order to check for contraband and at all times while outside their unit.

Exceptions to the above may be allowed per Medical order/HSR or by Corrections Deputy with log entry in either inmate's behavior log or documented on inmate's management card.

Inmates may be infraacted for violation of Uniform Regulations and/or failure to follow Dress Code.

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7.04 MENU PLANNING

7.04.01 POLICY

A standard menu will be planned and approved at least one month prior to implementation. All food will be prepared in a systematic manner to ensure quality meals.

7.04.02 GENERAL INFORMATION

The Food Services Dietician will be responsible for menu planning.

Each meal will contain the minimum amount of nutrients necessary to meet standards.

The menu will provide a variety of foods in order to prevent repetitive meals.

PCDCC will make halal and kosher meals available to inmates who sincerely believe that eating a halal or kosher diet is important to their religious practice. The halal meal will be comparable to the kosher meal. The halal meals will include some halal meat menu items (although not with every meal) and vegetarian items.

Fasting Accommodations: During the month of Ramadan, PCDCC will offer Muslim inmates meals during non-fasting hours that are of adequate variety, caloric content and nutritional value. PCDCC will provide variety within the three meals served on each day. At least one of the daily meals during Ramadan will include halal meat and dates. In addition, at least one of the meals will include a vegetable or a piece of fruit. PCDCC will also attempt to provide some variety in the meals served from day to day, for example by varying the type of lunch meat. However, in order to provide meals that are non-perishable, and that can be held over from time of preparation to time of consumption, meals will be repeated throughout Ramadan.

Eids: If an inmate kites one week before the Muslim holidays of Eid al Fitr or Eid al Adha, PCDCC will accommodate delivery of a sack meal to the interview room (or multipurpose room in new jail) for observation of Eid-ul-Fitr and Eid al-Adha, subject to the meeting room limitations. The meal will consist of one halal meal, including a serving of halal meat and dates. The gathering will last for one hour and thirty minutes.

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7.09.02 COMMISSARY ELIGIBILITY

Commissary will be made available to classified inmates who have not lost their Commissary privilege due to disciplinary sanctions.

For those inmates with a sincerely held religious belief, PCDCC will continue to maintain halal and kosher snack items on the commissary menu. In accordance with current practice, PCDCC will continue to offer at least one halal meat item subject to availability from vendor.

Inmates will be able to select Commissary items based on their classification level.

Inmates are allowed to have a total of \$65.00 worth of Commissary in their property at any one time, with the exception of religious items. Commissary in excess of \$65.00 is considered contraband.

The order amount for each inmate will be based on their classification level.

The current classification level limits are (spending limits do not include purchase of religious items):

- Class 1 \$10.00 of necessity items only
- Class 2 \$15.00
- Class 3 \$25.00
- Class 4-5 \$45.00
- Class 6-8 \$65.00

Male, class 9 intake inmates may order \$5.00 of necessity items, if they are housed in an overflow unit, such as 3 North.

Female, class 9 intake inmates may order \$5.00 of necessity items while housed in 5 West intake.

8.02 INMATE RELIGIOUS PROGRAMS

Inmates will be offered religious services and counseling, subject only to the limitations necessary to maintain security and order.

All requests for religious items or accommodations shall be made by the inmate in the form of a kite to the Programs Coordinator, identifying the accommodation requested and the inmate's sincere religious belief and affiliation.

If any request for religious items or accommodations is denied, the denial shall be in writing, noting the name and title of the person who denied the request, the item or accommodation requested, and the reason(s) for the denial. Kites and responses shall be retained for a period of three years.

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Clergy and religious volunteers will be screened and trained to the same degree as all other volunteers. Individuals cleared for entry may not personally act on behalf of any inmate concerning and/or conducting business or family matters. They may refer them to outside sources for assistance.

They will prominently wear an identification tag while working in either facility.

The Chaplains' program will provide services to the PCDCC on a scheduled basis.

Religious counseling is available to prisoners on request via the kite system.

Requests for emergency services of the Chaplain after duty hours will be coordinated and requested by the Shift Supervisor

8.02.01 INMATE RELIGIOUS AND COUNSELING SERVICE

Participation in religious services or counseling will be voluntary. Religious services will be offered weekly as scheduled.

One to one outside clergy visits will be accommodated in the visiting areas of the PCDCC and not in the cluster/unit interview rooms.

Clergy visits for inmates housed in the Old Jail will be scheduled for 1530 hours and are subject to Reception staffing. If only one Corrections Deputy is on duty, the visits will be cancelled.

Clergy visits for inmates housed in the New Jail are scheduled for 0900, 1300, 1400, 1500, 1900, 2000 hours on non family visiting days.

Visitors should call on the scheduled day to confirm the visit.

Visitors must be on time for the visit, arriving a minimum of fifteen minutes prior to the scheduled time. The New Jail multi-purpose rooms will be available for groups as scheduled by the Program Coordinator.

The Old Jail interview rooms will be available for groups as scheduled by the Programs Coordinator. The multi-purpose rooms in 3 East and 4 East will be used for inmates housed in 3 East and 4 East.

Religious and Outreach Programs

Group and individual religious services are available in the jail. The jail Program Coordinator is available to answer questions and provide help concerning religious services and religious diets, as well as Alcoholics Anonymous and Narcotics Anonymous meetings. The Jail Chaplaincy staff can assist with literature, correspondence courses, family crisis, death notifications and counseling.

The Program Coordinator can also be contacted concerning Alcoholics Anonymous meetings.

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Sincerely Held Belief: Religious accommodations will be allowed for inmates who have a “sincerely held belief” that the accommodations requested is part of his/her religious exercise.

Congregate services will be conducted in the unit multi-purpose rooms on scheduled days at the New Jail.

PCDCC will provide opportunity for groups of up to 5 inmates, or 4 inmates plus 1 volunteer, if available, from the same housing/unit cluster to gather for regular religious services in the cluster interview rooms in the old jail (and in the unit multi-purpose rooms in the new jail) with approval of a duty sergeant based on classification and keep separate rules. Religious services will last for 55 minutes (actual service time, not including movement or search procedures. Time out for services will be included as part of the calculation for overall time allowed out of cell during non lockdown hours. If the religious service exceeds 5 participants, inmates in the same cluster will be permitted to hold a rotation of two religious services, for up to a total of 10 inmates. Opportunities for congregate prayer will not be precluded by routine lockdown or by other uses of the interview or multi-purpose rooms.

Religious services for inmates housed in 3 East and 4 East will be held in the unit’s multi-purpose rooms or interview rooms, as scheduled.

Inmates in dry cells who have a sincerely held belief that ritual washing is necessary prior to religious services or prayer, will be allowed to perform ritual washing 10 to 15 minutes prior to the scheduled services or prayer time.

Maximum security inmates, class 1’s and 2’s, will not be allowed to attend congregate services, prayer groups or Bible studies due to their classification level. They will have access to religious services on a one-to-one basis and must request via the kite system. However, Class 2’s shall be allowed to engage in congregate prayer in their unit day room when they are not on lockdown. PCDCC shall define an area in the dayroom that inmates can use for this purpose. Further, such inmates (Level 2’s) may send a kite to the classification sergeant, requesting expedited review of their classification so that they may participate in religious services under less restrictive terms. If an inmate submits such a request, PCDCC will review his classification status every 20 days, rather than every 30 days.

When interview rooms are used for congregate prayer services, they may be cleared of all furniture or arranged in order to accommodate prayer of the individual faiths. PCDCC will include information in the Inmate Handbook advising inmates that they may contact the program coordinator regarding availability of religious services.

Prayer and Study: Upon written request via kite, and approval of request by a duty sergeant based on keep separate and classification rules, PCDCC will allow inmates from the same housing cluster to meet in the interview rooms (or multi-purpose rooms in the new jail) once weekly, in addition to regular religious services, for the purpose of prayer and religious study, subject to the capacity limit of 5 persons for the cluster interview rooms, and subject to room availability based on scheduled and unscheduled activities, such as attorney client meetings and

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lockdown. Time out for meetings will be included as part of the calculation for overall time allowed out of cell during non-lockdown hours. Meetings shall not exceed 55 minutes (actual meeting time, not including movement or search procedures). This provision does not limit the number of special visits allowed with volunteers, including chaplains. Inmates in dry cells who have a sincerely held belief that ritual washing is necessary prior to religious services or prayer will be allowed 10 to 15 minutes to perform ritual ablutions prior to prayer which will be deducted from their out of cell time.

Females

Female inmates have services separate from male inmates.

8.02.04 INMATE RELIGIOUS DIET REQUESTS

The PCDCC attempts to provide meals that meet the basic requirements of diverse groups. The Jail Program Coordinator will be responsible to process these requests considering whether the inmate has a sincerely held religious belief in the diet.

8.02.04.a Diets Offered

Religious diets preparation are covered under 7.04.02 Meal Planning.

In accommodation of dietary and/or religious requirements, PCDCC offers vegan, vegetarian, kosher, halal and no red meat diets.

After the diet is placed on the computer, it is the responsibility of the kitchen's dietician to control the diet.

8.02.04.b Process for Inmate Religious Diet Requests

The requesting inmate will be sent a Religious and Special Diet Request form.

The form must be accurately completed and signed by the requesting inmate.

If the inmate is eligible for a diet, the Program Coordinator will insert the diet under the medical tab in LINX.

If the request is denied, the Program Coordinator will send an explanation to the inmate.

8.02.04.c Access to Items for Religious Worship

Inmates wishing to obtain religious worship items due to a sincerely held belief will send a kite to the Programs Coordinator. The Program Coordinator will then provide items if approved, and the money will be deducted from inmate's account by the Sergeant in charge of commissary. If the item is currently not available or approved for use, the Program Coordinator will forward the request to jail administration for review of safety, security and attainability. The following items are available:

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Miswak: PCDCC will allow inmates to purchase from the commissary, and use, a miswak approved by PCDCC that is the same or similar size as the PCDCC issued toothbrush, under the same conditions in which inmates of the same classification level are allowed to possess and use an authorized toothbrush.

Prayer Oil: PCDCC will allow Muslim inmates to purchase from the commissary and use an approved mildly scented prayer oil/perfume under the same conditions that an inmate may have any similar product and provided that the prayer oil/perfume is in a non-breakable clear container and is not flammable. Any prayer oil approved for purchase is subject to removal at a later time should another employee/inmate develop a medically-documented sensitivity.

Prayer Rugs: Inmates with a sincerely held religious belief will be permitted to purchase an approved prayer rug from the jail commissary or obtain a second towel from the PCDCC in lieu of a prayer rug. Inmates will, upon request, be provided a previously unused second towel of a different color from regular issue jail towels, to use as a prayer surface in their cell and during congregative prayer. The prayer rug or second towel must be kept with the inmate's personal belongings and the second towel can be exchanged by the inmate for a new, unused towel if it becomes dirty, soiled, or no longer acceptable as a prayer surface. The authorization of a second towel used as prayer rug will be documented in the inmate's LINX behavior log, and on the back of the inmate management card. PCDCC will allow outside organizations to place money on an inmate's books in order to enable inmates to obtain a prayer rug from the commissary, provided that there is no method to earmark funds.

Kufis: PCDCC will allow inmates to purchase from the commissary and wear an approved kufi – if they have a sincere religious belief that they should do so.

Abuse of Religious Accommodations: If an inmate abuses a religious accommodation (e.g., by misusing an approved religious item for other than its intended purpose or by demonstrating misconduct during congregative prayer or study time), PCDCC may deny the relevant accommodation/religious item from that inmate in accordance with the appeals and disciplinary process for so long as the reason for the denial remains. Confiscation of religious items and denial of congregative prayer and study opportunities shall be documented in writing, along with the reasons therefore.

8.02.04.d Emergent Situations: All accommodations for religious dress, religious items, diet, medication, and congregative prayer as outlined herein are subject to brief interruption or suspension of accommodations based on an emergency. For purposes of this paragraph, an “emergency” shall be defined as an unforeseen event or situation that requires a brief interruption or suspension of a specific accommodation in order to protect any person from an imminent threat of physical harm.

8.02.05 ALCOHOLICS ANONYMOUS

8.02.05.a Eligibility

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Generally, only those inmates sentenced to this facility with no outstanding charges will be allowed to attend.

A list of Alcoholics Anonymous group leaders is available at the Reception desk.

Inmates interested in attending AA meetings in the PCDCC need to submit a kite to the Chaplain for screening.

The number of inmates attending an AA meeting will be limited by the space available.

Medium to minimum classifications will be permitted to attend meetings together.

Inmates with “keep separates” will not attend the same meetings.

8.02.05.b Class Sizes and Locations

Only those inmates assigned to that unit may attend.

11.01.09 SPECIAL DIETS

11.01.09.a General Information

Inmates requesting dietary changes for religious reasons will be referred to the Programs Coordinator.

Refer to Section 7.04.02 Meal Planning for Religious Diets

Inmates requesting dietary changes for medical reasons will be referred to a practitioner.

Inmates with a documented pregnancy will be placed on a pregnancy diet with a PM snack.

Clinic and Booking Nurses may institute special diets for specific conditions – NPO for procedures, mechanical for jaw wired diets, etc., as appropriate.

Once approved, all special diets will be entered into the medical tab of the LINX Booking information.

11.02.01.a Special Medication Pass

Ramadan/Fasting: When a Muslim inmate is fasting because of sincerely held religious beliefs, the PCDCC will provide the inmate prescribed medications during non-fasting hours, if the inmate so requests. The inmate must request the accommodation at least 72 hours prior to a change in medication schedule by sending a kite to the clinic. A health care provider will meet

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with the inmate within two business days of receipt, and no longer than 72 hours from receipt if there are intervening holidays or weekends, to advise him or her about any risks of stopping or delaying the medication(s). This practice will be documented according to PCDCC policy.