
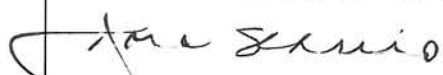




THE CITY OF NEW YORK  
DEPARTMENT OF CORRECTION



# DIRECTIVE

<input checked="" type="checkbox"/> NEW <input type="checkbox"/> INTERIM <input type="checkbox"/> REVISED			SUBJECT		
EFFECTIVE DATE <b>09/10/12</b>		*TERMINATION DATE			
<b>ACCESS TO RELIGIOUS PROGRAMS AND PRACTICES</b>					
CLASSIFICATION # <b>3261</b>	SUPERSEDES <b>*See Below*</b>	DATED <b>*See Below*</b>	APPROVED FOR WEB POSTING <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	DISTRIBUTION <b>A</b>	PAGE 1 OF 13 PAGES
RECOMMENDED FOR APPROVAL BY REVIEW BOARD MEMBER 			AUTHORIZED BY THE COMMISSIONER 		
MICHAEL HOURIHANE, CHIEF OF DEPARTMENT    SIGNATURE			DORA B. SCHIRIO    SIGNATURE		

## I. PURPOSE

This directive establishes guidelines regarding inmate access to religious programs and practices in compliance with the United States Religious Land Use and Institutionalized Persons Act (RLUIPA), the New York State Commission of Correction (SCOC) Minimum Standards, and the New York City Board of Correction (BOC) Minimum Standards.



## II. POLICY

- A. Inmates shall have the unrestricted right to hold any religious belief and to be a member of any religious group or organization, as well as the right to refrain from the exercise of any religious beliefs. Inmates shall be permitted to exercise their religious beliefs in any manner, provided that the exercising of such religious beliefs does not present a clear and present danger to the safety and security of the institution or disrupt the orderly administration of the institution.
- B. Department staff and religious volunteers shall not attempt or be permitted to proselytize or seek to convert an inmate or otherwise compel an inmate to become part of a religious group or organization; nor shall they attempt to dissuade an inmate from exercising his/her religious beliefs or attempt to influence an inmate to discontinue membership in any religious group or organization.

## III. PROCEDURE

### A. SELECTION OF RELIGIOUS AFFILIATION

1. During the admission process at a court detention facility or upon direct admission to an institution, inmates shall be asked to designate their religious affiliation.



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### III. PROCEDURE (cont.)

2. After the inmate has indicated a religious affiliation, the name of the religion shall be recorded on the Arraignment Risk and Classification Screening Form (ARC 239M) and shall also be imprinted on the Inmate's Identification Card (236AR) and other inmate records as appropriate. If the inmate elects not to indicate a religious affiliation, the records shall be noted "None" in the appropriate space provided.
3. Once the inmate has indicated a religious affiliation, the inmate shall be recognized as being affiliated with the religion specified on the inmate's admission records.



#### B. CHANGE OF RELIGIOUS AFFILIATION

1. The Director of Ministerial Services shall track inmate changes in religious affiliation and shall monitor any patterns in changes of an inmate's religious affiliation to prevent abuse and maintain the orderly running of the Department. The Director of Ministerial Services shall report any pattern of changes or abuse to the Deputy Wardens for Programs and Security.
2. In cases where an inmate desires to change his/her religious affiliation either to another religion or to "None," the inmate shall submit a written request with the Inmate Grievance and Request Program. Three months after an inmate originally indicated a religious affiliation (including an indication of no religious affiliation); an inmate may submit a request to change religious affiliation. A Department chaplain shall interview the inmate to ensure the sincerity of the inmate's request. Subsequent to any change in religious affiliation, an inmate generally will be required to wait three months from the date of the change before submitting a new request to change religious affiliation. Under appropriate circumstances, e.g., Department records do not properly reflect the inmate's religious affiliation or the inmate's new religious affiliation reflects a sincere change in religious beliefs, a Department chaplain may waive the three-month waiting period and approve a change of religious affiliation.
3. Upon approval of the inmate's request to change religious affiliation, a Department chaplain shall forward notification of the change to the Director of Ministerial Services and the Deputy Warden for Programs. The Deputy Warden for Programs shall ensure that the inmate's records are updated within two business days to reflect the approved change and that the facility issues the inmate a new Inmate Identification Card at no cost to the inmate.

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### III. PROCEDURE (cont.)

4. In cases where the inmate changes religious affiliation to the Jewish or Muslim faith and the inmate elects to participate in the Kosher/Halal Meal Program, the Deputy Warden for Programs shall forward a copy of the notification to the Deputy Warden for Administration. The Department shall ensure that any change in religious affiliation that impacts the inmate's dietary requirements are made in accordance with Directive 3250, Kosher/Halal Meal Program. However, any Jewish or Muslim inmate may opt out of the Kosher/Halal meal program without affecting his/her religious affiliation and right to attend Jewish or Muslim services.
- C. CONGREGATE RELIGIOUS WORSHIP AND OBSERVATION OF RELIGIOUS HOLY DAYS
1. Ministerial Services shall schedule appropriate congregational religious services to meet the needs of inmates. The Deputy Warden for Programs shall ensure that all inmates are notified of congregational services by posting notices in English and Spanish in each housing area.
  2. Ministerial Services shall maintain an annual calendar (by fiscal year) of religious holy days and shall provide guidance to the facilities regarding the requirements for observance of these holy days. Ministerial Services shall distribute a calendar to each facility no later than June 1st of the preceding fiscal year.
  3. Ministerial Services shall schedule holy day observances and the Deputy Warden for Programs shall ensure that all inmates are notified of holy day observances by posting notices in English and Spanish in each housing area at least two weeks before the holy day of observation.
  4. A Department chaplain or religious volunteer shall lead congregational religious services, including holy day observances. When no chaplain or religious volunteer is available, an inmate who is a member of the particular religious group may conduct congregational religious services.
  5. The Department shall provide appropriate space for religious services in accordance with safety and security concerns.
  6. All inmates shall be permitted to congregate for the purpose of religious worship and other religious activities, including holy day observances, as determined by the religious affiliation indicated on the inmate's identification card, except for inmates confined for medical reasons in the Communicable Disease Unit.



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### III. PROCEDURE (cont.)

7. Ministerial Services shall coordinate with the Deputy Warden for Programs to ensure that all interested inmates are afforded the opportunity to attend holy day observances, including those inmates who must be transported from one facility to another. The Deputy Warden for Programs shall permit inmates sufficient time off from program, school, and work assignments to attend holy day observances.
8. Inmates housed in administrative segregation, punitive segregation or in any other special population housing category shall be permitted to attend congregate religious services, including holy day observances, either with general population inmates or within their housing unit at the Department's discretion, in accordance with the Department's custody management policies and with the implementation of appropriate security measures.
9. The Department may deny an inmate permission to attend religious services, including holy day observances, when the inmate has been found, after following the due process procedures delineated in section IV of this directive, to pose a threat to the safety and security of the institution based on specific acts committed by the inmate during the exercise of his or her religion.
10. If the Department must make a determination on an emergency basis to limit an inmate's exercise of religious beliefs, including denying an inmate permission to attend religious services or holy day observances (to protect that inmate or other attendees) that does not afford time to follow the procedure with adequate due process safeguards as delineated in section IV of this directive because the religious service is to occur within less than three business days, a uniformed member of service in the rank of deputy warden or above shall issue such determination in writing. The Deputy Warden for Security shall forward such determination within 24 hours to the Board of Correction and provide a copy to the Director of Ministerial Services.

### D. RELIGIOUS ARTICLES AND LITERATURE

1. Inmates shall be permitted to wear and possess religious articles (see Appendix A, Permissible Religious Articles - attachment A) such as religious medals, devotional prayer books, religious literature, hats, and clothing (except where uniforms are required), provided that the possession of these articles do not present a potential danger to the safety and security of the Department, as determined by the Religious Accommodations Committee. Inmates must remain compliant with Department rules concerning the receipt and accumulation of personal property.

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### III. PROCEDURE (cont.)

2. All religious articles are subject to search and inspection. Uniformed staff shall handle all religious articles with appropriate respect.
3. A list of approved religious articles is attached to this policy as Appendix A and shall be updated as appropriate by the Director of Ministerial Services.

#### E. DIETARY CONSIDERATIONS

Inmates may refrain from eating those food items served to the general population that are contrary to their religious beliefs. Participation in the Kosher/Halal meal program is a way to meet an inmate's religious dietary needs. If an inmate seeks any other alternative diet, e.g., Glatt Kosher or vegetarian, based on religious needs, the inmate may submit a request directly to a Department chaplain or a written request to the Inmate Grievance and Request Program (see section III.F).



#### F. REQUESTS FOR RELIGIOUS ACCOMMODATION

1. Federal law prohibits the Department from imposing a substantial burden on an inmate's religious exercise unless the burden (1) furthers a compelling Department interest such as safety or security and (2) is the least restrictive means of furthering that compelling interest.
2. Inmates may request to exercise religious beliefs and practices in a manner not currently permitted under Departmental policy or to conduct congregational religious services which are not currently available in the facility through the Inmate Grievance and Request Program. The facility's Grievance Supervisor shall refer requests of a religious nature to the Administrative Chaplain. The Administrative Chaplain shall, if necessary, interview the inmate. If the request can be resolved, the Administrative Chaplain shall notify the Grievance Supervisor and the Director of Ministerial Services of the resolution of the request.

If the request cannot be resolved informally, then the Director of Ministerial Services shall submit the request in writing to the Committee on Religious Accommodations. This committee shall be comprised of the Associate Commissioner for Programs and Discharge Planning, the Chief of Department, and the General Counsel, or their respective designees of an appropriate rank. The Associate Commissioner for Programs and Discharge Planning shall be responsible for convening the Committee and shall act as chairperson.



3. In determining requests made pursuant to paragraph (2) of this subdivision, the following factors among others shall be considered as indicating a religious foundation for the belief and the requested accommodation:



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### III. PROCEDURE (cont.)

- a. whether there is substantial literature supporting the belief as related to religious principle;
  - b. whether there is formal, organized worship by a recognizable and cohesive group sharing the belief;
  - c. whether there is an informal association of persons who share common ethical, moral, or intellectual views supporting the belief; or
  - d. whether the belief is deeply and sincerely held by the inmate.
4. In determining requests made pursuant to paragraph (2) of this subdivision, the following factors shall not be considered as indicating a lack of religious foundation for the belief and the requested accommodation:
    - a. the belief is held by a small number of individuals;
    - b. the belief is of recent origin;
    - c. the belief is not based on the concept of a Supreme Being or its equivalent; or
    - d. the belief is unpopular or controversial.
  5. In determining requests made pursuant to paragraph (2) of this subdivision, inmates shall be permitted to present evidence indicating a religious foundation for the belief.
  6. The Committee on Religious Accommodations shall consider all referrals from the Director of Ministerial Services and shall issue a written determination within 10 business days either implementing the requested accommodation in whole or in part or denying the inmate's request.
  7. Any determination of the Committee on Religious Accommodations to limit the exercise of an inmate's religious beliefs shall state the specific facts and reasons underlying such determination. (See Committee on Religious Accommodations Disposition Form, attachment B). Pursuant to the New York City Board of Correction (BOC) minimum standards, the Committee on Religious Accommodations shall send a copy of its determination to the BOC and to any person affected by the determination within 24 hours of the determination. Any person affected by a determination made pursuant to this subdivision may appeal such determination as follows:

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### III. PROCEDURE (cont.)

- a. The person affected by the determination shall give notice in writing to the BOC and the Department of his/her intent to appeal the determination.
  - b. The Department and any person affected by the determination may submit to the BOC for its consideration any relevant material in addition to the written determination.
  - c. The BOC or its designee shall issue a written decision upon the appeal within 14 business days after receiving notice of the requested review.
8. Notice of this process shall be included in the inmate handbook.

### IV. LIMITING THE EXERCISE OF RELIGIOUS BELIEFS: DUE PROCESS PROCEDURES

- A. Inmates shall be permitted to exercise their religious beliefs in any manner provided that the exercise of such religious beliefs does not present a clear and present danger to the safety and security of the Department or disrupt the orderly administration of the Department. The Department shall refrain from imposing a substantial burden on an inmate's religious exercise unless the burden (1) furthers a compelling Department interest such as safety or security and (2) is the least restrictive means of furthering that compelling interest.
- B. Any determination to limit attendance at congregative religious services or otherwise limit an inmate's otherwise permissible exercise of religious beliefs must be based on specific acts committed by the inmate during the inmate's exercise of religion that constitute a serious and immediate threat to the safety and security of the facility. The Department shall give notice of its determination by delivering to the inmate the Notice to Limit Exercise of Religious Beliefs (attachment C). The notice shall contain the specific acts committed. However, the notice shall not disclose confidential information under any circumstances. Within three business days after serving a notice to an inmate that the Department intends to limit the inmate's exercise of a religious belief, a captain assigned to the Adjudication Unit shall conduct a hearing to determine whether the limitation is appropriate. The hearing may be held in conjunction with any related disciplinary infraction.



Note: Although the Adjudication Unit shall conduct a hearing within three business days after service of the Notice to Limit Exercise of Religious Beliefs, in accordance with Directive 6500R-B, Inmate Disciplinary Due Process (or its successor), that time frame is subject to the following exclusions:

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#### IV. LIMITING THE EXERCISE OF RELIGIOUS BELIEFS: DUE PROCESS PROCEDURES (cont.)

1. The day the inmate is served;
  2. When the inmate has a court appearance, whether in person or via a video-teleconference, and is therefore unavailable for the hearing;
  3. When the inmate is hospitalized and unable to attend a disciplinary hearing, or is transferred out of the facility for a hospital or clinic appointment;
  4. When the inmate leaves the facility for an attorney interview and is therefore unavailable for the hearing;
  5. When the inmate is unavailable because he/she is transferred to another facility; and
  6. When the inmate is unavailable due to his/her absence from the facility for any purpose, including significant family events or emergency situations.
- C. At the hearing, the Adjudication Captain shall review all evidence regarding the limitation determination. The inmate shall have an opportunity to present evidence, including witness testimony, at the hearing. At the conclusion of the hearing, the Adjudication Captain shall render a decision based on a preponderance of the evidence. The decision shall be recorded on the Notice of Hearing Determination to Limit the Exercise of Religious Beliefs (attachment D) and issued within five business days of the conclusion of the hearing. Within 24 hours of the Adjudication Captain's determination, the Adjudication Captain shall send any determination that limits an inmate's exercise of religious beliefs to the Commanding Officer, the Board of Correction, any person affected by the determination, and the Director of Ministerial Services.
- D. The following guidelines shall be followed in assessing periods of suspension under this section. In the event that an inmate is found guilty of multiple offenses arising from the same incident, the period of suspension shall be based upon concurrent rather than consecutive penalties. If an inmate is found guilty of committing a second and similar grade II or III offense during or in connection with attendance at religious services, a religious activity, or use/possession of a religious article, during the same period of incarceration, the inmate's exercise of religious beliefs may be limited or denied in accordance with the penalty that applies to the next higher grade of offense.



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#### IV. LIMITING THE EXERCISE OF RELIGIOUS BELIEFS: DUE PROCESS PROCEDURES (cont.)

##### PERIOD OF SUSPENSION OF RIGHT OF PARTICIPATION: EXERCISE OF RELIGIOUS BELIEFS

	Offense	Maximum Period of Suspension	Third Offense (Same Rule of Conduct)
1.	Commission of a Grade I Inmate Rule Book offense, during or in connection with attendance at religious services, a religious activity, or use/possession of religious article.	90-day limitation	
2.	Commission of a Grade II Inmate Rule Book offense, during or in connection with attendance at religious services, a religious activity, or use/possession of religious article.	20-day limitation	Maximum 90-day limitation
3.	Commission of a Grade III Inmate Rule Book offense, during or in connection with attendance at religious services, a religious activity, or use/possession of religious article.	10-day limitation	Maximum 20-day limitation

E. Any person affected by the determination to limit the exercise of religious beliefs made pursuant to this subdivision may appeal such determination to the Board of Correction.

1. The person affected by the determination shall give notice in writing to the BOC and the Department of his or her intent to appeal the determination.
2. The department and any person affected by the determination may submit to the BOC for its consideration any relevant material in addition to the written determination.
3. The BOC or its designee shall issue a written decision upon the appeal within 14 business days after it has received notice of the requested review.

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## V. LOGBOOK ENTRIES



### A. HOUSING AREA LOGBOOKS

1. Housing area officers are required to make the following entries in the housing area logbook, whenever inmates are going to and returning from religious activities:
  - a. date;
  - b. name of the religious service/activity;
  - c. time the housing area officer announced the service/activity and the method used to announce the service/activity;
  - d. time inmates departed from the housing area to attend the religious service/activity;
  - e. the number of inmates attending each religious service/activity;
  - f. time inmates returned to the housing area from the religious service/activity; and
  - g. name and shield number of the officer making the log entries.
2. After making the housing area logbook entries, the housing area shall communicate the above information to the Control Room for entry in the Institutional Logbook.

### B. INSTITUTIONAL LOGBOOK

Whenever a congregate religious service or other religious activity is conducted, the following entries shall be made in the Institutional Logbook for each denomination that conducted a religious service/activity.

1. date and time the religious service/activity was conducted;
2. name of the religious service/activity;
3. list separately, the number of general population and special population category inmates in attendance;
4. name of all clergy and/or other individual(s) who conducted the religious service/activity;

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## V. LOGBOOK ENTRIES (cont.)

5. time the religious service/activity was concluded; and
6. name and shield number of the officer making the entries.



## VI. RESPONSIBILITIES

### A. Ministerial Services shall:

1. Monitor patterns in changes of inmate's religious affiliations to prevent abuse and maintain the orderly running of the Department.
2. Schedule appropriate congregate religious services to meet the needs of inmates.
3. Maintain an annual calendar (by fiscal year) of the dates observed as holy days and provide guidance to the facilities regarding the requirements for observance of these holy days. Distribute this annual calendar to each facility no later than June 1<sup>st</sup> of the preceding year.
4. Update as appropriate the list of approved religious items.
5. Coordinate staff and resources in the delivery of ministerial services.
6. Convene meetings of the Religious Accommodations Committee.

### B. The Deputy Warden for Programs shall:

1. Upon receipt of notification of a change in an inmate's religious affiliation from the Director of Ministerial Services, ensure that the inmate's records are updated to reflect the approved change within two business days.
2. Notify the Deputy Warden for Administration of inmates permitted to participate in the Kosher/Halal Meal Program and alternative religious diets.
3. Maintain and post in each housing area a list of all religious groups for which congregate services are offered.
4. Post notice of congregate religious services in English and Spanish in all housing areas.
5. Ensure appropriate space is available for religious services.



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## VI. RESPONSIBILITIES (cont.)

6. Post notice of holy day observances in English and Spanish in all housing areas at least two weeks before the day and document all requests to attend.
- C. Committee on Religious Accommodations
1. Reviews all referrals from the Director of Ministerial Services for religious accommodations and issues a written determination within 10 business days.
  2. Sends any determination to limit the exercise of religious beliefs to the Board of Correction and to any person affected by the determination within 24 hours of the determination.
- D. Chaplains
1. Conduct religious services as scheduled by the Department.
  2. Review inmate requests to change religious affiliation and forward all changes in religious affiliation to Ministerial Services and the Deputy Warden for Programs.
- E. Administrative Chaplains
1. Consult with the Director of Ministerial Services to attempt to resolve requests for religious accommodations.
  2. Review requests for alternative diets based on religious needs.

## VII. ATTACHMENTS

- A. Appendix A, Permissible Religious Articles
- B. Committee on Religious Accommodations Disposition Form (Form ARPP1)
- C. Notice to Limit the Exercise of Religious Beliefs (Form ARPP2)
- D. Notice of Hearing Determination to Limit the Exercise of Religious Beliefs (Form ARPP3)

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### VIII. SUPERSEDES

- A. Directive 3252, CONGREGATE RELIGIOUS SERVICES, dated 04/19/85
- B. Directive 3259R-A, MUSLIM OILS, dated 06/30/09
- C. Directive 3260, THE JEWISH TEFILIN, dated 3/12/93
- D. Any other Directive, Operations Order, Teletype, Memorandum, etc, that may be in conflict with the policies and procedures outlined herein.

### IX. SPECIAL INSTRUCTIONS

- A. Within ten (10) calendar days of the effective date of this order, all Commanding Officers shall implement a Command Level Order incorporating the policy and provisions outlined herein.
- B. All facility managers and supervisors shall ensure strict enforcement of the policy, guidelines and procedures noted herein.





## ACCESS TO RELIGIOUS PROGRAMS AND PRACTICES

### APPENDIX A

Attachment A

Ref.: Dir. #3261  
Eff.: 09/10/12

### PERMISSIBLE RELIGIOUS ARTICLES

Page 1 of 2 Pages



The following items are approved for use as specified and subject to Department rules concerning the receipt and accumulation of personal property. However, inmates are prohibited from possessing these religious articles in prohibited color schemes. Religious articles that inmates possess in prohibited color schemes are subject to confiscation, and will be stored with the inmates' property.

#### 1. MUSLIM OILS

Muslim Oils may be dispensed only by Department Imams or outside volunteer Imams to Muslim inmates prior to Jummah service. The Muslim Oils can only be dispensed in an amount necessary for an individual to anoint himself/herself and only in designated areas. Inmates are not permitted to have Muslim Oils as part of their personal possessions.

#### 2. TEFILIN

Jewish inmates may possess the Tefilin which consists of two separate leather boxes, stitched closed, with leather straps attached to them. One box is worn on the head with the straps wrapped around the head, and the other is worn on the forearm with the straps wrapped around the length of the hand. The Tefilin are sacred objects used by Jewish inmates every morning except Saturday and Jewish holy days. During a search of an inmate who has a Tefilin, the Tefilin should be treated with respect because of its religious significance. If the physical inspection of the Tefilin indicates that the seal has been tampered with (broken threads), it shall be confiscated and a request that it be inspected will be made to the appropriate rabbi.

#### 3. SACRAMENTAL WINE

The Director of Ministerial Services shall order sacramental wine shall be ordered and keep it securely stored. The Director shall control distribution and shall only dispense the required amount to chaplains for use in religious services. Only a departmental chaplain may consume sacramental wine, except that inmates and staff may consume hosts which have been dipped in sacramental wine during religious services.

#### 4. KUFİ

A close-fitting, cloth cap worn on the head.

#### 5. YARMULKE

A close-fitting skull cap made of cloth.

#### 6. TSALOT-KOB

A hemispheric head cap made of cloth worn by members of the Rastafarian faith.



## ACCESS TO RELIGIOUS PROGRAMS AND PRACTICES

### APPENDIX A

Attachment A

Ref.: Dir. #3261  
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### PERMISSIBLE RELIGIOUS ARTICLES

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#### 7. FEZ

A brimless, cone-shaped, flat-crowned hat that usually has a tassel and is usually made of red felt.

#### 8. HEAD COVERINGS

Head scarves that female inmates of the Muslim, Jewish, and Protestant faiths may wear that cover the entire head and in some cases the upper torso. The inmate's face must be fully visible.

#### 9. RELIGIOUS BEADS OR PENDANTS

Inmates are permitted to possess, carry, wear and display Rosary beads, Dhikr beads, Santeria beads or other religious pendants for prayer and worship. With respect to religious jewelry (jewelry of recognized religious significance), inmates may possess one religious medal (no stones, pins or protrusions); if worn around the neck, a thin chain no longer than 26 inches may be worn (maximum value \$50).

#### 10. RELIGIOUS TEXTS AND LITERATURE

Religious texts such as the Bible, the Torah, and the Koran.

#### 11. ANY OTHER RELIGIOUS ARTICLE APPROVED BY THE COMMITTEE ON RELIGIOUS ACCOMMODATIONS



# CITY OF NEW YORK - DEPARTMENT OF CORRECTION



## COMMITTEE ON RELIGIOUS ACCOMMODATIONS

Form: ARPP1  
Eff.: 06/06/18  
Ref.: Dir. #3261

### DISPOSITION FORM Attachment B

Inmate's Name:	Book & Case #:	NYSID #:
Facility:	Housing Area:	Date Filed:

Inmate's request: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

The request is:

☐ Approved: ☐ Modified: ☐ Denied:

Specific facts and reasons for determinations: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

#### NOTICE TO INMATE

The Committee on Religious Accommodations' determination represents the NYC Department of Correction's final decision on the inmate's request and is not subject to further appeal within the Department. The DOC shall send a copy of any determination limiting the exercise of an inmate's religious beliefs to the New York City Board of Correction within 24 hours of the determination. If you disagree with the decision, you may independently appeal to the New York City Board of Correction, 1 Centre St., Rm. 2213, New York, NY 10007. The BOC shall issue a written decision upon the appeal within 14 business days after receiving notice of it.

Check the appropriate box below and provide your signature.

☐ I accept the Committee's disposition and do not wish to appeal to the BOC.

☐ I reject the Committee's disposition and intend to appeal to the BOC.

Inmate's Signature :		Date:
Date of BOC notification:	Name of person who did the notification:	Name of person notified at BOC:
Associate Commissioner, Programs and Discharge Planning Signature:		Date:

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## NYC DEPARTMENT OF CORRECTION



## NOTICE TO LIMIT THE EXERCISE OF RELIGIOUS BELIEFS

## Attachment C

Form # ARPP2 Rev. 09/10/12 Ref. Dir. # 3261

Facility:

Date: \_\_\_\_\_

Book &amp; Case No.:

Inmate Name (Last/First):

NYSID Number:

Housing Area:

Charges:

Date of Event:

Location:

Time:

Description of event (Include specific description of action alleged):

☐ Report and Notice of Infraction (attach if applicable)

Completed By Name/Signature:

Rank:

Date:

Authorizing Supervisor's Name/Signature:

Date:

**RIGHT TO HEARING:** You are entitled to a hearing within three business days after you are served with this notice. At your hearing you have the following rights:

1. Right to appear personally;
2. Right to make statements;
3. Right to present relevant and non-redundant evidence; and
4. Right to present relevant and non-redundant witness.

Interpreter Requested: ☐ Yes ☐ No If yes, specify language:

Counsel Substitute Requested: ☐ Yes ☐ No      Witness Requested: ☐ Yes ☐ No

**Witness Name (Print)**

Number

### Location

Within 24 hours after your hearing is concluded, you will receive a copy of the "Notice of Hearing Determination to Limit the Exercise of Religious Beliefs."

I certify that I received  
a copy of this notice:

Inmate's Signature:

Date:



Time:

Served by (Print Name, Rank and Shield #):

Signature of Server:

Distribution:

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	Attachment D <b>NYC DEPARTMENT OF CORRECTION</b>		
<b>NOTICE OF HEARING DETERMINATION TO LIMIT THE EXERCISE OF RELIGIOUS BELIEFS</b>			Form: ARPP3 Eff.: 06/06/18 Ref.: Dir. # 3261
Facility:	Date:	Book & Case No.:	
Inmate Name (Last/First):		NYSID Number:	
Date of Event:	Location:		Time:
<input type="checkbox"/> Hearing Delayed <input type="checkbox"/> Adjourned Reason:    			
Inmate's Signature for Adjournment: _____ Date: _____			
Findings of Fact/Reason for Determination:          			
The following reports and evidence were reviewed:  <div><input type="checkbox"/> Infractions                      <input type="checkbox"/> Incident Reports                      <input type="checkbox"/> I.D. Preliminary Report <input type="checkbox"/> Injury Reports                      <input type="checkbox"/> Use of Force Reports                      <input type="checkbox"/> Evidence Voucher <input type="checkbox"/> Arrest Records                      <input type="checkbox"/> Witness Reports                      <input type="checkbox"/> Pre-Sentence Report <input type="checkbox"/> Securing Orders                      <input type="checkbox"/> Other: _____</div>			
<b>HEARING DECISION:</b> As a result of the actions described above (check all appropriate boxes): <div><input type="checkbox"/> It has been determined that you violated departmental rules. You are prohibited from: <input type="checkbox"/> Attending congregate religious services; <input type="checkbox"/> Possessing specified religious article(s) _____; and/or <input type="checkbox"/> Participating in other specified religious activities _____ for <div><input type="checkbox"/> 90 days    <input type="checkbox"/> 20 days    <input type="checkbox"/> 10 days    <input type="checkbox"/> Other (specify) _____</div><input type="checkbox"/> It has been determined that you did not violate departmental rules. There has not been any restriction imposed, therefore BOC notice is not required.</div>			
Hearing Officer (Name and Signature):			Date:
Delayed Service of Determination <input type="checkbox"/> Reason:  			
I certify that I received a copy of this notice:	Inmate's Signature:	Date:	Time:
Served by (Print Name, Rank and Shield #):		Signature of Server:	
Notification to BOC shall be made via facsimile to (212) 669-7980 with a follow up call to (212) 669-7900 to ensure receipt.			
Date of notification:	Name of Adjudication Captain who did the notification:	Name of person notified at BOC:	
<b>NOTICE TO INMATE</b>  This determination represents the NYC Department of Correction's final decision on the inmate's request and is not subject to further appeal within the Department. The DOC shall send a copy of any determination limiting the exercise of an inmate's religious beliefs to the New York City Board of Correction within 24 hours of the determination. If you disagree with the decision, you may independently appeal to the New York City Board of Correction, 1 Centre St., Rm. 2213, New York, NY 10007. The BOC shall issue a written decision upon the appeal within 14 business days after receiving notice of it.			
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