

**Idaho Department of
Juvenile Corrections
Institutional
Policy/Procedure**

NUMBER

678

REVISED

08/09/21

REVIEWED

08/09/21

EFFECTIVE

12/03/01

PAGE

4

SUBJECT: RELIGIOUS SERVICES

**CATEGORY: JUVENILE RIGHTS AND
RESPONSIBILITIES**

Policy

The Idaho Department of Juvenile Corrections (IDJC) supports the Religious Land Use and Institutional Persons Act (RLUIPA) and recognizes that the juveniles in its custody have a right to free exercise of religion, as defined in the act. Beyond this, healthy spiritual development can be an important support in maintaining the values necessary for juveniles to return to the community successfully.

Every reasonable effort is made, therefore, to facilitate the free practice of religion by juveniles in IDJC facilities, limited only by legitimate security and operational considerations.

Operating Procedures

I. Juvenile Participation in Religious Activities

- A. Individual juveniles are allowed to participate in the religious worship service of their choice, regardless of the day on which they are scheduled, unless there are safety and security reasons for not allowing this to take place. Such justification must be documented in the Idaho Juvenile Offender System IJOS daily logging system by facility staff.
- B. If a juvenile, or group of juveniles, is not allowed to participate in selected worship services for any reasons, the facility uses available alternative resources and/or adjusted scheduling to ensure the juveniles individual religious opportunity and rights.
- C. Juveniles may request non-formal religious activities (youth groups, Bible studies, Fireside, Catechism etc.) as facility scheduling allows.
- D. Juveniles utilize the Juvenile Request for Faith-Based Contact (DJC-237) form to request a religious book, religious artifacts, religion-based dietary accommodations, a visit from a contracted religious service provider, or a visit from a preferred clergy person.

II. Staff Responsibilities

- A. Staff will not in any way, engage in proselytizing or teaching related to a particular faith, but will support juveniles' choice to participate in religious activities in general.
- B. Staff will not schedule activities which conflict with a juveniles participation in regularly scheduled religious worship services that by nature may discourage or

influence participation. Alternative activities should be quiet in nature and otherwise involve minimal distraction to others who are engaged in quiet time or religious services.

- C. Escorting and/or supervision of juveniles to and from, or while involved in any religious activity, remains the responsibility of IDJC staff and may never be delegated to a service provider or to any volunteers, religious or otherwise.
- D. Staff will not allow juveniles to manipulate another juvenile's right or willingness to participate in religious services.
- E. Regardless of the staff's personal beliefs, staff supervising juveniles involved in any religious activities must maintain professional demeanor. Staff must show respect for all religious faiths and practices. If a juvenile asks a staff about their personal religious preference, they should be advised to fill out a DJC-237 form and referred to the service provider.

III. Religious Services Contract Monitor(Contract Monitor) Role

- A. The Contract Monitor is an employee of IDJC who ensures that juveniles of any faith in IDJC custody are provided services as outlined by the religious services contract.
- B. The Contract Monitor will:
 - 1. Measure effectiveness of the service provider annually by interviewing or surveying department staff and juveniles.
 - 2. Annually monitor the service provider for adherence to IDJC standards and religious services contract.
 - 3. Conduct frequent and ongoing oversight and management of service provider services required documentation.
 - 4. The contract monitor (working with other IDJC staff) may be called upon to review and to intervene in circumstances where the service provider or religious volunteers are alleged to have violated IDJC codes of ethics, policy and procedure, or standards of conduct.

IV. Contracted Religious Service Provider's (Service Provider) Role

- A. The service provider facilitates the provision of religious activities, services and resources onsite and in the communities. The service provider works under the oversight of the Contract Monitor and Superintendent, or designee. The service provider's role is to develop, organize, and facilitate the delivery of religious opportunities for juveniles in custody. The service provider works with IDJC staff, volunteers, and community partners to ensure religious opportunities are being provided for juveniles in custody.
- B. The service provider must show respect and attempt to provide for all religious faiths and practices requested by juveniles.

- C. The service provider is responsible for scheduling and coordinating all religious services, activities, and classes, working closely with the department staff.
- D. The service provider is responsible for ensuring that all religious volunteers are properly screened and approved by Contract Monitor before they are allowed to offer services to juveniles.
- E. The service provider is responsible for ensuring that all religious volunteers are trained and fully comply with IDJC standards to include: codes of ethics, policy and procedure, and standards of conduct.
- F. The service provider is responsible for ensuring that non-formal religious activities (such as youth groups, Bible studies, Fireside, Catechism, etc.) are accessible within facility scheduling.
- G. The service provider is responsible for the facilitation of religious opportunities that may include limited contact with individual juveniles or groups of juveniles. The service provider is not to provide juvenile supervision or juvenile movement around the facility.
- H. The service provider may meet with a juvenile(s) with the approval of designated IDJC staff to determine the appropriate facilitation of religious opportunities. It is expected that the service provider does not provide religious counseling to juveniles as a normal function or responsibility. One-on-one religious counseling is provided by a religious volunteer or clergy.
- I. The service provider is responsible to make contact with faith-based communities to assist in reintegration of juveniles upon request from treatment team. Contact with communities will be made in cooperation with the treatment team to enlist comprehensive development of partnerships that serve interests of juvenile, communities and facilities.
- J. The service provider may be called upon to provide information to the Contract Monitor as it pertains to any investigation in circumstances where religious volunteers are alleged to have violated IDJC standards to include: codes of ethics, policy and procedure, and standards of conduct.
- K. Confidentiality expectations are followed with regard to communications between service providers and/or volunteers and juveniles with the exception of the following:
 - 1. Harm to self or others (including PREA),
 - 2. Escape,
 - 3. Safety, security, or orderly management of the facility,
 - 4. Information that involves drugs,
 - 5. Information that involves child abuse, and
 - 6. Information that involves intended suicide.
 - (i) Legal privilege applies only to those volunteers who are duly ordained, licensed or commissioned (minister, pastor, priest, rabbi or practitioner)

of any bona fide established church or religious organization where client confidentiality is a provision of such title and Idaho Code.

- (ii) Legal privilege shall apply only in limited ministerial communications between a juvenile and his or her duly ordained, licensed or commissioned (minister, pastor, priest, rabbi or practitioner) or other legally authorized individual.

V. Religious Property

Each facility describes in their respective operations manual or program handbook the specific items, and number of items, approved for religious use at that facility. At a minimum, IDJC allows one religious artifact and one religious book.

The misuse of religious property/item(s), such as using them to self-harm, harm others, conceal drugs, alcohol, or craft weapons may result in behavioral management interventions and/or removal of misused items.

Reference: *Facility Operations Manual*
 Program Handbooks
 [Glossary of Terms and Acronyms](#)
 Idaho State Constitution
 Idaho Code
 Religious Land Use and Institutional Persons Act (RLUIPA)

Desk Manual: *None*

Related Policies: [Case Management for Juveniles \(401\)](#)
 [Juvenile Supervision \(608\)](#)
 [Ethics and Standards of Conduct \(324\)](#)
 [Volunteers, Interns, and Service providers \(631\)](#)
 [Contraband Acquisition and Disposition/Searches Policy \(620\)](#)

Related Forms: [Request for Faith-Based Contact \(DJC-237\)](#)