Encyclopedia of PRISONS & Correctional Facilities

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# Religion in Prison

**Religious** people **and** institutions have greatly influenced the treatment **of** offenders in correctional institutions. Churches were among the first institutions to provide asylum for accused criminals. The establishment **of** prisons **and** penitentiaries followed religious tenets that encouraged offenders to do penance for their crimes **and** to reject a criminal lifestyle while being isolated from others. Correctional chaplains were among the earliest paid noncustodial staff **and** were the first to provide education **and** counseling for inmates. Currently, many inmates practice their religion on an individual basis or within the structure **of** an organized religious program. **Religious** programs are commonplace in jails **and** prisons, **and** research indicates that one in three inmates participates in some religious program during his or her incarceration.

*Photo 1* **Religious** *service in Vance unit, Texas*

SIDEBARS:
Religion and Rehabilitation
Religion and Coping

## LEGAL ISSUES

The First Amendment **of** the U.S. Constitution states that "Congress shall make no law respecting an establishment **of** religion, or prohibiting the free exercise thereof." Because **of** this amendment, state **and** federal correctional institutions must provide inmates with certain legal rights concerning the practice **of** religion. Among these rights are the opportunity to assemble for religious services, attend different denominational services, receive visits from ministers, correspond with religious leaders, observe dietary laws, pursue name changes, **and** obtain, wear, **and** use religious paraphernalia. None **of** these rights, however, may supersede the security considerations **of** the institution.

Many **of** the leading court cases that provide current guidelines for the practice **of** religion in American prisons were decided during the 1960s **and** 1970s. Until then, legal issues related to religious inmates were rarely brought before the courts. Among the most important cases during this period were *Fulwood v. Clemmer* (1962), *Cooper v. Pate* (1964), **and** *Cruz v. Beto* (1972). In the *Fulwood* (1962) case, the U.S. District Court for the District **of** Columbia ruled that correctional officials must recognize the Muslim faith as a legitimate religion **and** not restrict those inmates who wish to hold services. In *Cooper v. Pate* (1964), the courts recognized that prison officials must make every effort to treat members **of** all religious groups equally, unless they can demonstrate reasonableness to do otherwise. In *Cruz v. Beto*, which at the time was the first case about religion in prison to reach the Supreme Court, it was determined that Buddhist prisoners were entitled to practice their faith in comparable ways to those in the major Western religious denominations.

Not all court cases related to religion have been decided in favor **of** inmates. In 1977, for example, a federal court ruled in *Theriault v. Carlson* that the First Amendment does not protect so-called religions that are obvious shams, that tend to mock established institutions, **and** whose members lack religious sincerity. This case was one **of** the first to find against inmates' religious rights.

Courts have a difficult task when they are asked to decide between the legitimate interests **of** inmates **and** the correctional facility. As a result, the courts now rely on a "balancing test" that helps them decide how conflicting issues should be weighed. The U.S. Supreme Court came up with this test in 1987 in the case *Turner v. Safley*. It consists **of** four questions:

1. Is there a valid connection between the regulation restricting a religious practice **and** a legitimate correctional interest?
2. Are inmates allowed other ways **of** exercising their right?
3. How much will allowing the inmates to exercise their right affect others in the correctional facility?
4. Are there available alternatives that accommodate both interests?

The Supreme Court ruled in *Turner v. Safley* that future cases involving inmates **and** their constitutional rights should use the balancing test, **and** that correctional facility rules that limit inmates' constitutional rights are generally acceptable if they are reasonably related to legitimate correctional interests. This Supreme Court ruling was affirmed later in 1987 in another important religion case, *O'Lone v. Estate* **of** *Shabazz* (1987), when it was determined that depriving an inmate **of** attending a religious service for "legitimate penological interests" was not in violation **of** the First Amendment.

The *Turner* test stood until 1993, when Congress drafted a law called the **Religious** Freedom **and** Restoration **Act** (RFRA) to restore certain religious freedoms to all Americans. The act was passed **and** signed into law in November 1993. Under RFRA, restrictions on religious freedoms in prisons **and** jails would be upheld only if the government could show that the restrictions served a "compelling government interest." Further, RFRA required that the religious restriction in question must be the "least restrictive means **of** furthering that interest." However, in 1997, in the case *City* **of** *Boerne v. Flores*, the U.S. Supreme Court ruled that RFRA was unconstitutional because it did not maintain the separation **of** powers necessary in the federal government. With this ruling, most correctional authorities returned to the guidelines outlined in the *Turner* test.

After the decision in the *City* **of** *Boerne v. Flores* case, the U.S. Congress enacted the **Religious Land Use and Institutionalized Persons Act** (RLUIPA) to protect religious practices. The RLUIPA, like RFRA, prohibits state **and** local governments from placing a "substantial burden" on inmates, including pretrial detainees, in the exercise **of** their religion unless the restriction furthers a compelling governmental interest **and** is the least restrictive means **of** achieving the government's correctional objective. Unlike RFRA, however, the use **of** RLUIPA for noncorrectional matters is limited to programs that receive federal funding **and** if the religious burden affects various forms **of** commerce.

## CHAPLAINCY, RELIGIOUS GROUPS, AND PRACTICES

Most **of** the direct influence **of** religion in corrections has been accomplished through the work **of** correctional chaplains. The term "chaplain" is believed to be derived from the Latin term *capella*, meaning "cloak." In the fourth century, the modern meaning developed from a story told about a soldier named Martin, who shared his cloak with a beggar. That night Martin dreamed Christ came to him in a dream, **and** he soon resigned from the army to serve as a "soldier **of** God." Martin **of** Tours was later canonized by the Catholic Church, **and** his cloak became a religious relic **and** was enshrined in a *chapel.* The word *chaplain* came to mean the "keeper **of** the cloak" **and** now calls for those who are religiously motivated to care for those in need. Chaplaincy work was probably created informally during the early years **of** the Christian Church but became formalized in the late 1400s when the religious Order **of** Misericordia was founded to provide assistance **and** consolation to those condemned to death. In 1733, the British Parliament authorized magistrates to appoint chaplains to all prisons.

Early prison chaplains in the United States held positions **of** relative importance, since they were part **of** a penal system created by religious groups. They were responsible for visiting inmates, providing services **and** sermons, **and** also served as teachers, librarians, **and** record keepers. Because **of** the limited budgets **of** correctional institutions, the early chaplains were often called upon to be the sole educator in many American prisons. The "schooling" often consisted **of** the chaplain standing in a dark corridor with a lantern hanging from the cell bars, extolling the virtues **of** repentance.

Chaplains are not always welcome in correctional facilities. Many prison administrators, especially during the development **of** the reformatory, considered them only a hindrance to running a prison. To some they became

unnecessary when teachers, psychologists, **and** other professionals took their place in the correctional work group. To many, the chaplains were naïve **and** easily manipulated by the inmates, sometimes prone to bickering among themselves, **and** with little ability to bring any real change in inmates. During the 1920s **and** 1930s, the Clinical Pastoral Education Movement emerged **and** changed prison chaplaincy for the better. The movement started to apply the principles, resources, **and** methods **of** organized religion to the correctional setting. This resulted in the development **of** competent professional chaplains who were able to meld with the rehabilitation ideas that surfaced from the 1930s through the 1960s.

The chaplain **of** today is typically an educated **and** multiskilled individual who is generally accepted by those who live **and** work in correctional facilities. Chaplains serve a variety **of** functions. Their main purpose is to administer religious programs **and** provide pastoral care to inmates **and** institutional staff. In the past, this meant that the common duties were to provide religious services, counsel troubled inmates, **and** advise inmates **of** "bad news" from home or from correctional authorities. More recently, their role **of** has been expanded to include coordination **of** physical facilities, organizing volunteers, facilitating religious furlough visits, contracting for outside religious services, **and** training correctional administrators **and** staff about the basic tenets, rituals, **and** artifacts **of** nontraditional faith groups. In the case when an individual or small group **of** inmates wish to practice a religion that is not familiar to a current chaplain, a contract chaplain, outside volunteer, or spiritual advisor who specializes in that faith perspective may be brought into the institution to minister to inmates. Chaplains, contract chaplains, volunteers, **and** spiritual advisors are also referred to as "faith representatives."

## RELIGIOUS VOLUNTEERS

**Religious** volunteers also have a long history in corrections that can be traced back to the beginning **of** prisons. In the past 200 years, many religious groups have entered correctional facilities to provide religious services to inmates. One **of** the most famous advocates for volunteers in corrections was Maud Ballington Booth, the daughter-in-law **of** William Booth, who founded the Salvation Army. Today, volunteers are vital to religious programs, **and** without them inmate participation would surely be limited. Faith representatives are able to minister to the large number **of** inmates within a variety **of** faith traditions.

## RELIGIOUS GROUPS, PROGRAMS, AND PRACTICES

The specific religious groups vary from prison to prison **and** state to state. Nearly all state **and** federal correctional institutions provide support for at least some **of** the four traditional faith groups—Catholic, Protestant, Muslim, **and** Jewish. As the United States has become more diverse, however, there are a number **of** nontraditional faith groups that have surfaced in correctional facilities. These include variations **of** the four traditional groups, in addition to Hindus, Mormons, Native Americans, Buddhists, Rastafarians, Hispanic religions (Curanderismo, Santería, Espiritismo), Jehovah's Witnesses, **and** Christian Scientists. Two **of** the newest faith groups to enter correctional facilities are Wicca **and** Satanism.

The religious programs **and** practices **of** faith groups differ according to the beliefs **of** the group, inmate interest, amount **of** time **and** space available in the prison, competence **of** the religious staff, **and** the support **of** the correctional authorities. It is not uncommon for a large prison to have numerous religious services on a daily basis. In contrast, jails may limit religious practice to a single service for all denominations called a "multifaith service." Institutions, particularly those **of** high security, may also use "cell-by-cell" ministry, whereby the chaplains from different denominations visit inmates individually as requested. In many facilities, inmates choose to practice their faith in a more private manner **and** do not attend any formal services. In this case, the inmates may even develop their own "personal religion" that consists **of** a combination **of** traditional **and** nontraditional faith perspectives.

## RELIGION AS A "CON GAME"

It is very difficult to determine why prisoners become involved with religion when incarcerated, since religious

belief **and** practice is a very individual matter **and** may be exacerbated by the psychological complexities **of** living in prison. One common belief about why inmates practice religion while in prison is that many inmates "find religion" for manipulative purposes, as a "con game." It is thought that inmates hope prison administrators **and** parole authorities will view their religious practice as an attempt to become moral, prosocial, **and** law-abiding citizens **and** then reward them with earlier parole. For decades the correctional literature **and** popular media have cultivated this somewhat cynical belief **of** religion in prison. Correctional officers often support this "religion for early parole" viewpoint. They base their impressions on personal experience **of** witnessing inmates who have professed to be religious, but who have then acted to the contrary or who have returned to the institution for another crime.

Research has indicated that in addition to using religion for parole release, inmates may practice religion while in prison for a variety **of** other self-interested reasons. They may try to influence the chaplain or warden to improve their living conditions (e.g., special food, transfer to another prison wing or institution), to meet up with **and** exchange contraband from other inmates at religious functions, to meet volunteers, **and** to gain protection from other inmates. The last reason is particularly troubling for correctional officials, because it is known that many inmates believe that they need to be part **of** a group that can provide physical protection from other inmates. Inmates who practice religion for this reason assume that some religious groups provide the protection necessary to avoid such difficulties.

Some feel that fellow inmates participate in religious programs for a "psychological crutch." These skeptics believe that religion serves to placate individual inmates who were "weak" or need assistance in dealing with the difficulties **of** prison life. They claim the practice **of** religion may enhance self-esteem **and** good feelings, but only because those involved could not find these things without this "crutch."

## RELIGION AS A MEANS OF REFORM

However, not all inmates, correctional officers, **and** staff think negatively **of** the intentions **of** religious inmates. Because serious religious involvement promotes self-introspection **and** concern for others, many believe that inmates can acquire a number **of** positive aspects from the practice **of** religion in prison. These characteristics include psychological peace **of** mind, hope for the future, positive self-concept, **and** improvements in self-control **and** intellectual abilities. Inmates also can use religion to help change their behavior. Following the principles **and** discipline that is required in the serious practice **of** religion can teach inmates self-control. Having self-control helps inmates avoid confrontations with other inmates **and** staff, **and** it helps them comply with prison rules **and** regulations.

In recent years there has been an increased interest on the topic **of** religion in corrections **and** in finding out whether the practice **of** religion in corrections has had any positive impact on inmates. Some research evidence is present that supports the view that the practice **of** religion helps to control inmate behavior during incarceration. Other studies have found that inmates who are very active in religious programs are less likely to be rearrested after release from prison, **and** that their likelihood **of** success can be enhanced by postre-lease religious involvement. The recent interest in the topic is encouraging, **and** hopefully will allow more definitive dialogue about the impact **of** religion in corrections. But at this juncture, religious practice appears only to change some inmates in some cases. Thus, to determine the sincerity **of** religious practice **and** its long-term impact is a daunting task.

## CONCLUSION

With the growth **of** the American correctional system, **and** the continuing ethnic **and** cultural diversification **of** society, the face **of** religion in prison may soon change. As correctional facilities become crowded **and** correctional budgets grow, one **of** the areas that often suffers from economic cutbacks is programs designed to rehabilitate inmates. In this event, even more pressure is placed on chaplains **and** religious programs to provide added mental health assistance to inmates. For example, as counseling programs are trimmed, support for those

with various forms **of** mental illness or those with HIV/ AIDS may fall in the hands **of** faith representatives. Also, as prisons become more crowded **and** job requirements become more complex, correctional officers **and** other staff will surely turn to religious leaders **and** volunteers to help them deal with the psychological stress **of** working in prisons. The call for more secure prisons, as manifested in the development **of** the supermaximum prisons where inmates are isolated from other inmates **and** staff up to 23 hours a day, will mean the reduction **of** group religious practices. This will result in the need for more cell-to-cell ministry **and** may also cause an increase in individual forms **of** "spirituality" **and** religious practice.

With the increased need for sensitivity toward diversity, faith representatives will also be asked to develop **and** implement programs aimed at reducing racial conflict **and** improving multiculturalism. This issue is significant to faith representatives who will need to be well versed in a variety **of** faiths **and** cultural perspectives. Finally, as the prison population grows, more inmates are also eventually released back into society. Thus, programs aimed at the successful reintegration **of** inmates back into the community will need the assistance **of** religious personnel to find employment **and** promote positive family relationships. Whatever the changes in corrections **and** larger society, it is likely that because **of** the historical **and** legal foundation **of** religion in corrections that it will continue to be an active part **of** prison life **and** programming.

*—John Rowell*

*—Americo Rodriguez*

*—Harry S. Dammer*

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## Religion and Rehabilitation

There is a common, but grossly mistaken, public perception that prisoners "find religion" to manipulate parole boards. In general, this is simply false. Religion is essential to the growth **and** development **of** prisoners. Religion is also a fundamental means to eradicating criminal behavior **and** rehabilitating prisoners. Religion provides stability **and** structure to people who come from broken homes. People who did not get the opportunity to group up in structured environments often discover a foundation on which to build a better life.

Not only does religion offer a positive structure for living, but it also teaches self-discipline, which is a prerequisite to success. Self-discipline is also necessary if one is to overcome adversity upon release.

Whether by choice or through ignorance, some correctional systems fail to capitalize on the beneficial attributes **of** religion **and** the favorable results it generates. Further, some correctional systems **and** individual prisons refuse to officially recognize particular religious affiliations that they judge "unconventional."

Unfortunately, religious tolerance isn't always a reality in prison. Administrators profess to provide avenues that foster spiritual growth **and** development, but these avenues often tend to be limited to Christianity **and**/or Islam. However, the First Amendment protects the rights—even **of** prisoners—to worship the god or goddess **of** choice, **and** failure to recognize the power **of** all forms **of** spirituality to improve prisoners' lives is short-sighted **and** counterproductive. Institutional religious intolerance creates an oppressive atmosphere that is not conducive to the overall development **of** the convict. When the spiritual **and** the secular are not in harmony, chaos is inevitable. Unfortunately, chaos dominates in prisons, **and** that may be one reason why religion **and** its benefits are not emphasized in the pursuit **of** rehabilitation.

John Rowell, *Dixon Correctional Center, Dixon, Illinois*

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## Religion and Coping

To many inmates, the initial process **of** incarceration is an overwhelming **and** unbearable process that leaves

them searching for the slightest glimpse **of** light at the end **of** the tunnel. Without hope or faith in someone or something, it is easy to find oneself walking down a cold **and** ghostly path that leads to a place **of** no understanding. At this point one yearns for the indescribable hope that religion provides **and** turns to religion as a great source **of** inner peace, support, **and** hope.

A solid support system is sought by everyone in society, but this need is amplified tenfold for the incarcerated. Scripture yields some very strong **and** assuring words to a person who, over time, has found that their support system has dwindled down to those that truly love **and** care. Comforting words are invaluable to someone that is, for example, going through a divorce **and** is forced to watch helplessly as their family falls apart. These unbearable feelings propel many to God in search **of** comfort **and** understanding.

Critics are quick to label an inmate's religious practices as sanctimonious. There is some truth in that classification—some people do come to the Christian religion to search for a miracle in the form **of** a time cut or a faithful partner, **and** as time passes by **and** these miracles fail to happen, these people feel betrayed **and** blame the very thing their faith resides in. However, many people will endure all the anguish, grief, **and** pain in order to experience the joy, love, **and** laughter which religion can bring. What better place to be touched by God **and** seek eternal forgiveness than in prison?

It takes a strong will **and** determination to endure within these walls, but I give unending thanks to the divine intervention that gives strength to the struggling human being.

Americo Rodriguez, *Cleveland Correctional Institution, North Carolina*

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## Further Reading


Beckford, J., & Gilliat, S. (1998). *Religion in prison: Equal rites in a multi-faith society.* Cambridge, UK: Cambridge University Press.

Dammer, H. R. (1992). *Piety in prison: An ethnography* **of** *religion in the correctional environment.* Ann Arbor, MI: Doctoral Dissertation Abstracts.

Hoyles, J. (1955). *Religion in prison.* Canterbury, UK: Epworth.

Johnson, B., Larson, R., David, B., and Pitts, T. C. **Religious** *programs, institutional adjustment,* **and** *recidivism among former inmates in prison fellowship program. Justice Quarterly* vol. 14 pp. 145–166 (1997)

Keuther, F. C. (1951). *Religion* **and** *the chaplain.* In P. W. Tappan (Ed.), *Contemporary correction (pp. 254–265).* New York: McGraw Hill.

Murphy, G. L. (1956). *The social role* **of** *the prison chaplain.* Doctoral dissertation, University **of** Pittsburgh.

O'Connor, T. P., Ryan, P., & Parikh, C. (1997). *The impact* **of** *religious programs on inmate infractions at Lieber Prison in South Carolina.* Report prepared for the South Carolina Department **of** Corrections.

Shaw, R. D. (1995). *Chaplains to the imprisoned: Sharing life with the incarcerated.* New York: Haworth Press.

Skotnicki, A. (**2000**). *Religion* **and** *the development* **of** *the American penal system.* Lanham, MD: University Press **of** America.

Sundt, J. L. (1997). *Bringing light to dark places: An occupational study* **of** *prison chaplains.* Doctoral dissertation, University **of** Cincinnati.


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