

November 1, 2013

Sheriff Leroy Baca  
Los Angeles County Sheriff's Department  
4700 Ramona Boulevard  
Monterey Park, CA 91754-2169

Assistant Sheriff Terri McDonald  
450 Bauchet Street  
Los Angeles, CA 90012-2907

Dear Sheriff Baca and Assistant Sheriff McDonald:

As leaders of faith communities and advocates for social justice, we are very concerned about the ongoing denial of religious accommodation for Muslim inmates who wish to congregate to pray while they are incarcerated in the Los Angeles County Jail.

On January 27, 2012, the ACLU of Southern California (ACLU SoCal) wrote a letter to Sheriff Baca and then-Custody Chief Yim describing the various ways that jail officials at Men's Central Jail and Twin Towers Correctional Facility denied religious accommodations to Muslim inmates. The letter discussed the denial of access to religious services and the refusal to honor requests for halal meals in the jails. It explained how the failure to provide access to congregational prayer violates the law, especially when inmates of other faiths are allowed access to such accommodations.

In that letter, ACLU SoCal offered recommendations to address, and ultimately resolve, the Los Angeles County Sheriff's Department's failure to accommodate Muslim inmates. It requested a meeting with you to discuss concerns and to collaborate with the Department to determine best practices for accommodating religious inmates. ACLU SoCal also referred you to the Islamic Shura Council, an organization that is willing to work with the Department to ensure that Muslim inmates have sustained access to religious services and materials.

Despite these efforts, the Department's practice of denying some Muslim inmates access to congregational prayer persists.

**Chair** Stephen Rohde **President** Shari Leinwand

**Chairs Emeriti** Danny Goldberg Allan K. Jonas Burt Lancaster\* Irving Lichtenstein, MD\* Jarl Mohn Laurie Ostrow\* Stanley K. Sheinbaum

**Executive Director** Hector O. Villagra **Chief Counsel** Mark D. Rosenbaum **Deputy Executive Director** James Gilliam

**Director of Philanthropy** Julie Weinstein **Director of Strategic Partnerships & Marketing** Vicki Fox

**Legal Director & Manheim Family Attorney for First Amendment Rights** Peter J. Eliasberg **Deputy Legal Director** Ahilan T. Arulanantham

**Director of Policy Advocacy** Clarissa Woo **Director of Community Engagement** Elvia Meza **Executive Director Emeritus** Ramona Ripston \*deceased

## **Muslim inmates continue to lack access to religious services in Los Angeles County jails.**

Lack of access to *Jumu'ah* services. Practitioners of many religions, including some Christians, Jews, and Muslims, believe their religion requires them to attend congregational prayer each week. For Muslims, this weekly congregational prayer is known as *Jumu'ah*, and it occurs on Fridays. Even though inmates of other faiths are allowed to gather to pray once a week in the Los Angeles County Jails, LASD personnel have persistently denied many Muslim inmates access to any services. The Department has failed to give any reasonable explanation for denying these Muslim inmates the opportunity to pray together.

During Ramadan, July 8, 2013 – August 7, 2013, access to congregational prayer improved significantly, although even during Ramadan some inmates in TTCF could not attend services at all. This improvement in access shows that jail officials have the means and resources to permit regular access to congregational prayer, not only during Ramadan. However, this access ended abruptly once Ramadan was over.

Jail officials continue to prevent some high-level security Muslim inmates from attending religious services. However, jail officials allow inmates with the same security level who follow other religions to attend other congregational religious services. This inconsistency suggests that the security level is not, in fact, an honest explanation for the denial of Muslim inmates' access to congregational prayer.

Lack of access to an imam. An imam is a spiritual leader who can lead the *Jumu'ah* service. Some Muslim inmates wish to meet regularly with an imam so they may receive religious guidance. Although we are pleased that jail officials allow pre-approved volunteer imams to visit the jail, just as other religious volunteers are allowed, imams do not get access to the same facilities as other religious volunteers. Without equal access to the chapel used for other religions, or access to some other area for people to congregate, imams are unable to lead *Jumu'ah* services for everyone who wishes to attend them. As a result, Muslim inmates' access to an imam ranges from limited to nonexistent. Moreover, the fact that other religious volunteers are allowed access to these facilities for congregational prayer renders questionable at best the failure to allow the imams to use the space. Muslim inmates deserve the same opportunity as inmates of other religions to congregate with their faith leaders.

## **The denial of religious services to Muslims violates their fundamental right to practice religion.**

Under federal law and the United States Constitution, any person of any faith has the right to exercise her or her religion. Under the Religious Land Use and Institutionalized Persons Act ("RLUIPA"), a ban on religious exercise in prisons or jails is unconstitutional unless the government has a compelling interest and uses the least restrictive means of achieving that interest so as not to unnecessarily interfere with the practice of religion.



The Department has effectively prohibited some Muslims from practicing their religion altogether. Some Muslim inmates have not had the chance to attend congregational prayer for months. What interest does the jail have in such a broad restriction on Muslim inmates? Can it justify the denial of access to congregational prayer for Muslim inmates who are the same security level as inmates of other faiths who are permitted to gather for other services? If inmates were allowed to gather and pray during Ramadan, what justifies the denial of access to *Jumu'ah* services during the other months of the year?

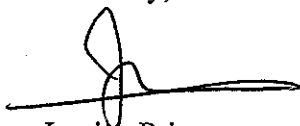
**Regular participation in religious prayer and congregation increases public safety.**

For some faiths, religious services provide an outlet for people to reflect on their actions, ask for forgiveness, and regain peace of mind. In addition, faith can promote positive behavior and giving back to the community. Allowing inmates to practice their faith gives them a greater opportunity to become productive contributors to society once they are released. For example, a 2013 study of inmates in a Minnesota prison showed that after inmates participated in a faith-based program, they were 26% less likely to be arrested again, 35% less likely to be convicted again, and 40% less likely to be incarcerated again.<sup>1</sup> Moreover, Islam, like other faiths, has had a historic role in supporting inmate rehabilitation and providing a means for coping with life inside and outside jail or prison.<sup>2</sup>

Prayer and access to congregational services can help with the rehabilitation of incarcerated persons. Why should certain inmates who follow Islam be denied this avenue of rehabilitation? What message is the Department sending when it allows certain inmates to gather and pray, while denying Muslim inmates this same right?

As stated above, we can discern no compelling interest that justifies the blanket denial of access to congregational prayer for certain Muslim inmates. Most inmates in Los Angeles County Jails are not Muslim, but the repercussions of hostility toward their religion affect us all. This is not just a Muslim issue. It is an affront to all of us who value personal freedoms, particularly the freedom of religion. Our request is simple. We ask the Department to provide religious accommodations to all religious inmates on an equal basis.

Sincerely,



Jessica Price  
Staff Attorney  
ACLU Foundation of Southern California

<sup>1</sup> Duwe, Grant and Michelle King. "Can Faith-based Correctional Programs Work? An Outcome Evaluation of the InnerChange Freedom Initiative in Minnesota." *International Journal of Offender Therapy and Comparative Criminology*, 57: 813-841 (2013), available at <<http://dx.doi.org/10.1177/0306624X12439397>>.

<sup>2</sup> See, generally, SpearIt. "Religion as Rehabilitation? Reflections on Islam in the Correctional Setting." *Whittier Law Review*, 34: 763-787 (2012).



Bishop Minerva Carcano  
California Pacific United Methodist Conference

Bishop Mary Ann Swenson  
Ecumenical Officer  
Council of Bishops, United Methodists

Rt. Rev Bishop Jon Bruno  
Bishop Diocesan  
Episcopal Diocese of Los Angeles

Rev. Felix Villanueva  
Conference Minister  
United Church of Christ

Rabbi Leonard Beerman  
Rabbi Emeritus  
Leo Baeck Temple

Rabbi Jonathan Klein  
Executive Director  
Clergy & Laity United for Economic Justice

Rabbi Aryeh Cohen  
American Jewish University

Estee Chandler  
Jewish Voices for Peace

Rev. Peter Laarman  
Executive Director  
Progressive Christians Uniting

Rev. John E. Cager III  
Co-Convenor  
Justice Not Jails

Rev. Kelvin Sauls  
Co-Convenor  
Justice Not Jails

Mr. Jim Lafferty, Esq.  
Executive Director  
National Lawyers Guild – Los Angeles



Rev. Sarah Halverson  
Senior Pastor  
Fairview Church

Rev. Jim Conn  
Founding-Minister of Church in Ocean Park

Rev. Jerry Stinson  
United Church of Christ, Long Beach

Rev. Hannah Petrie  
Unitarian Universalist Church, Pasadena

Dr. Grace Dyrness,  
Chairwoman  
Interfaith Communities United for Justice & Peace

Andy Griggs  
Program Director  
Interfaith Communities United for Justice & Peace

Minister Zachary Hoover  
Executive Director  
L.A. Voice

Rabbi Steven Carr Reuben, PhD  
Senior Rabbi  
Kehillat Israel Reconstructionist Congregation

The Rt. Rev. Diane Jardine Bruce  
Bishop Suffragan  
Episcopal Diocese of Los Angeles

The Rt. Rev. Mary D. Glasspool  
Bishop Suffragan  
Episcopal Diocese of Los Angeles

Rabbi Haim Beliak  
Jews on First[.org]

Rev. Walter Contreras  
Vice President  
National Latino Evangelical Coalition



Rabbi Amy Bernstein  
Kehillat Israel Reconstructionist Congregation

Pastor William Monroe Campbell

Pastor Lewis Logan II

Presiding Elder Norman D. Copland  
Los Angeles District of the Southern California  
Conference of the African Methodist Episcopal Church

Pastor William D. Smart, Jr.  
Co-Pastor  
Christ Liberation Ministries in Los Angeles

Rev. Gary Bernard Williams  
Faith United Methodist Church

Rev. Leonard Jackson  
Co-Chair  
Justice Not Jails

Cheryl Branch  
Executive Director  
Los Angeles Metropolitan Churches

