



MUSLIM ADVOCATES

KNOW YOUR RIGHTS:

Know Your Rights: A Guide to Seeking Religious Accommodations for Ramadan in Prisons

Legal Rights

Federal law mandates that prisons accommodate the religious practice of incarcerated people seeking to observe Ramadan. The Free Exercise Clause of the First Amendment of the U.S. Constitution, while less protective in prisons than under normal circumstances, prohibits irrational restrictions on religious practice. Acknowledging that this is a low bar, Congress has enacted two laws that provide greater protection for incarcerated people of faith: the Religious Freedom Restoration Act and the Religious Land Use and Institutionalized Persons Act, which apply to federal and state prisoners, respectively. These laws entitle incarcerated people to altered meal and medication schedules during Ramadan.



Religious Accommodation

The most common accommodation needed during Ramadan is an altered meal/medication schedule because incarcerated people are not permitted to schedule their own meals. Most facilities will have a procedure that an individual will need to follow in order to sign up for an altered Ramadan schedule. Those seeking to participate should follow these procedures and maintain any documents associated with their request as well as notes on any conversations they have with prison officials related to their request. If there is not a specific Ramadan sign-up process, the individual should request accommodation using whatever general religious accommodation process exists. Chaplain offices are a good resource for such information.

WHAT TO DO IF DENIED ACCOMMODATIONS:



Ramadan accommodations are denied for reasons ranging from clerical errors to discrimination. The best way to deal with denials is a coordinated response by the incarcerated person seeking accommodation and their supports outside.

The incarcerated individual, upon notification of the denial, should immediately begin the facility's official grievance process, even if they know that the process will take longer than Ramadan lasts. This is important because federal law mandates that prisoners "exhaust" internal facility remedies before they can seek court intervention.



Meanwhile, outside supporters should contact the facility by phone, letter, email, or even visit. They should also consider reaching out to the agency in charge of the facility (the state department of corrections or the Federal Bureau of Prisons), a local imam or other community leader, or their local elected officials.



Sometimes, this attention is enough to resolve the issue. However, if the facility continues to refuse, it may be necessary to contact an attorney who can help navigate legal options including such things as seeking a temporary restraining order to compel the facility to provide accommodations.

Contact Muslim Advocates if you need help finding your local facility's Ramadan procedures or advocating for accommodations.

