

(b) No employee or agent of the Department or of any voluntary program shall be permitted to proselytize or seek to convert any prisoner, nor shall any prisoner be compelled to exercise or dissuaded from exercising any religious belief.

(c) Equal status and protection shall be afforded all prisoners in the exercise of their religious beliefs except when such exercise is unduly disruptive of institutional routine.

Section 8.3 *Congregate Religious Activities*

(a) Consistent with the requirements of Section 8.1, all prisoners shall be permitted to congregate for the purpose of religious worship and other religious activities.

(b) Each institution shall provide all prisoners access to an appropriate area for congregate religious worship and other religious activities. Consistent with the requirements of subdivision (a) of Section 8.2, this area shall be made available to prisoners in accordance with the practice of their religion.

Section 8.4 *Religious Advisors*

(a) As used in this Part, the term "religious advisor" shall mean a person who has received ecclesiastical endorsement from the relevant religious authority.

(b) Religious advisors shall be permitted to conduct congregate religious activities permitted pursuant to Section 8.3. When no religious advisor is available, a member of a prisoner religious group may be permitted to conduct congregate religious activities.

(c) Consistent with the requirements of subdivision (a) of Section 8.2, prisoners shall be permitted confidential consultation with their religious advisors during lock-out periods.

Section 8.5 *Celebration of Religious Holidays or Festivals*

Consistent with the requirements of subdivision (a) of Section 8.2, prisoners shall be permitted to celebrate religious holidays or festivals on an individual or congregate basis.

Section 8.6 *Religious Dietary Laws*

Prisoners are entitled to the reasonable observance of dietary laws or fasts established by their religion. Each institution shall provide prisoners with food items sufficient to meet such religious dietary laws.

Section 8.7 *Religious Articles*

Consistent with the requirements of subdivision (a) of Section 8.2, prisoners shall be entitled to wear and to possess religious medals or other religious articles, including clothing and hats.

Section 8.8 *Exercise of Religious Beliefs by Prisoners in Segregation*

(a) Prisoners confined in administrative or punitive segregation shall not be prohibited from exercising their religious beliefs, including the opportunities provided by Sections 8.4, 8.5, 8.6 and 8.7.

(b) Congregate religious activities by prisoners in administrative or punitive segregation shall be provided for by permitting such prisoners to attend congregate religious activities with appropriate security either by themselves or with other prisoners.

Section 8.9 *Recognition of a Religious Group or Organization*

(a) A list shall be maintained of all religious groups and organizations recognized by the Department. This list shall be in Spanish and English and shall be distributed to all incoming prisoners or posted in each housing area.

(b) Each institution shall maintain a list of the religious advisor, if any, for each religious group and organization, and the time and place for the congregate service of each religion. This list shall be in Spanish and English and shall be distributed to all incoming prisoners or posted in each housing area.

(c) Prisoner requests to exercise the beliefs of a religious group or organization not previously recognized shall be made to the Department.

(d) In determining requests made pursuant to subdivision (c) of this Section, the following factors among others shall be considered as indicating a religious foundation for the belief:

(i) whether there is substantial literature supporting the belief as related to religious principle;

(ii) whether there is formal, organized worship by a recognizable and cohesive group sharing the belief;

(iii) whether there is an informal association of persons who share common ethical, moral, or intellectual views supporting the belief; or

(iv) whether the belief is deeply and sincerely held by the prisoner.

(e) In determining requests made pursuant to subdivision (c) of this Section, the following factors shall not be considered as indicating a lack of religious foundation for the belief:

(i) the belief is held by a small number of individuals;

(ii) the belief is of recent origin;

(iii) the belief is not based on the concept of a Supreme Being or its equivalent; or

(iv) the belief is unpopular or controversial.

(f) In determining requests made pursuant to subdivision (c) of this Section, prisoners shall be permitted to present evidence indicating a religious foundation for the belief.

(g) The procedure outlined in Sections 8.10(a) and 8.10(c) shall apply when a prisoner request made pursuant to Section 8.9(c) is denied.