

# ARKANSAS REGISTER



Transmittal Sheet  
**RECEIVED**

APR 4 1990

W. J. "BILL" McCuen  
Secretary of State  
State Capitol  
Little Rock, Arkansas 72201-1094

For Office  
Use Only:

Effective Date 4-22-90 Code Number 004.00.90--008

Name of Agency Arkansas Department of Correction

Department of Correction

Contact Person Al. L. Lockhart, Director Telephone 501-247-1800 ext. 200

Statutory Authority for Promulgating Rules Act 50, Sixty-Sixth

General Assembly, First Extraordinary Session, 1968, Approved February 20, 1968.

Intended  
Effective Date

AR 883 - Chaplaincy Services

Date

Legal Notice Published

12/23-29/89

☐ Emergency

Final Date for Public Comment

01/13/90

☐ 20 Days  
After Filing

Filed With Legislative Council

01/04/90

☒ Other

Reviewed by Legislative Council

02/13/90

Adopted by State Agency

03/30/90

Please use 4/22/90  
as an effective date

## CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted  
In Compliance With Act 434 of 1967 As Amended.

A handwritten signature in dark ink, appearing to read 'Al. L. Lockhart', is written over a horizontal line.

Director

TITLE

March 30, 1990

DATE



# ADMINISTRATIVE REGULATIONS

## STATE OF ARKANSAS

### DEPARTMENT OF CORRECTION

RECEIVED

Section Number

883

Page Number

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Board of Correction Approval Date:

3/30/90

Supersedes:

AR 870; 882

Dated:

9/30/88; 9/30/88

Attorney General  
Review Date:

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Date Filed  
Secy. of State:

4/2/90

APR 4 1990

SUBJECT: Chaplaincy Services

W. J. "BILL" McCUEN  
SECRETARY OF STATE

By \_\_\_\_\_

#### I. Authority

The Board of Correction is vested with the authority to promulgate this Administrative Regulation by Act 50 of 1968 as amended.

#### II. Purpose

To establish access to religious ministers and materials, and to ensure opportunities for the practice of religion within the Department.

#### III. Applicability

This Administrative Regulation applies to all staff and inmates of the Department, all ministers and volunteers carrying out their ministry inside the Department, and any spiritual advisor or minister providing ongoing linkage between a religious group and an inmate of the Department.

#### IV. Definitions

- A. Religion refers to a set of beliefs and corresponding practices based on sacred writings, and/or having historically established support, which play a central role in the everyday life of a recognizable and cohesive group in society.
- B. Minister refers to an individual ordained or otherwise recognized, according to the precepts of the religion represented, as qualified to teach religious precepts, provide spiritual counsel, and conduct religious services.
- C. Volunteer refers to an individual having the approval of a religious group or authority, approved through the procedures of the Department, and trained in applicable regulations and expectations of conduct to be followed



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inside the Department, who provides for, or assists in providing for, the religious needs of inmates.

- D. Restrictions refer to generally diminished rights consistent with incarceration and to specific limitations on religious conduct deemed necessary to meet legitimate penological interests.

**V. Policy**

It is the policy of the Department to allow inmates access to the opportunities and means to learn about religions and to practice a religion of choice, without undue restriction.

**VI. Procedures**

- A. Chaplaincy Services shall establish and review annually a policy and procedures manual guiding ministers and volunteers regarding religious practices within the Department.
- B. Any restrictions to be placed on the practice of religion will be approved by an ad hoc committee comprised of the Director's staff and the Administrator of Chaplaincy Services. A representative of the affected religion will be afforded the opportunity to present the case against the restriction. The committee will make a recommendation for the approval of the Director.
- C. Wherever restrictions are necessary, the least severe acceptable restriction will be used, and a substantive equivalent, if available and not imposing an undue burden on Department officials, will be provided for the restricted activity.
- D. Any religious activity which involves inflammatory statements about the characteristics, beliefs practices



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of another group, threats against the order and safety of the institution, or instigation of conflict among the group members which compromises the safety of the group or the safety of others may be curtailed immediately with the approval of the senior security officer on duty.

- E. Restrictions of religious practice may be placed on clearly defined groups of inmates, based on their security status and the breach of security that allowing those practices would entail. Such restrictions shall apply evenly to all inmates of the same security status. And, where consistent with good security, alternative opportunities for the practice of religion shall be afforded.
- F. The Department shall show no favoritism toward, nor selectively impose restrictions against, a particular religion. However, the burden for demonstrating that an unusual, illogical or unorthodox set of practices does have scriptural, historical and consensual validity as a religion, is placed upon the inmate.
- G. Participation in religious activities shall be voluntary. Participation in some activities may be restricted, where canon law or the tenets of the religion demand such restriction. Any restrictions imposed must be registered with the Administrator of Chaplaincy Services and have prior approval.
- H. Fasts or dietetic restrictions are permitted. Additional or substitutional food items require prior approval through the Administrator of Chaplaincy Services. Food or beverage items that would otherwise be contraband must have prior approval of the Director. Blanket approval may be given and regulations set by the Administrator of Chaplaincy Services.



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- I. The Department shall not furnish religious materials. Access to purchased or donated religious materials may be arranged through the Administrator of Chaplaincy Services, in consultation with the Assistant Director for Institutions.
- J. Application for approval of visits by spiritual advisors should follow normal visitation procedures. Special visits should be channelled through the senior chaplain of the Unit/Center who will make a recommendation to the warden.
- K. Notification to inmates of family emergencies and notification to families of inmate mishaps shall involve the Chaplaincy Services.

**VII. References**

ACA Standard 2-4468.  
Act 8 of 1988.  
Act 23 of 1988.

AR883  
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