

SPIRITUAL PRACTICES

Minnesota Sex Offender Program

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Effective Date: 4/4/23

Policy: 420-5300

POLICY: The Minnesota Sex Offender Program (MSOP) provides all clients with reasonable opportunities to pursue individual spiritual beliefs and practices, within facility budgetary and security constraints. MSOP does not restrict attendance at or participation in spiritual ceremonies or studies on the basis of race, color, nationality, gender, sexual orientation, or creed. MSOP does not require clients to attend spiritual ceremonies or studies. MSOP promotes an atmosphere free from coercion, harassment, or ridicule due to spiritual affiliation and beliefs.

AUTHORITY: Minn. Stat. § 144.651, subd. 19 and subd. 26

APPLICABILITY: MSOP, program-wide

PURPOSE: To govern spiritual practices at the MSOP.

DEFINITIONS:

Behavioral control – see MSOP Division Policy 415-5087, “High Security Area.”

Immediate family member – see MSOP Division Policy 420-5100, “Visiting.”

Medicine bag – small leather pouch or bag used to hold herbs or other spiritual items. Medicine bags are no larger than three inches by two inches and are sewn shut.

Special spiritual event – an activity celebrated with ceremony and/or ritual to satisfy specific needs not accommodated by the regularly-scheduled weekly or monthly time reserved for volunteer spiritual programming, including but not limited to annual spiritual group meals and holiday programs.

Spirit bag – small leather pouch or bag used to hold herbs or other spiritual items. Spirit bags are no larger than three inches by two inches and are not sewn shut. Spirit bags do not contain any type of contraband and are subject to being opened and searched at any time.

Spiritual group – a set of individuals whose identity is distinctive in terms of one or more of the following: common religious creed, beliefs, doctrines, practices, principles, traditions, or rituals.

Spiritual group client liaison – a client selected by spiritual group peers to serve as the point of contact between spiritual group and facility volunteer services coordinator/designee.

Spiritual Practices Advisory Committee (SPAC) – a committee providing recommendations to MSOP leadership regarding requests not addressed by current MSOP policy and procedure. Membership includes the volunteer services coordinator/designees, rehabilitative therapies directors and representatives from the legal, security and clinical departments.

Spiritual resource volunteer – a volunteer associated with a specific spiritual group, providing spiritual guidance and resources.

Spiritual support – provision of assistance and spiritual guidance by an ordained, commissioned, or credentialed professional in the event of death of a client’s immediate family member, or serious illness of the client or client’s immediate family.

Treatment team – see MSOP Division Policy 215-5005, “Treatment Overview.”

PROCEDURES:

A. SPAC

1. Clients must submit new or modified individual or group client spiritual proposals to the facility volunteer services coordinator/designee via a Client Request (420-5099a).
 - a) Before submitting proposals, a spiritual group must have the written support of its spiritual resource volunteer.
 - b) Clients must include supporting documents with their proposals attached to the Client Request (420-5099a).
2. The facility volunteer services coordinator/designee, in consultation with spiritual resource contacts independent of facility spiritual resource volunteers, researches the appropriateness of the proposal before forwarding it to the SPAC for review.
3. The SPAC forwards recommendations to the facility directors and facility clinical directors to make the final decision.

B. Client access to spiritual services and studies are consistent with the MSOP Behavioral Expectations Handbook (420-5010a).

C. Ceremonies and Studies

1. Spiritual resource volunteers provide spiritual services to clients under the supervision of MSOP staff.
2. Clients interested in forming a new spiritual group must provide information to the facility volunteer services coordinator/designee using the Spiritual Group Criteria Form (420-5300a).
 - a) When six clients have each submitted a Client Request (420-5099a) expressing interest in a potential spiritual group, the facility volunteer services coordinator/designee begins recruiting a spiritual resource volunteer. Potential groups of fewer than six clients may be considered by the facility volunteer services coordinator/designee in consultation with the facility director and facility clinical director.
 - b) The facility volunteer services coordinator/designee does not schedule spiritual group ceremonies or studies until the volunteer has completed required background studies as outlined in DHS Administrative Policy, “Background Reviews Policy” and required training as outlined in DCT Policy 115-1045, “Non-Employee Training.”
3. When a group spiritual ceremony/study is scheduled to occur when the spiritual resource volunteer will not be present, the facility volunteer services coordinator/designee receives material and direction from the spiritual resource volunteer. The facility volunteer services coordinator/designee communicates any relevant information regarding the group to the facility officer of the day (OD).

4. When a group no longer has a spiritual resource volunteer available:
 - a) The facility director and facility clinical director may approve the group to continue to meet for a period of up to 90 days, with staff supervision. After 90 days with no spiritual resource volunteer, MSOP suspends the group.
 - b) The facility volunteer services coordinator/designee reinstates the group when a new spiritual resource volunteer has been identified and approved.
5. A spiritual resource volunteer or MSOP staff must be present to provide leadership when any controlled item is utilized in a spiritual ceremony. (refer to MSOP Division Policy 415-5030, "Contraband," MSOP Division Policy 225-5310, "CPS Contraband," and MSOP Division Policy 420-5310, "Use of Controlled Items During Spiritual Ceremonies.")
6. Spiritual resource volunteers may request mileage reimbursement if they travel over 40 miles round trip for a ceremony or study. (Refer to MSOP Division Policy 125-5466, "Mileage Reimbursement for Spiritual Resource Volunteers.")
7. MSOP staff supervise all spiritual group ceremonies and studies. Staff may not participate in client spiritual ceremonies or studies.
8. MSOP does not permit food during spiritual ceremonies or studies unless pre-approved by the facility clinical programming director in consultation with the facility director. MSOP only permits shared food or drinks for spiritual purposes when supported by a spiritual resource volunteer. The facility volunteer services coordinator/designee notifies the facility OD of approved items.
9. Clients may not place themselves or be placed by a spiritual group, staff member, or spiritual resource volunteer in a position of authority over a spiritual group ceremony or study. (Refer to MSOP Division Policy 215-5001, "Maintaining a Therapeutic Treatment Environment.")
10. Annual Client Liaison Selection Process
 - a) A spiritual group client liaison serves as the contact between the spiritual group and the facility volunteer services coordinator/designee.
 - b) A client interested in serving as a spiritual group client liaison must submit a Client Request (420-5099a) to the facility volunteer services coordinator/designee at least two weeks prior to the selection process.
 - c) The facility volunteer services coordinator/designee reviews the request with the primary therapist and treatment team and determines which clients are approved to be included on the ballot for voting by the spiritual group members. To be eligible for a spiritual group client liaison, the candidate must:
 - (1) actively demonstrate personal accountability, respect for others, and community responsibility;
 - (2) demonstrate and adhere to unit principles;
 - (3) regularly attend and participate in therapeutic community meetings; and

- (4) follow the Community Preparation Services (CPS) Pillars (CPS only - see CPS Handbook (225-5020b)).
 - d) MSOP schedules additional elections for a spiritual group client liaison when a client requests to be removed or fails to consistently maintain eligibility criteria.
11. If a client is in the High Security Area (HSA), on Pre-Hearing Restriction status, or has not been in behavioral control during the past 72 hours, the client may not attend spiritual group ceremonies or studies. Clients in those areas/statuses may submit a Client Request (420-5099a) for spiritual self-study materials.
12. Clients on Restriction Status 2 or Restriction Status 3 (RS2 or RS3)
- a) A client in behavioral control on RS2 may continue to attend regular spiritual ceremonies and/or studies.
 - b) A client in behavioral control on RS3 may continue to attend regular spiritual group ceremonies and/or studies if approved through the following process:
 - (1) A client on RS3 must submit a Client Request (420-5099a) to their primary therapist at least two business days prior to an event to request approval to attend a single self-designated spiritual group ceremony and/or study. Clients must submit a separate request for each spiritual group ceremony, study, and/or special spiritual event they want to attend.
 - (2) The primary therapist verifies with the facility volunteer services coordinator/designee that the client has attended at least 50 percent of the spiritual group's ceremonies and/or studies for the three months prior to the client being placed on RS3. If the client does not meet the attendance requirement, the primary therapist denies the request.
 - (3) If the client meets the attendance requirement, the primary therapist consults with the client's treatment team. If the client's treatment team supports the client's attendance, the primary therapist/designee responds to the Client Request (420-5099a), including any details regarding the client's attendance and generates a Communication Log entry (Phoenix).
 - (4) The client must retain the original Client Request (420-5099a) as confirmation of approval to attend the spiritual group's ceremony and/or study, and present it for staff review when requested.
 - c) A client in behavioral control on RS2 or RS3 may attend a special spiritual event if approved through the following process:
 - (1) A client submits a Client Request (420-5099a) to the client's primary therapist at least two business days prior to the event, to request approval to attend a specific special spiritual event.
 - (2) The primary therapist verifies with the facility volunteer services coordinator/designee the client has attended at least 50 percent of that spiritual group's ceremonies and/or studies for the three months prior to the client

being placed on restriction status. If the client does not meet the attendance requirement, the primary therapist denies the request.

- (3) If the client meets the attendance requirement, the primary therapist consults with the client's treatment team. If the client's treatment team supports the client's attendance, the primary therapist/designee responds to the Client Request (420-5099a), including any details regarding the client's attendance and generates a Communication Log (Phoenix) entry.
 - (4) The client must retain the original Client Request (420-5099a) as confirmation of approval to attend the special spiritual event, and present it for staff review when requested.
13. If a client violates a policy affecting program safety and security or utilizes spiritual group ceremonies or studies for other than their intended purposes, staff may remove that client from that particular spiritual ceremony or study for the day.
 14. The facility volunteer services coordinator/designee may restrict a client who violates a policy affecting program safety and security from preparation and clean-up activities for a spiritual group ceremony or study.
 15. When necessary for the safety, security or orderly operation of the facility, the facility director/designee, in consultation with the facility clinical director, may limit attendance at, or temporarily discontinue a spiritual group ceremony or study.
 16. The facility volunteer services coordinator/designee, in consultation with the facility director, facility clinical director and the spiritual resource volunteer, may discontinue a spiritual group if the attendance reaches fewer than five clients.
 17. MSOP follows MSOP Division Policy 415-5164, "Adverse Weather" to determine whether to cancel or terminate outdoor client ceremonies.
 18. The facility volunteer services coordinator/designee posts a schedule on each unit of all spiritual group ceremonies and studies.
 19. Within 30 calendar days upon the death of an immediate family member, a client identifying with a Native American or Pagan spiritual group or tradition may request a spiritual ceremony via a Client Request (420-5099a) to the facility volunteer services coordinator/designee. This ceremony may be up to 30 minutes and may involve the grieving client and two support peers approved by the client's treatment team.
 - a) The facility volunteer services coordinator/designee verifies the death with a client resource coordinator, makes arrangements for the ceremony, and notifies the facility OD.
 - b) A client may submit a Client Request (420-5099a) to the facility volunteer services coordinator/designee to request a spiritual ceremony for an individual who is not an immediate family member. The facility volunteer services coordinator/designee contacts the client's primary therapist for approval.

20. Clients may submit a Client Request (420-5099a) to hold a non-scheduled special spiritual event to the facility volunteer services coordinator/designee a minimum of 30 days prior to the ceremony or study. The clients must have the support of their spiritual resource volunteer.
21. When approved by the facility director/designee, a spiritual resource volunteer may facilitate a spiritual group using a virtual platform designated by the Minnesota Department of Human Services (see also MSOP Division Policy 420-5107, "Video Visiting").

D. Personal Services

1. Ordained, commissioned, or credentialed professional volunteers (refer to MSOP Division Policy 410-5043 "Volunteer Services Program") may provide spiritual support in the event of death of a client's immediate family member, or serious illness of the client or client's immediate family member.
2. Clients may submit a Client Request (420-5099a) for a spiritual support session to the primary therapist, who contacts the facility volunteer services coordinator/designee to schedule the session with the appropriate spiritual support.
3. The facility volunteer services coordinator/designee schedules a one-time session, not to exceed two hours, with an ordained, commissioned, or credentialed professional of the client's spiritual tradition. In consultation with the facility clinical programming therapies director, clinical staff, and the spiritual professional, this session may be in person or virtual using a platform designated by the Minnesota Department of Human Services (see also MSOP Division Policy 420-5107, "Video Visiting").
4. Spiritual support individuals not currently volunteering at either MSOP facility may apply to be added to the client's visiting list (refer to MSOP Division Policy 420-5100, "Visiting" and MSOP Division Policy 225-5160, "CPS Client Visits") for on-going support.

E. Spiritual Items

1. Clients may designate personal spiritual items to keep in their possession. Spiritual items are governed by MSOP property policies.
 - a) Clients self-designate spiritual items by sending a proposed list to the facility volunteer services coordinator/designee, who reviews/approves and completes an Approved Spiritual Items Inventory (420-5300c).
 - b) Clients are responsible to submit a Client Request (420-5099a) to the facility volunteer services coordinator/designee when they need to add or remove items.
 - c) Before placing an item on the client's Approved Spiritual Items Inventory (420-5300c), the facility volunteer services coordinator/designee may consult with a spiritual resource volunteer and/or community spiritual organization to determine if it is considered a spiritual item of a spiritual practice.
 - d) MSOP considers items listed on the client's Approved Spiritual Items Inventory (420-5300c) as part of the client's total approved property limits.

2. Special Services Department staff forward spiritual group items provided for clients by clergy, spiritual resource volunteers, or organizations to the facility volunteer services coordinator/designee for review and approval.
3. Ordering and Receiving Personal Spiritual Items/Media
 - a) Clients may order spiritual items (other than herbs, minerals or durable goods) from a vendor with a documented pre-approved Client Request (420-5099a) from the facility volunteer services coordinator/designee. Herbs, minerals, or durable goods must be ordered from an approved vendor.
 - b) The facility volunteer services coordinator/designee brings any item not previously approved to the Allowable Items Workgroup (AIW) and/or the Media Review Committee (MRC) for review and approval before the client places the order. Media items that go to the MRC do not need prior approval.
 - c) The facility volunteer services coordinator/designee provides clients with a copy of their Approved Spiritual Items Inventory lists to help staff identify spiritual items during room searches.
 - d) Spiritual items brought into the facility for individual clients by a spiritual resource volunteer must be in quantities sufficient for each member of the volunteer's spiritual group and are processed according to MSOP Policy 420-5250, "Client Property." (See also MSOP Division Policy 225-5300, "CPS Client Property.")
4. Spiritual Group Items
 - a) The facility volunteer services coordinator/designee designates a secure location to store spiritual group items.
 - b) Each spiritual group is permitted up to 20 spiritual group items. The facility volunteer services coordinator/designee may allow more than 20 items when space allows.
 - c) Spiritual group items are considered the property of MSOP.
5. The facility volunteer services coordinator/designee and the AIW may approve handmade items. Clients must submit a Client Request (420-5099a) to the facility volunteer services coordinator/designee to get prior approval for construction of the item.
6. Spiritual Herbs and Minerals
 - a) Clients must submit a Client Request (420-5099a) to the facility volunteer services coordinator/designee for approval to purchase allowable herbs and minerals from designated vendors on the Approved Herbs and Minerals List (420-5300d).
 - b) Herbs and minerals must arrive in a bag allowing the herb or mineral to be visible, and labeled by the vendor with content and weight.
 - c) The facility volunteer services coordinator/designee may separate individually-allowed herb/mineral amounts from bulk herb/mineral orders intended for donation by a client with an approved Donation Form (420-5400a). These orders must be

requested and approved by the facility volunteer services coordinator/designee before the client places the order. The approved donation is MSOP property (refer to MSOP Division Policy 420-5400, "Donations.")

- d) Spiritual herbs for personal use are limited to one two-ounce package per herb from the Approved Herbs and Minerals List (420-5300d).
 - e) Spiritual minerals for personal use from the Approved Herbs and Minerals List (420-5300d) include salt and stones. Salt must be fine-grained and is limited to one six-ounce package. Clients may receive up to seven stones. Each stone must not exceed 1.5 inches diameter.
 - f) Spiritual herbs and minerals must be stored in labeled and sealed clear plastic bags.
7. A client placed in the High Security Area (HSA) may send a Client Request (420-5099a) to the unit group supervisor/designee for one item from the client's approved spiritual items inventory. The unit group supervisor/designee determines approval based on the safety and security of the client.
8. The facility OD in consultation with the facility security director/designee determines when a medicine bag is to be searched. When it is determined a medicine bag will be searched:
- a) the OD informs the facility volunteer services coordinator/designee the medicine bag needs to be searched;
 - b) when available, the facility volunteer services coordinator/designee reports to the unit to assist in the search of the medicine bag;
 - c) staff must search medicine bags in a respectful manner; and
 - d) upon completion of the search, staff secure the medicine bag until resealed by the client in view of staff.

F. Use of Spiritual Items

- 1. The facility security director/designee must approve spiritual items brought into the facility by spiritual resource volunteers and list them on an approved Event Letter (410-5032a).
- 2. The use of spiritual items considered controlled items is governed by MSOP Division Policy 420-5310, "Use of Controlled Items During Spiritual Ceremonies."
- 3. Clients may use personal spiritual media during spiritual programming as approved by the facility volunteer services coordinator/designee.
- 4. The facility volunteer services coordinator/designee maintains a spiritual resource library. (Refer to MSOP Division Policy 220-5047, "Library Use.")

G. Spiritual Group Administrative Accounts

- 1. The facility volunteer services coordinator/designee may establish administrative accounts to facilitate the purchase of group items for spiritual group use.

- a) Clients may deposit money into a spiritual group account by completing a Client Funds Transfer Authorization Form (125-5300d) and forwarding it to the facility volunteer services coordinator/designee for approval.
 - b) Once approved, the facility volunteer services coordinator/designee forwards the donation to Direct Care and Treatment Financial Services.
 - c) The facility clinical programming director must approve purchases from this account.
2. Clients must ensure funds for spiritual event items are in the spiritual group's account 14 days prior to the scheduled event.
 3. MSOP does not use state funds to purchase spiritual items.
 4. If a spiritual group disbands, after two years the consumable account funds are transferred to the client social welfare fund.

H. Spiritual Observances and Diets

1. MSOP facilitates the observance of spiritual dietary practices, including major spiritual holy days and seasons. This may involve special fasts, dietary regulations, worship, or work proscription. These will be accommodated within budgetary constraints and while maintaining safety and security and orderly operation of the program.
2. Clients requesting a regular spiritual diet, or participating in spiritual events requiring meals outside of regularly-scheduled meal times, are provided a reasonable and equitable opportunity to observe their essential spiritual dietary practices within program policy, and within budgetary and security constraints.
 - a) Clients desiring a spiritual diet, or meals outside of regularly-scheduled meal times for reasons of a spiritual event, must submit a completed Spiritual Diet Application/Agreement (420-5300e) to the facility volunteer services coordinator/designee at least 15 calendar days prior to start of observance.
 - b) The facility volunteer services coordinator/designee consults with a spiritual resource volunteer or another expert in the client's faith to determine the essential dietary requirements of that faith group and forwards the information to the food service supervisor/designee.
 - c) The facility volunteer services coordinator/designee notifies the facility registered nurse supervisor regarding client spiritual diet requests for any health-related follow-up.
 - d) The facility volunteer services coordinator/designee forwards a copy of the approved Spiritual Diet Application/Agreement (420-5300e) to the food service supervisor/designee, who facilitates the menu.
 - e) The food service supervisor/designee, in consultation with the dietitian, reviews the essential dietary requirements not met by regular facility menus and, within facility budgetary constraints, develop a spiritual diet for that faith group. The facility

volunteer services coordinator/designee notifies the client of the approved spiritual diet.

- f) The facility volunteer services coordinator/designee and the dietitian/food service supervisor/designee sign approved applications and return a copy to the client.. If the application is denied, the facility volunteer services coordinator/designee returns a copy of the denied application to the client stating the reason the application was denied.
- g) A client wishing to withdraw from the spiritual menu must notify the facility volunteer services coordinator/designee via Client Request (420-5099a). The facility volunteer services coordinator/designee documents client withdrawals on the original Spiritual Diet Application/Agreement (420-5300e).

3. Annual Spiritual Group Meals

- a) Spiritual groups may hold one spiritual meal each calendar year.
- b) The designated spiritual group client liaison submits the Spiritual Group Meal Form (420-5300f) to the facility volunteer services coordinators/designee a minimum of 30 days in advance.
- c) Attendance at meals is limited to clients attending the specific spiritual group's ceremonies and studies at the time of the meal and having a 50 percent attendance record for the six months prior to the meal. A client may attend only one spiritual meal per calendar year.
- d) The facility volunteer services coordinator/designee arranges all spiritual meals through the facility Food Service, including the time and location of the event. The meal must be purchased and prepared under the supervision and direction of the facility food service, and will substitute for a regularly-scheduled meal.
- e) A facility food service supervisor must approve the substitute meal cost.
- f) Clients may not donate food or money for the purchase of additional food.
- g) An annual food offering or "spirit plate" may be offered by the spiritual group as part of the spiritual meal.
 - (1) The food offering or "spirit plate" is burned in a ceremonial fire or removed from the facility by the spiritual resource volunteer or facility volunteer services coordinator/designee at the end of the activity.
 - (2) No personal food offerings are allowed.

REVIEW: Annually

REFERENCES: Minn. Stat. § 246.0141
DHS Administrative Policy, "Background Reviews Policy"
MSOP Division Policy 410-5023, "Volunteer Services Program"
MSOP Division Policy 125-5466, "Mileage Reimbursement for Spiritual Volunteers"

MSOP Division Policy 420-5250, "Client Property"
MSOP Division Policy 225-5300, "CPS Client Property"
MSOP Division Policy 420-5310, "Use of Controlled Items During Spiritual Ceremonies"
MSOP Division Policy 415-5030, "Contraband"
MSOP Division Policy 225-5310, "CPS Contraband"
MSOP Division Policy 420-5020, "Client Hygiene/Dress Code"
MSOP Division Policy 420-5100, "Visiting"
MSOP Division Policy 410-5032, "Event Letters"
MSOP Division Policy 420-5040, "Meal Service"
MSOP Division Policy 420-5253, "Client Jewelry"
MSOP Division Policy 135-5200, "MSOP Records Management and Retention"
MSOP Division Policy 215-5005, "Treatment Overview"
DCT Policy 115-1045, "Non-Employee Training"
MSOP Division Policy 415-5164, "Adverse Weather"
MSOP Division Policy 225-5160, "CPS Client Visits"
MSOP Division Security Policy 415-5040, "Tools and Equipment"
MSOP Division Policy 420-5252, "Allowable Items Workgroup"
MSOP Division Policy 220-5047, "Library Use"
MSOP Division Policy 420-5107, "Video Visiting"
MSOP Division Policy 415-5087, "High Security Area"
MSOP Division Policy 215-5001, "Maintaining a Therapeutic Treatment Environment"
MSOP Division Policy 420-5400, "Donations"

ATTACHMENTS: Spiritual Group Criteria Form (420-5300a)
Approved Spiritual Items Inventory (420-5300c)
Approved Herbs and Minerals List (420-5300d)
Spiritual Diet Application/Agreement (420-5300e)
Spiritual Group Meal Form (420-5300f)

Client Funds Transfer Authorization Form (125-5300d)
Client Request (420-5099a)
MSOP Donation Form (420-5400a)
MSOP Behavioral Expectations Handbook (420-5010a)
CPS Handbook (225-5020b)
Event Letter (410-5032a)
Donation Form (420-5400a)
Communication Log (Phoenix)

SUPERSESION: MSOP Division Policy 420-5300, "Spiritual Practices," 4/5/22.
All facility policies, memos, or other communications whether verbal, written, or transmitted by electronic means regarding this topic.

/s/
Nancy A. Johnston, Executive Director
Minnesota Sex Offender Program