

April 17, 2019

Warden John A. Woodson
Augusta Correctional Center
1821 Estaline Valley Road
Craigsville, VA 24430

Dear Warden Woodson:

The American Civil Liberties Union (ACLU) of Virginia is a non-profit organization that promotes civil liberties and civil rights for everyone in the Commonwealth through public education, litigation, and advocacy with the goal of securing freedom and equality for all. Today, we are writing to you and other supervisors of our state's prisons and jails to remind each facility manager of their legal obligation to accommodate inmates' religious traditions, including accommodation of dietary restrictions which are an important part of some religious observances. This is the season where Muslim and Jewish prisoners may be observing the upcoming holidays of Ramadan and Passover, respectively, while Christians may be observing Easter. This year, Ramadan will begin the evening of Sunday, May 5, and end the evening of Tuesday, June 4. Jewish inmates will begin celebrating Passover the evening of Friday, April 19, and end the evening of Saturday, April 27. Easter is Sunday, April 21st.

Under the First Amendment of the Constitution and under Section 3 of the Federal Religious Land Use and Institutionalized Persons Act (RLUIPA), you must allow inmates to observe Ramadan and Passover, including providing adequate meals and meal timing for inmates. Similarly, the Virginia Constitution and Virginia state law prohibit any government entity from "substantially burden[ing] a person's free exercise of religion even if the burden results from a rule of general applicability." Va. Code § 57-2.02.

Under RLUIPA, an institution may not impose a substantial burden on an inmate's "observance of Ramadan, the Islamic holy month of fasting and prayer" without a compelling government interest. *Lovelace v. Shinault*, 472 F.3d 174, 185-87 (4th Cir. 2006). Thus, courts have found a failure to accommodate the meal requirements during Ramadan can violate the Free Exercise Clause of the First Amendment. *See, e.g., Norwood v. Strada*, 249 Fed. Appx. 269, 2007 U.S. App. LEXIS 23062 (3d Cir. Pa. 2007) (citing *Makin v. Colo. Dep't of Corr.*, 183 F.3d 1205, 1211 (10th Cir. 1999)). In *Lovelace*, the Fourth Circuit Court of Appeals held that that an inmate had a cause of action under RLUIPA when he was excluded from special pre-dawn and post-sunset Ramadan meals, and, therefore, was not able to fast during the daylight hours and could "not fulfill one of the five pillars or obligations of Islam."



Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org



AMERICAN CIVIL LIBERTIES UNION
FOUNDATION

Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org

The tenets of Islam require fasting from sunrise to sunset for thirty days, but do not limit food consumption between sunset and dawn. Facility supervisors should provide inmates in their custody with a morning meal that is served and eaten before dawn. After sunset, inmates should be provided with an evening meal and a bag meal that can be taken back to their cell or living area for consumption later in the evening.

Relatedly, the tenets of Judaism require observers to follow specific dietary rules related to their food consumption. Jewish tradition requires adherence to Passover kosher rules, which include to refrain from eating certain meats, to ensure meats and dairy are not prepared or eaten in combination, and to avoid leavened bread. Observers may also be required to fast.

We ask that you comply with the law and ensure that inmates in your care receive the appropriate accommodations required for their observance of Ramadan and Passover this year.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Claire G. Gastañaga". The signature is fluid and cursive, with the first name "Claire" being the most prominent.

Claire G. Gastañaga
Executive Director

April 17, 2019

Warden Earl Barksdale
Baskerville Correctional Center
4150 Hayes Mill Road
Baskerville, VA 23915

Dear Warden Barksdale:

The American Civil Liberties Union (ACLU) of Virginia is a non-profit organization that promotes civil liberties and civil rights for everyone in the Commonwealth through public education, litigation, and advocacy with the goal of securing freedom and equality for all. Today, we are writing to you and other supervisors of our state's prisons and jails to remind each facility manager of their legal obligation to accommodate inmates' religious traditions, including accommodation of dietary restrictions which are an important part of some religious observances. This is the season where Muslim and Jewish prisoners may be observing the upcoming holidays of Ramadan and Passover, respectively, while Christians may be observing Easter. This year, Ramadan will begin the evening of Sunday, May 5, and end the evening of Tuesday, June 4. Jewish inmates will begin celebrating Passover the evening of Friday, April 19, and end the evening of Saturday, April 27. Easter is Sunday, April 21st.

Under the First Amendment of the Constitution and under Section 3 of the Federal Religious Land Use and Institutionalized Persons Act (RLUIPA), you must allow inmates to observe Ramadan and Passover, including providing adequate meals and meal timing for inmates. Similarly, the Virginia Constitution and Virginia state law prohibit any government entity from "substantially burden[ing] a person's free exercise of religion even if the burden results from a rule of general applicability." Va. Code § 57-2.02.

Under RLUIPA, an institution may not impose a substantial burden on an inmate's "observance of Ramadan, the Islamic holy month of fasting and prayer" without a compelling government interest. *Lovelace v. Shinault*, 472 F.3d 174, 185-87 (4th Cir. 2006). Thus, courts have found a failure to accommodate the meal requirements during Ramadan can violate the Free Exercise Clause of the First Amendment. *See, e.g., Norwood v. Strada*, 249 Fed. Appx. 269, 2007 U.S. App. LEXIS 23062 (3d Cir. Pa. 2007) (citing *Makin v. Colo. Dep't of Corr.*, 183 F.3d 1205, 1211 (10th Cir. 1999)). In *Lovelace*, the Fourth Circuit Court of Appeals held that that an inmate had a cause of action under RLUIPA when he was excluded from special pre-dawn and post-sunset Ramadan meals, and, therefore, was not able to fast during the daylight hours and could "not fulfill one of the five pillars or obligations of Islam."



Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org



AMERICAN CIVIL LIBERTIES UNION
FOUNDATION

Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org

The tenets of Islam require fasting from sunrise to sunset for thirty days, but do not limit food consumption between sunset and dawn. Facility supervisors should provide inmates in their custody with a morning meal that is served and eaten before dawn. After sunset, inmates should be provided with an evening meal and a bag meal that can be taken back to their cell or living area for consumption later in the evening.

Relatedly, the tenets of Judaism require observers to follow specific dietary rules related to their food consumption. Jewish tradition requires adherence to Passover kosher rules, which include to refrain from eating certain meats, to ensure meats and dairy are not prepared or eaten in combination, and to avoid leavened bread. Observers may also be required to fast.

We ask that you comply with the law and ensure that inmates in your care receive the appropriate accommodations required for their observance of Ramadan and Passover this year.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Claire G. Gastañaga".

Claire G. Gastañaga
Executive Director

April 17, 2019

Warden David Zook
Bland Correctional Center
256 Bland Farm Road
Bland, VA 24315-9615

Dear Warden Zook:

The American Civil Liberties Union (ACLU) of Virginia is a non-profit organization that promotes civil liberties and civil rights for everyone in the Commonwealth through public education, litigation, and advocacy with the goal of securing freedom and equality for all. Today, we are writing to you and other supervisors of our state's prisons and jails to remind each facility manager of their legal obligation to accommodate inmates' religious traditions, including accommodation of dietary restrictions which are an important part of some religious observances. This is the season where Muslim and Jewish prisoners may be observing the upcoming holidays of Ramadan and Passover, respectively, while Christians may be observing Easter. This year, Ramadan will begin the evening of Sunday, May 5, and end the evening of Tuesday, June 4. Jewish inmates will begin celebrating Passover the evening of Friday, April 19, and end the evening of Saturday, April 27. Easter is Sunday, April 21st.

Under the First Amendment of the Constitution and under Section 3 of the Federal Religious Land Use and Institutionalized Persons Act (RLUIPA), you must allow inmates to observe Ramadan and Passover, including providing adequate meals and meal timing for inmates. Similarly, the Virginia Constitution and Virginia state law prohibit any government entity from "substantially burden[ing] a person's free exercise of religion even if the burden results from a rule of general applicability." Va. Code § 57-2.02.

Under RLUIPA, an institution may not impose a substantial burden on an inmate's "observance of Ramadan, the Islamic holy month of fasting and prayer" without a compelling government interest. *Lovelace v. Shinault*, 472 F.3d 174, 185-87 (4th Cir. 2006). Thus, courts have found a failure to accommodate the meal requirements during Ramadan can violate the Free Exercise Clause of the First Amendment. *See, e.g., Norwood v. Strada*, 249 Fed. Appx. 269, 2007 U.S. App. LEXIS 23062 (3d Cir. Pa. 2007) (citing *Makin v. Colo. Dep't of Corr.*, 183 F.3d 1205, 1211 (10th Cir. 1999)). In *Lovelace*, the Fourth Circuit Court of Appeals held that that an inmate had a cause of action under RLUIPA when he was excluded from special pre-dawn and post-sunset Ramadan meals, and, therefore, was not able to fast during the daylight hours and could "not fulfill one of the five pillars or obligations of Islam."



Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org



AMERICAN CIVIL LIBERTIES UNION
FOUNDATION

Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org

The tenets of Islam require fasting from sunrise to sunset for thirty days, but do not limit food consumption between sunset and dawn. Facility supervisors should provide inmates in their custody with a morning meal that is served and eaten before dawn. After sunset, inmates should be provided with an evening meal and a bag meal that can be taken back to their cell or living area for consumption later in the evening.

Relatedly, the tenets of Judaism require observers to follow specific dietary rules related to their food consumption. Jewish tradition requires adherence to Passover kosher rules, which include to refrain from eating certain meats, to ensure meats and dairy are not prepared or eaten in combination, and to avoid leavened bread. Observers may also be required to fast.

We ask that you comply with the law and ensure that inmates in your care receive the appropriate accommodations required for their observance of Ramadan and Passover this year.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Claire G. Gastañaga".

Claire G. Gastañaga
Executive Director

April 17, 2019

Warden Tammy Brown
Brunswick Work Center
1147 Planters Road
P.O. Box 207C
Lawrenceville, VA 23868

Dear Warden Brown:

The American Civil Liberties Union (ACLU) of Virginia is a non-profit organization that promotes civil liberties and civil rights for everyone in the Commonwealth through public education, litigation, and advocacy with the goal of securing freedom and equality for all. Today, we are writing to you and other supervisors of our state's prisons and jails to remind each facility manager of their legal obligation to accommodate inmates' religious traditions, including accommodation of dietary restrictions which are an important part of some religious observances. This is the season where Muslim and Jewish prisoners may be observing the upcoming holidays of Ramadan and Passover, respectively, while Christians may be observing Easter. This year, Ramadan will begin the evening of Sunday, May 5, and end the evening of Tuesday, June 4. Jewish inmates will begin celebrating Passover the evening of Friday, April 19, and end the evening of Saturday, April 27. Easter is Sunday, April 21st.

Under the First Amendment of the Constitution and under Section 3 of the Federal Religious Land Use and Institutionalized Persons Act (RLUIPA), you must allow inmates to observe Ramadan and Passover, including providing adequate meals and meal timing for inmates. Similarly, the Virginia Constitution and Virginia state law prohibit any government entity from "substantially burden[ing] a person's free exercise of religion even if the burden results from a rule of general applicability." Va. Code § 57-2.02.

Under RLUIPA, an institution may not impose a substantial burden on an inmate's "observance of Ramadan, the Islamic holy month of fasting and prayer" without a compelling government interest. *Lovelace v. Shinault*, 472 F.3d 174, 185-87 (4th Cir. 2006). Thus, courts have found a failure to accommodate the meal requirements during Ramadan can violate the Free Exercise Clause of the First Amendment. *See, e.g., Norwood v. Strada*, 249 Fed. Appx. 269, 2007 U.S. App. LEXIS 23062 (3d Cir. Pa. 2007) (citing *Makin v. Colo. Dep't of Corr.*, 183 F.3d 1205, 1211 (10th Cir. 1999)). In *Lovelace*, the Fourth Circuit Court of Appeals held that that an inmate had a cause of action under RLUIPA when he was excluded from special pre-dawn and post-sunset Ramadan meals, and, therefore, was not able to fast during the daylight hours and could "not fulfill one of the five pillars or obligations of Islam."



Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org



AMERICAN CIVIL LIBERTIES UNION
FOUNDATION

Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org

The tenets of Islam require fasting from sunrise to sunset for thirty days, but do not limit food consumption between sunset and dawn. Facility supervisors should provide inmates in their custody with a morning meal that is served and eaten before dawn. After sunset, inmates should be provided with an evening meal and a bag meal that can be taken back to their cell or living area for consumption later in the evening.

Relatedly, the tenets of Judaism require observers to follow specific dietary rules related to their food consumption. Jewish tradition requires adherence to Passover kosher rules, which include to refrain from eating certain meats, to ensure meats and dairy are not prepared or eaten in combination, and to avoid leavened bread. Observers may also be required to fast.

We ask that you comply with the law and ensure that inmates in your care receive the appropriate accommodations required for their observance of Ramadan and Passover this year.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, which appears to read "Claire G. Gastañaga". The signature is fluid and cursive.

Claire G. Gastañaga
Executive Director

April 17, 2019

Bernard W. Booker
Buckingham Correctional Center
1349 Correctional Center Road
P. O. Box 430
Dillwyn, VA 23936

Dear Mr. Booker:

The American Civil Liberties Union (ACLU) of Virginia is a non-profit organization that promotes civil liberties and civil rights for everyone in the Commonwealth through public education, litigation, and advocacy with the goal of securing freedom and equality for all. Today, we are writing to you and other supervisors of our state's prisons and jails to remind each facility manager of their legal obligation to accommodate inmates' religious traditions, including accommodation of dietary restrictions which are an important part of some religious observances. This is the season where Muslim and Jewish prisoners may be observing the upcoming holidays of Ramadan and Passover, respectively, while Christians may be observing Easter. This year, Ramadan will begin the evening of Sunday, May 5, and end the evening of Tuesday, June 4. Jewish inmates will begin celebrating Passover the evening of Friday, April 19, and end the evening of Saturday, April 27. Easter is Sunday, April 21st.

Under the First Amendment of the Constitution and under Section 3 of the Federal Religious Land Use and Institutionalized Persons Act (RLUIPA), you must allow inmates to observe Ramadan and Passover, including providing adequate meals and meal timing for inmates. Similarly, the Virginia Constitution and Virginia state law prohibit any government entity from "substantially burden[ing] a person's free exercise of religion even if the burden results from a rule of general applicability." Va. Code § 57-2.02.

Under RLUIPA, an institution may not impose a substantial burden on an inmate's "observance of Ramadan, the Islamic holy month of fasting and prayer" without a compelling government interest. *Lovelace v. Shinault*, 472 F.3d 174, 185-87 (4th Cir. 2006). Thus, courts have found a failure to accommodate the meal requirements during Ramadan can violate the Free Exercise Clause of the First Amendment. *See, e.g., Norwood v. Strada*, 249 Fed. Appx. 269, 2007 U.S. App. LEXIS 23062 (3d Cir. Pa. 2007) (citing *Makin v. Colo. Dep't of Corr.*, 183 F.3d 1205, 1211 (10th Cir. 1999)). In *Lovelace*, the Fourth Circuit Court of Appeals held that that an inmate had a cause of action under RLUIPA when he was excluded from special pre-dawn and post-sunset Ramadan meals, and, therefore, was not able to fast during the daylight hours and could "not fulfill one of the five pillars or obligations of Islam."



Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org



AMERICAN CIVIL LIBERTIES UNION
FOUNDATION

Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org

The tenets of Islam require fasting from sunrise to sunset for thirty days, but do not limit food consumption between sunset and dawn. Facility supervisors should provide inmates in their custody with a morning meal that is served and eaten before dawn. After sunset, inmates should be provided with an evening meal and a bag meal that can be taken back to their cell or living area for consumption later in the evening.

Relatedly, the tenets of Judaism require observers to follow specific dietary rules related to their food consumption. Jewish tradition requires adherence to Passover kosher rules, which include to refrain from eating certain meats, to ensure meats and dairy are not prepared or eaten in combination, and to avoid leavened bread. Observers may also be required to fast.

We ask that you comply with the law and ensure that inmates in your care receive the appropriate accommodations required for their observance of Ramadan and Passover this year.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, which appears to read "Claire G. Gastañaga". The signature is fluid and cursive.

Claire G. Gastañaga
Executive Director

April 17, 2019

Superintendent James White
Caroline Correctional Unit #2
31285 Camp Road
Hanover, VA 23069

Dear Superintendent White:

The American Civil Liberties Union (ACLU) of Virginia is a non-profit organization that promotes civil liberties and civil rights for everyone in the Commonwealth through public education, litigation, and advocacy with the goal of securing freedom and equality for all. Today, we are writing to you and other supervisors of our state's prisons and jails to remind each facility manager of their legal obligation to accommodate inmates' religious traditions, including accommodation of dietary restrictions which are an important part of some religious observances. This is the season where Muslim and Jewish prisoners may be observing the upcoming holidays of Ramadan and Passover, respectively, while Christians may be observing Easter. This year, Ramadan will begin the evening of Sunday, May 5, and end the evening of Tuesday, June 4. Jewish inmates will begin celebrating Passover the evening of Friday, April 19, and end the evening of Saturday, April 27. Easter is Sunday, April 21st.

Under the First Amendment of the Constitution and under Section 3 of the Federal Religious Land Use and Institutionalized Persons Act (RLUIPA), you must allow inmates to observe Ramadan and Passover, including providing adequate meals and meal timing for inmates. Similarly, the Virginia Constitution and Virginia state law prohibit any government entity from "substantially burden[ing] a person's free exercise of religion even if the burden results from a rule of general applicability." Va. Code § 57-2.02.

Under RLUIPA, an institution may not impose a substantial burden on an inmate's "observance of Ramadan, the Islamic holy month of fasting and prayer" without a compelling government interest. *Lovelace v. Shinault*, 472 F.3d 174, 185-87 (4th Cir. 2006). Thus, courts have found a failure to accommodate the meal requirements during Ramadan can violate the Free Exercise Clause of the First Amendment. *See, e.g., Norwood v. Strada*, 249 Fed. Appx. 269, 2007 U.S. App. LEXIS 23062 (3d Cir. Pa. 2007) (citing *Makin v. Colo. Dep't of Corr.*, 183 F.3d 1205, 1211 (10th Cir. 1999)). In *Lovelace*, the Fourth Circuit Court of Appeals held that that an inmate had a cause of action under RLUIPA when he was excluded from special pre-dawn and post-sunset Ramadan meals, and, therefore, was not able to fast during the daylight hours and could "not fulfill one of the five pillars or obligations of Islam."



Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org



AMERICAN CIVIL LIBERTIES UNION
FOUNDATION

Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org

The tenets of Islam require fasting from sunrise to sunset for thirty days, but do not limit food consumption between sunset and dawn. Facility supervisors should provide inmates in their custody with a morning meal that is served and eaten before dawn. After sunset, inmates should be provided with an evening meal and a bag meal that can be taken back to their cell or living area for consumption later in the evening.

Relatedly, the tenets of Judaism require observers to follow specific dietary rules related to their food consumption. Jewish tradition requires adherence to Passover kosher rules, which include to refrain from eating certain meats, to ensure meats and dairy are not prepared or eaten in combination, and to avoid leavened bread. Observers may also be required to fast.

We ask that you comply with the law and ensure that inmates in your care receive the appropriate accommodations required for their observance of Ramadan and Passover this year.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Claire G. Gastañaga".

Claire G. Gastañaga
Executive Director

April 17, 2019

Superintendent Tykeshae Fowlkes
Central Virginia Correctional Unit #13
6900 Courthouse Road
Chesterfield, VA 23832

Dear Superintendent Fowlkes:

The American Civil Liberties Union (ACLU) of Virginia is a non-profit organization that promotes civil liberties and civil rights for everyone in the Commonwealth through public education, litigation, and advocacy with the goal of securing freedom and equality for all. Today, we are writing to you and other supervisors of our state's prisons and jails to remind each facility manager of their legal obligation to accommodate inmates' religious traditions, including accommodation of dietary restrictions which are an important part of some religious observances. This is the season where Muslim and Jewish prisoners may be observing the upcoming holidays of Ramadan and Passover, respectively, while Christians may be observing Easter. This year, Ramadan will begin the evening of Sunday, May 5, and end the evening of Tuesday, June 4. Jewish inmates will begin celebrating Passover the evening of Friday, April 19, and end the evening of Saturday, April 27. Easter is Sunday, April 21st.

Under the First Amendment of the Constitution and under Section 3 of the Federal Religious Land Use and Institutionalized Persons Act (RLUIPA), you must allow inmates to observe Ramadan and Passover, including providing adequate meals and meal timing for inmates. Similarly, the Virginia Constitution and Virginia state law prohibit any government entity from "substantially burden[ing] a person's free exercise of religion even if the burden results from a rule of general applicability." Va. Code § 57-2.02.

Under RLUIPA, an institution may not impose a substantial burden on an inmate's "observance of Ramadan, the Islamic holy month of fasting and prayer" without a compelling government interest. *Lovelace v. Shinault*, 472 F.3d 174, 185-87 (4th Cir. 2006). Thus, courts have found a failure to accommodate the meal requirements during Ramadan can violate the Free Exercise Clause of the First Amendment. *See, e.g., Norwood v. Strada*, 249 Fed. Appx. 269, 2007 U.S. App. LEXIS 23062 (3d Cir. Pa. 2007) (citing *Makin v. Colo. Dep't of Corr.*, 183 F.3d 1205, 1211 (10th Cir. 1999)). In *Lovelace*, the Fourth Circuit Court of Appeals held that that an inmate had a cause of action under RLUIPA when he was excluded from special pre-dawn and post-sunset Ramadan meals, and, therefore, was not able to fast during the daylight hours and could "not fulfill one of the five pillars or obligations of Islam."



Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org



AMERICAN CIVIL LIBERTIES UNION
FOUNDATION

Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org

The tenets of Islam require fasting from sunrise to sunset for thirty days, but do not limit food consumption between sunset and dawn. Facility supervisors should provide inmates in their custody with a morning meal that is served and eaten before dawn. After sunset, inmates should be provided with an evening meal and a bag meal that can be taken back to their cell or living area for consumption later in the evening.

Relatedly, the tenets of Judaism require observers to follow specific dietary rules related to their food consumption. Jewish tradition requires adherence to Passover kosher rules, which include to refrain from eating certain meats, to ensure meats and dairy are not prepared or eaten in combination, and to avoid leavened bread. Observers may also be required to fast.

We ask that you comply with the law and ensure that inmates in your care receive the appropriate accommodations required for their observance of Ramadan and Passover this year.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Claire G. Gastañaga". The signature is fluid and cursive, with the first name "Claire" being the most prominent.

Claire G. Gastañaga
Executive Director

April 17, 2019

Warden Ivan Gilmore
Coffeewood Correctional Center
12352 Coffeewood Drive
P. O. Box 500
Mitchells, VA 22729

Dear Warden Gilmore:

The American Civil Liberties Union (ACLU) of Virginia is a non-profit organization that promotes civil liberties and civil rights for everyone in the Commonwealth through public education, litigation, and advocacy with the goal of securing freedom and equality for all. Today, we are writing to you and other supervisors of our state's prisons and jails to remind each facility manager of their legal obligation to accommodate inmates' religious traditions, including accommodation of dietary restrictions which are an important part of some religious observances. This is the season where Muslim and Jewish prisoners may be observing the upcoming holidays of Ramadan and Passover, respectively, while Christians may be observing Easter. This year, Ramadan will begin the evening of Sunday, May 5, and end the evening of Tuesday, June 4. Jewish inmates will begin celebrating Passover the evening of Friday, April 19, and end the evening of Saturday, April 27. Easter is Sunday, April 21st.

Under the First Amendment of the Constitution and under Section 3 of the Federal Religious Land Use and Institutionalized Persons Act (RLUIPA), you must allow inmates to observe Ramadan and Passover, including providing adequate meals and meal timing for inmates. Similarly, the Virginia Constitution and Virginia state law prohibit any government entity from "substantially burden[ing] a person's free exercise of religion even if the burden results from a rule of general applicability." Va. Code § 57-2.02.

Under RLUIPA, an institution may not impose a substantial burden on an inmate's "observance of Ramadan, the Islamic holy month of fasting and prayer" without a compelling government interest. *Lovelace v. Shinault*, 472 F.3d 174, 185-87 (4th Cir. 2006). Thus, courts have found a failure to accommodate the meal requirements during Ramadan can violate the Free Exercise Clause of the First Amendment. *See, e.g., Norwood v. Strada*, 249 Fed. Appx. 269, 2007 U.S. App. LEXIS 23062 (3d Cir. Pa. 2007) (citing *Makin v. Colo. Dep't of Corr.*, 183 F.3d 1205, 1211 (10th Cir. 1999)). In *Lovelace*, the Fourth Circuit Court of Appeals held that that an inmate had a cause of action under RLUIPA when he was excluded from special pre-dawn and post-sunset Ramadan meals, and, therefore, was not able to fast during the daylight hours and could "not fulfill one of the five pillars or obligations of Islam."



Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org



AMERICAN CIVIL LIBERTIES UNION
FOUNDATION

Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org

The tenets of Islam require fasting from sunrise to sunset for thirty days, but do not limit food consumption between sunset and dawn. Facility supervisors should provide inmates in their custody with a morning meal that is served and eaten before dawn. After sunset, inmates should be provided with an evening meal and a bag meal that can be taken back to their cell or living area for consumption later in the evening.

Relatedly, the tenets of Judaism require observers to follow specific dietary rules related to their food consumption. Jewish tradition requires adherence to Passover kosher rules, which include to refrain from eating certain meats, to ensure meats and dairy are not prepared or eaten in combination, and to avoid leavened bread. Observers may also be required to fast.

We ask that you comply with the law and ensure that inmates in your care receive the appropriate accommodations required for their observance of Ramadan and Passover this year.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, which appears to read "Claire G. Gastañaga". The signature is fluid and cursive.

Claire G. Gastañaga
Executive Director

April 17, 2019

Superintendent Thomas Redman
Cold Springs Correctional Unit #10
221 Spitler Circle
Greenville, VA 24440

Dear Superintendent Redman:

The American Civil Liberties Union (ACLU) of Virginia is a non-profit organization that promotes civil liberties and civil rights for everyone in the Commonwealth through public education, litigation, and advocacy with the goal of securing freedom and equality for all. Today, we are writing to you and other supervisors of our state's prisons and jails to remind each facility manager of their legal obligation to accommodate inmates' religious traditions, including accommodation of dietary restrictions which are an important part of some religious observances. This is the season where Muslim and Jewish prisoners may be observing the upcoming holidays of Ramadan and Passover, respectively, while Christians may be observing Easter. This year, Ramadan will begin the evening of Sunday, May 5, and end the evening of Tuesday, June 4. Jewish inmates will begin celebrating Passover the evening of Friday, April 19, and end the evening of Saturday, April 27. Easter is Sunday, April 21st.

Under the First Amendment of the Constitution and under Section 3 of the Federal Religious Land Use and Institutionalized Persons Act (RLUIPA), you must allow inmates to observe Ramadan and Passover, including providing adequate meals and meal timing for inmates. Similarly, the Virginia Constitution and Virginia state law prohibit any government entity from "substantially burden[ing] a person's free exercise of religion even if the burden results from a rule of general applicability." Va. Code § 57-2.02.

Under RLUIPA, an institution may not impose a substantial burden on an inmate's "observance of Ramadan, the Islamic holy month of fasting and prayer" without a compelling government interest. *Lovelace v. Shinault*, 472 F.3d 174, 185-87 (4th Cir. 2006). Thus, courts have found a failure to accommodate the meal requirements during Ramadan can violate the Free Exercise Clause of the First Amendment. *See, e.g., Norwood v. Strada*, 249 Fed. Appx. 269, 2007 U.S. App. LEXIS 23062 (3d Cir. Pa. 2007) (citing *Makin v. Colo. Dep't of Corr.*, 183 F.3d 1205, 1211 (10th Cir. 1999)). In *Lovelace*, the Fourth Circuit Court of Appeals held that that an inmate had a cause of action under RLUIPA when he was excluded from special pre-dawn and post-sunset Ramadan meals, and, therefore, was not able to fast during the daylight hours and could "not fulfill one of the five pillars or obligations of Islam."



Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org



AMERICAN CIVIL LIBERTIES UNION
FOUNDATION

Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org

The tenets of Islam require fasting from sunrise to sunset for thirty days, but do not limit food consumption between sunset and dawn. Facility supervisors should provide inmates in their custody with a morning meal that is served and eaten before dawn. After sunset, inmates should be provided with an evening meal and a bag meal that can be taken back to their cell or living area for consumption later in the evening.

Relatedly, the tenets of Judaism require observers to follow specific dietary rules related to their food consumption. Jewish tradition requires adherence to Passover kosher rules, which include to refrain from eating certain meats, to ensure meats and dairy are not prepared or eaten in combination, and to avoid leavened bread. Observers may also be required to fast.

We ask that you comply with the law and ensure that inmates in your care receive the appropriate accommodations required for their observance of Ramadan and Passover this year.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Claire G. Gastañaga". The signature is fluid and cursive, with the first name "Claire" being the most prominent.

Claire G. Gastañaga
Executive Director

April 17, 2019

Warden Tammy Brown
Deerfield Correctional Center
21360 Deerfield Drive
Capron, VA 23829

Dear Warden Brown:

The American Civil Liberties Union (ACLU) of Virginia is a non-profit organization that promotes civil liberties and civil rights for everyone in the Commonwealth through public education, litigation, and advocacy with the goal of securing freedom and equality for all. Today, we are writing to you and other supervisors of our state's prisons and jails to remind each facility manager of their legal obligation to accommodate inmates' religious traditions, including accommodation of dietary restrictions which are an important part of some religious observances. This is the season where Muslim and Jewish prisoners may be observing the upcoming holidays of Ramadan and Passover, respectively, while Christians may be observing Easter. This year, Ramadan will begin the evening of Sunday, May 5, and end the evening of Tuesday, June 4. Jewish inmates will begin celebrating Passover the evening of Friday, April 19, and end the evening of Saturday, April 27. Easter is Sunday, April 21st.

Under the First Amendment of the Constitution and under Section 3 of the Federal Religious Land Use and Institutionalized Persons Act (RLUIPA), you must allow inmates to observe Ramadan and Passover, including providing adequate meals and meal timing for inmates. Similarly, the Virginia Constitution and Virginia state law prohibit any government entity from "substantially burden[ing] a person's free exercise of religion even if the burden results from a rule of general applicability." Va. Code § 57-2.02.

Under RLUIPA, an institution may not impose a substantial burden on an inmate's "observance of Ramadan, the Islamic holy month of fasting and prayer" without a compelling government interest. *Lovelace v. Shinault*, 472 F.3d 174, 185-87 (4th Cir. 2006). Thus, courts have found a failure to accommodate the meal requirements during Ramadan can violate the Free Exercise Clause of the First Amendment. *See, e.g., Norwood v. Strada*, 249 Fed. Appx. 269, 2007 U.S. App. LEXIS 23062 (3d Cir. Pa. 2007) (citing *Makin v. Colo. Dep't of Corr.*, 183 F.3d 1205, 1211 (10th Cir. 1999)). In *Lovelace*, the Fourth Circuit Court of Appeals held that that an inmate had a cause of action under RLUIPA when he was excluded from special pre-dawn and post-sunset Ramadan meals, and, therefore, was not able to fast during the daylight hours and could "not fulfill one of the five pillars or obligations of Islam."



Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org



AMERICAN CIVIL LIBERTIES UNION
FOUNDATION

Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org

The tenets of Islam require fasting from sunrise to sunset for thirty days, but do not limit food consumption between sunset and dawn. Facility supervisors should provide inmates in their custody with a morning meal that is served and eaten before dawn. After sunset, inmates should be provided with an evening meal and a bag meal that can be taken back to their cell or living area for consumption later in the evening.

Relatedly, the tenets of Judaism require observers to follow specific dietary rules related to their food consumption. Jewish tradition requires adherence to Passover kosher rules, which include to refrain from eating certain meats, to ensure meats and dairy are not prepared or eaten in combination, and to avoid leavened bread. Observers may also be required to fast.

We ask that you comply with the law and ensure that inmates in your care receive the appropriate accommodations required for their observance of Ramadan and Passover this year.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Claire G. Gastañaga". The signature is fluid and cursive, with the first name "Claire" being the most prominent.

Claire G. Gastañaga
Executive Director

April 17, 2019

Warden Dana Ratliffe-Walker
Dillwyn Correctional Center
1522 Prison Road
P.O. Box 670
Dillwyn, VA 23936

Dear Warden Ratliffe-Walker:

The American Civil Liberties Union (ACLU) of Virginia is a non-profit organization that promotes civil liberties and civil rights for everyone in the Commonwealth through public education, litigation, and advocacy with the goal of securing freedom and equality for all. Today, we are writing to you and other supervisors of our state's prisons and jails to remind each facility manager of their legal obligation to accommodate inmates' religious traditions, including accommodation of dietary restrictions which are an important part of some religious observances. This is the season where Muslim and Jewish prisoners may be observing the upcoming holidays of Ramadan and Passover, respectively, while Christians may be observing Easter. This year, Ramadan will begin the evening of Sunday, May 5, and end the evening of Tuesday, June 4. Jewish inmates will begin celebrating Passover the evening of Friday, April 19, and end the evening of Saturday, April 27. Easter is Sunday, April 21st.

Under the First Amendment of the Constitution and under Section 3 of the Federal Religious Land Use and Institutionalized Persons Act (RLUIPA), you must allow inmates to observe Ramadan and Passover, including providing adequate meals and meal timing for inmates. Similarly, the Virginia Constitution and Virginia state law prohibit any government entity from "substantially burden[ing] a person's free exercise of religion even if the burden results from a rule of general applicability." Va. Code § 57-2.02.

Under RLUIPA, an institution may not impose a substantial burden on an inmate's "observance of Ramadan, the Islamic holy month of fasting and prayer" without a compelling government interest. *Lovelace v. Shinault*, 472 F.3d 174, 185-87 (4th Cir. 2006). Thus, courts have found a failure to accommodate the meal requirements during Ramadan can violate the Free Exercise Clause of the First Amendment. *See, e.g., Norwood v. Strada*, 249 Fed. Appx. 269, 2007 U.S. App. LEXIS 23062 (3d Cir. Pa. 2007) (citing *Makin v. Colo. Dep't of Corr.*, 183 F.3d 1205, 1211 (10th Cir. 1999)). In *Lovelace*, the Fourth Circuit Court of Appeals held that that an inmate had a cause of action under RLUIPA when he was excluded from special pre-dawn and post-sunset Ramadan meals, and, therefore, was not able to fast during the daylight hours and could "not fulfill one of the five pillars or obligations of Islam."



Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org



AMERICAN CIVIL LIBERTIES UNION
FOUNDATION

Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org

The tenets of Islam require fasting from sunrise to sunset for thirty days, but do not limit food consumption between sunset and dawn. Facility supervisors should provide inmates in their custody with a morning meal that is served and eaten before dawn. After sunset, inmates should be provided with an evening meal and a bag meal that can be taken back to their cell or living area for consumption later in the evening.

Relatedly, the tenets of Judaism require observers to follow specific dietary rules related to their food consumption. Jewish tradition requires adherence to Passover kosher rules, which include to refrain from eating certain meats, to ensure meats and dairy are not prepared or eaten in combination, and to avoid leavened bread. Observers may also be required to fast.

We ask that you comply with the law and ensure that inmates in your care receive the appropriate accommodations required for their observance of Ramadan and Passover this year.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, which appears to read "Claire G. Gastañaga".

Claire G. Gastañaga
Executive Director

April 17, 2019

Warden Eric Aldridge
Fluvanna Correctional Center
144 Prison Lane
Troy, VA 22974

Dear Warden Aldridge:

The American Civil Liberties Union (ACLU) of Virginia is a non-profit organization that promotes civil liberties and civil rights for everyone in the Commonwealth through public education, litigation, and advocacy with the goal of securing freedom and equality for all. Today, we are writing to you and other supervisors of our state's prisons and jails to remind each facility manager of their legal obligation to accommodate inmates' religious traditions, including accommodation of dietary restrictions which are an important part of some religious observances. This is the season where Muslim and Jewish prisoners may be observing the upcoming holidays of Ramadan and Passover, respectively, while Christians may be observing Easter. This year, Ramadan will begin the evening of Sunday, May 5, and end the evening of Tuesday, June 4. Jewish inmates will begin celebrating Passover the evening of Friday, April 19, and end the evening of Saturday, April 27. Easter is Sunday, April 21st.

Under the First Amendment of the Constitution and under Section 3 of the Federal Religious Land Use and Institutionalized Persons Act (RLUIPA), you must allow inmates to observe Ramadan and Passover, including providing adequate meals and meal timing for inmates. Similarly, the Virginia Constitution and Virginia state law prohibit any government entity from "substantially burden[ing] a person's free exercise of religion even if the burden results from a rule of general applicability." Va. Code § 57-2.02.

Under RLUIPA, an institution may not impose a substantial burden on an inmate's "observance of Ramadan, the Islamic holy month of fasting and prayer" without a compelling government interest. *Lovelace v. Shinault*, 472 F.3d 174, 185-87 (4th Cir. 2006). Thus, courts have found a failure to accommodate the meal requirements during Ramadan can violate the Free Exercise Clause of the First Amendment. *See, e.g., Norwood v. Strada*, 249 Fed. Appx. 269, 2007 U.S. App. LEXIS 23062 (3d Cir. Pa. 2007) (citing *Makin v. Colo. Dep't of Corr.*, 183 F.3d 1205, 1211 (10th Cir. 1999)). In *Lovelace*, the Fourth Circuit Court of Appeals held that that an inmate had a cause of action under RLUIPA when he was excluded from special pre-dawn and post-sunset Ramadan meals, and, therefore, was not able to fast during the daylight hours and could "not fulfill one of the five pillars or obligations of Islam."



Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org



AMERICAN CIVIL LIBERTIES UNION
FOUNDATION

Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org

The tenets of Islam require fasting from sunrise to sunset for thirty days, but do not limit food consumption between sunset and dawn. Facility supervisors should provide inmates in their custody with a morning meal that is served and eaten before dawn. After sunset, inmates should be provided with an evening meal and a bag meal that can be taken back to their cell or living area for consumption later in the evening.

Relatedly, the tenets of Judaism require observers to follow specific dietary rules related to their food consumption. Jewish tradition requires adherence to Passover kosher rules, which include to refrain from eating certain meats, to ensure meats and dairy are not prepared or eaten in combination, and to avoid leavened bread. Observers may also be required to fast.

We ask that you comply with the law and ensure that inmates in your care receive the appropriate accommodations required for their observance of Ramadan and Passover this year.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Claire G. Gastañaga".

Claire G. Gastañaga
Executive Director

April 17, 2019

Warden Melvin Davis
Green Rock Correctional Center
475 Green Rock Lane
Chatham, VA 24531

Dear Warden Davis:

The American Civil Liberties Union (ACLU) of Virginia is a non-profit organization that promotes civil liberties and civil rights for everyone in the Commonwealth through public education, litigation, and advocacy with the goal of securing freedom and equality for all. Today, we are writing to you and other supervisors of our state's prisons and jails to remind each facility manager of their legal obligation to accommodate inmates' religious traditions, including accommodation of dietary restrictions which are an important part of some religious observances. This is the season where Muslim and Jewish prisoners may be observing the upcoming holidays of Ramadan and Passover, respectively, while Christians may be observing Easter. This year, Ramadan will begin the evening of Sunday, May 5, and end the evening of Tuesday, June 4. Jewish inmates will begin celebrating Passover the evening of Friday, April 19, and end the evening of Saturday, April 27. Easter is Sunday, April 21st.

Under the First Amendment of the Constitution and under Section 3 of the Federal Religious Land Use and Institutionalized Persons Act (RLUIPA), you must allow inmates to observe Ramadan and Passover, including providing adequate meals and meal timing for inmates. Similarly, the Virginia Constitution and Virginia state law prohibit any government entity from "substantially burden[ing] a person's free exercise of religion even if the burden results from a rule of general applicability." Va. Code § 57-2.02.

Under RLUIPA, an institution may not impose a substantial burden on an inmate's "observance of Ramadan, the Islamic holy month of fasting and prayer" without a compelling government interest. *Lovelace v. Shinault*, 472 F.3d 174, 185-87 (4th Cir. 2006). Thus, courts have found a failure to accommodate the meal requirements during Ramadan can violate the Free Exercise Clause of the First Amendment. *See, e.g., Norwood v. Strada*, 249 Fed. Appx. 269, 2007 U.S. App. LEXIS 23062 (3d Cir. Pa. 2007) (citing *Makin v. Colo. Dep't of Corr.*, 183 F.3d 1205, 1211 (10th Cir. 1999)). In *Lovelace*, the Fourth Circuit Court of Appeals held that that an inmate had a cause of action under RLUIPA when he was excluded from special pre-dawn and post-sunset Ramadan meals, and, therefore, was not able to fast during the daylight hours and could "not fulfill one of the five pillars or obligations of Islam."



Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org



AMERICAN CIVIL LIBERTIES UNION
FOUNDATION

Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org

The tenets of Islam require fasting from sunrise to sunset for thirty days, but do not limit food consumption between sunset and dawn. Facility supervisors should provide inmates in their custody with a morning meal that is served and eaten before dawn. After sunset, inmates should be provided with an evening meal and a bag meal that can be taken back to their cell or living area for consumption later in the evening.

Relatedly, the tenets of Judaism require observers to follow specific dietary rules related to their food consumption. Jewish tradition requires adherence to Passover kosher rules, which include to refrain from eating certain meats, to ensure meats and dairy are not prepared or eaten in combination, and to avoid leavened bread. Observers may also be required to fast.

We ask that you comply with the law and ensure that inmates in your care receive the appropriate accommodations required for their observance of Ramadan and Passover this year.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Claire G. Gastañaga".

Claire G. Gastañaga
Executive Director

April 17, 2019

Warden Tracy S. Ray
Greensville Correctional Center
901 Corrections Way
Jarratt, VA 23870-9614

Dear Warden Ray:

The American Civil Liberties Union (ACLU) of Virginia is a non-profit organization that promotes civil liberties and civil rights for everyone in the Commonwealth through public education, litigation, and advocacy with the goal of securing freedom and equality for all. Today, we are writing to you and other supervisors of our state's prisons and jails to remind each facility manager of their legal obligation to accommodate inmates' religious traditions, including accommodation of dietary restrictions which are an important part of some religious observances. This is the season where Muslim and Jewish prisoners may be observing the upcoming holidays of Ramadan and Passover, respectively, while Christians may be observing Easter. This year, Ramadan will begin the evening of Sunday, May 5, and end the evening of Tuesday, June 4. Jewish inmates will begin celebrating Passover the evening of Friday, April 19, and end the evening of Saturday, April 27. Easter is Sunday, April 21st.

Under the First Amendment of the Constitution and under Section 3 of the Federal Religious Land Use and Institutionalized Persons Act (RLUIPA), you must allow inmates to observe Ramadan and Passover, including providing adequate meals and meal timing for inmates. Similarly, the Virginia Constitution and Virginia state law prohibit any government entity from "substantially burden[ing] a person's free exercise of religion even if the burden results from a rule of general applicability." Va. Code § 57-2.02.

Under RLUIPA, an institution may not impose a substantial burden on an inmate's "observance of Ramadan, the Islamic holy month of fasting and prayer" without a compelling government interest. *Lovelace v. Shinault*, 472 F.3d 174, 185-87 (4th Cir. 2006). Thus, courts have found a failure to accommodate the meal requirements during Ramadan can violate the Free Exercise Clause of the First Amendment. *See, e.g., Norwood v. Strada*, 249 Fed. Appx. 269, 2007 U.S. App. LEXIS 23062 (3d Cir. Pa. 2007) (citing *Makin v. Colo. Dep't of Corr.*, 183 F.3d 1205, 1211 (10th Cir. 1999)). In *Lovelace*, the Fourth Circuit Court of Appeals held that that an inmate had a cause of action under RLUIPA when he was excluded from special pre-dawn and post-sunset Ramadan meals, and, therefore, was not able to fast during the daylight hours and could "not fulfill one of the five pillars or obligations of Islam."



Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org



AMERICAN CIVIL LIBERTIES UNION
FOUNDATION

Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org

The tenets of Islam require fasting from sunrise to sunset for thirty days, but do not limit food consumption between sunset and dawn. Facility supervisors should provide inmates in their custody with a morning meal that is served and eaten before dawn. After sunset, inmates should be provided with an evening meal and a bag meal that can be taken back to their cell or living area for consumption later in the evening.

Relatedly, the tenets of Judaism require observers to follow specific dietary rules related to their food consumption. Jewish tradition requires adherence to Passover kosher rules, which include to refrain from eating certain meats, to ensure meats and dairy are not prepared or eaten in combination, and to avoid leavened bread. Observers may also be required to fast.

We ask that you comply with the law and ensure that inmates in your care receive the appropriate accommodations required for their observance of Ramadan and Passover this year.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Claire G. Gastañaga". The signature is fluid and cursive, with the first name "Claire" being the most prominent.

Claire G. Gastañaga
Executive Director

April 17, 2019

Superintendent Mariea LeFevers
Halifax Correctional Unit #23
1200 Farm Road
Box 1789
Halifax, VA 24558

Dear Superintendent LeFevers:

The American Civil Liberties Union (ACLU) of Virginia is a non-profit organization that promotes civil liberties and civil rights for everyone in the Commonwealth through public education, litigation, and advocacy with the goal of securing freedom and equality for all. Today, we are writing to you and other supervisors of our state's prisons and jails to remind each facility manager of their legal obligation to accommodate inmates' religious traditions, including accommodation of dietary restrictions which are an important part of some religious observances. This is the season where Muslim and Jewish prisoners may be observing the upcoming holidays of Ramadan and Passover, respectively, while Christians may be observing Easter. This year, Ramadan will begin the evening of Sunday, May 5, and end the evening of Tuesday, June 4. Jewish inmates will begin celebrating Passover the evening of Friday, April 19, and end the evening of Saturday, April 27. Easter is Sunday, April 21st.

Under the First Amendment of the Constitution and under Section 3 of the Federal Religious Land Use and Institutionalized Persons Act (RLUIPA), you must allow inmates to observe Ramadan and Passover, including providing adequate meals and meal timing for inmates. Similarly, the Virginia Constitution and Virginia state law prohibit any government entity from "substantially burden[ing] a person's free exercise of religion even if the burden results from a rule of general applicability." Va. Code § 57-2.02.

Under RLUIPA, an institution may not impose a substantial burden on an inmate's "observance of Ramadan, the Islamic holy month of fasting and prayer" without a compelling government interest. *Lovelace v. Shinault*, 472 F.3d 174, 185-87 (4th Cir. 2006). Thus, courts have found a failure to accommodate the meal requirements during Ramadan can violate the Free Exercise Clause of the First Amendment. *See, e.g., Norwood v. Strada*, 249 Fed. Appx. 269, 2007 U.S. App. LEXIS 23062 (3d Cir. Pa. 2007) (citing *Makin v. Colo. Dep't of Corr.*, 183 F.3d 1205, 1211 (10th Cir. 1999)). In *Lovelace*, the Fourth Circuit Court of Appeals held that that an inmate had a cause of action under RLUIPA when he was excluded from special pre-dawn and post-sunset Ramadan meals, and, therefore, was not able to fast during the daylight hours and could "not fulfill one of the five pillars or obligations of Islam."



Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org



AMERICAN CIVIL LIBERTIES UNION
FOUNDATION

Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org

The tenets of Islam require fasting from sunrise to sunset for thirty days, but do not limit food consumption between sunset and dawn. Facility supervisors should provide inmates in their custody with a morning meal that is served and eaten before dawn. After sunset, inmates should be provided with an evening meal and a bag meal that can be taken back to their cell or living area for consumption later in the evening.

Relatedly, the tenets of Judaism require observers to follow specific dietary rules related to their food consumption. Jewish tradition requires adherence to Passover kosher rules, which include to refrain from eating certain meats, to ensure meats and dairy are not prepared or eaten in combination, and to avoid leavened bread. Observers may also be required to fast.

We ask that you comply with the law and ensure that inmates in your care receive the appropriate accommodations required for their observance of Ramadan and Passover this year.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Claire G. Gastañaga". The signature is fluid and cursive, with a large loop at the end.

Claire G. Gastañaga
Executive Director

April 17, 2019

Warden Darrell Miller
Haynesville Correctional Center
421 Barnfield Road
P. O. Box 129
Haynesville, VA 22472

Dear Warden Miller:

The American Civil Liberties Union (ACLU) of Virginia is a non-profit organization that promotes civil liberties and civil rights for everyone in the Commonwealth through public education, litigation, and advocacy with the goal of securing freedom and equality for all. Today, we are writing to you and other supervisors of our state's prisons and jails to remind each facility manager of their legal obligation to accommodate inmates' religious traditions, including accommodation of dietary restrictions which are an important part of some religious observances. This is the season where Muslim and Jewish prisoners may be observing the upcoming holidays of Ramadan and Passover, respectively, while Christians may be observing Easter. This year, Ramadan will begin the evening of Sunday, May 5, and end the evening of Tuesday, June 4. Jewish inmates will begin celebrating Passover the evening of Friday, April 19, and end the evening of Saturday, April 27. Easter is Sunday, April 21st.

Under the First Amendment of the Constitution and under Section 3 of the Federal Religious Land Use and Institutionalized Persons Act (RLUIPA), you must allow inmates to observe Ramadan and Passover, including providing adequate meals and meal timing for inmates. Similarly, the Virginia Constitution and Virginia state law prohibit any government entity from "substantially burden[ing] a person's free exercise of religion even if the burden results from a rule of general applicability." Va. Code § 57-2.02.

Under RLUIPA, an institution may not impose a substantial burden on an inmate's "observance of Ramadan, the Islamic holy month of fasting and prayer" without a compelling government interest. *Lovelace v. Shinault*, 472 F.3d 174, 185-87 (4th Cir. 2006). Thus, courts have found a failure to accommodate the meal requirements during Ramadan can violate the Free Exercise Clause of the First Amendment. *See, e.g., Norwood v. Strada*, 249 Fed. Appx. 269, 2007 U.S. App. LEXIS 23062 (3d Cir. Pa. 2007) (citing *Makin v. Colo. Dep't of Corr.*, 183 F.3d 1205, 1211 (10th Cir. 1999)). In *Lovelace*, the Fourth Circuit Court of Appeals held that that an inmate had a cause of action under RLUIPA when he was excluded from special pre-dawn and post-sunset Ramadan meals, and, therefore, was not able to fast during the daylight hours and could "not fulfill one of the five pillars or obligations of Islam."



Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org



AMERICAN CIVIL LIBERTIES UNION
FOUNDATION

Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org

The tenets of Islam require fasting from sunrise to sunset for thirty days, but do not limit food consumption between sunset and dawn. Facility supervisors should provide inmates in their custody with a morning meal that is served and eaten before dawn. After sunset, inmates should be provided with an evening meal and a bag meal that can be taken back to their cell or living area for consumption later in the evening.

Relatedly, the tenets of Judaism require observers to follow specific dietary rules related to their food consumption. Jewish tradition requires adherence to Passover kosher rules, which include to refrain from eating certain meats, to ensure meats and dairy are not prepared or eaten in combination, and to avoid leavened bread. Observers may also be required to fast.

We ask that you comply with the law and ensure that inmates in your care receive the appropriate accommodations required for their observance of Ramadan and Passover this year.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Claire G. Gastañaga", is written in a cursive style.

Claire G. Gastañaga
Executive Director

April 17, 2019

Superintendent Patrick Gurney
Haynesville Correctional Unit #17
Camp Seventeen Road
P. O. Box 39
Haynesville, VA 22472

Dear Superintendent Gurney:

The American Civil Liberties Union (ACLU) of Virginia is a non-profit organization that promotes civil liberties and civil rights for everyone in the Commonwealth through public education, litigation, and advocacy with the goal of securing freedom and equality for all. Today, we are writing to you and other supervisors of our state's prisons and jails to remind each facility manager of their legal obligation to accommodate inmates' religious traditions, including accommodation of dietary restrictions which are an important part of some religious observances. This is the season where Muslim and Jewish prisoners may be observing the upcoming holidays of Ramadan and Passover, respectively, while Christians may be observing Easter. This year, Ramadan will begin the evening of Sunday, May 5, and end the evening of Tuesday, June 4. Jewish inmates will begin celebrating Passover the evening of Friday, April 19, and end the evening of Saturday, April 27. Easter is Sunday, April 21st.

Under the First Amendment of the Constitution and under Section 3 of the Federal Religious Land Use and Institutionalized Persons Act (RLUIPA), you must allow inmates to observe Ramadan and Passover, including providing adequate meals and meal timing for inmates. Similarly, the Virginia Constitution and Virginia state law prohibit any government entity from "substantially burden[ing] a person's free exercise of religion even if the burden results from a rule of general applicability." Va. Code § 57-2.02.

Under RLUIPA, an institution may not impose a substantial burden on an inmate's "observance of Ramadan, the Islamic holy month of fasting and prayer" without a compelling government interest. *Lovelace v. Shinault*, 472 F.3d 174, 185-87 (4th Cir. 2006). Thus, courts have found a failure to accommodate the meal requirements during Ramadan can violate the Free Exercise Clause of the First Amendment. *See, e.g., Norwood v. Strada*, 249 Fed. Appx. 269, 2007 U.S. App. LEXIS 23062 (3d Cir. Pa. 2007) (citing *Makin v. Colo. Dep't of Corr.*, 183 F.3d 1205, 1211 (10th Cir. 1999)). In *Lovelace*, the Fourth Circuit Court of Appeals held that that an inmate had a cause of action under RLUIPA when he was excluded from special pre-dawn and post-sunset Ramadan meals, and, therefore, was not able to fast during the daylight hours and could "not fulfill one of the five pillars or obligations of Islam."



Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org



AMERICAN CIVIL LIBERTIES UNION
FOUNDATION

Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org

The tenets of Islam require fasting from sunrise to sunset for thirty days, but do not limit food consumption between sunset and dawn. Facility supervisors should provide inmates in their custody with a morning meal that is served and eaten before dawn. After sunset, inmates should be provided with an evening meal and a bag meal that can be taken back to their cell or living area for consumption later in the evening.

Relatedly, the tenets of Judaism require observers to follow specific dietary rules related to their food consumption. Jewish tradition requires adherence to Passover kosher rules, which include to refrain from eating certain meats, to ensure meats and dairy are not prepared or eaten in combination, and to avoid leavened bread. Observers may also be required to fast.

We ask that you comply with the law and ensure that inmates in your care receive the appropriate accommodations required for their observance of Ramadan and Passover this year.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, which appears to read "Claire G. Gastañaga". The signature is fluid and cursive.

Claire G. Gastañaga
Executive Director

April 17, 2019

Warden Rick White
Indian Creek Correctional Center
801 Sanderson Road
P. O. Box 16481
Chesapeake, VA 23328-6481

Dear Warden White:

The American Civil Liberties Union (ACLU) of Virginia is a non-profit organization that promotes civil liberties and civil rights for everyone in the Commonwealth through public education, litigation, and advocacy with the goal of securing freedom and equality for all. Today, we are writing to you and other supervisors of our state's prisons and jails to remind each facility manager of their legal obligation to accommodate inmates' religious traditions, including accommodation of dietary restrictions which are an important part of some religious observances. This is the season where Muslim and Jewish prisoners may be observing the upcoming holidays of Ramadan and Passover, respectively, while Christians may be observing Easter. This year, Ramadan will begin the evening of Sunday, May 5, and end the evening of Tuesday, June 4. Jewish inmates will begin celebrating Passover the evening of Friday, April 19, and end the evening of Saturday, April 27. Easter is Sunday, April 21st.

Under the First Amendment of the Constitution and under Section 3 of the Federal Religious Land Use and Institutionalized Persons Act (RLUIPA), you must allow inmates to observe Ramadan and Passover, including providing adequate meals and meal timing for inmates. Similarly, the Virginia Constitution and Virginia state law prohibit any government entity from "substantially burden[ing] a person's free exercise of religion even if the burden results from a rule of general applicability." Va. Code § 57-2.02.

Under RLUIPA, an institution may not impose a substantial burden on an inmate's "observance of Ramadan, the Islamic holy month of fasting and prayer" without a compelling government interest. *Lovelace v. Shinault*, 472 F.3d 174, 185-87 (4th Cir. 2006). Thus, courts have found a failure to accommodate the meal requirements during Ramadan can violate the Free Exercise Clause of the First Amendment. *See, e.g., Norwood v. Strada*, 249 Fed. Appx. 269, 2007 U.S. App. LEXIS 23062 (3d Cir. Pa. 2007) (citing *Makin v. Colo. Dep't of Corr.*, 183 F.3d 1205, 1211 (10th Cir. 1999)). In *Lovelace*, the Fourth Circuit Court of Appeals held that that an inmate had a cause of action under RLUIPA when he was excluded from special pre-dawn and post-sunset Ramadan meals, and, therefore, was not able to fast during the daylight hours and could "not fulfill one of the five pillars or obligations of Islam."



Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org



AMERICAN CIVIL LIBERTIES UNION
FOUNDATION

Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org

The tenets of Islam require fasting from sunrise to sunset for thirty days, but do not limit food consumption between sunset and dawn. Facility supervisors should provide inmates in their custody with a morning meal that is served and eaten before dawn. After sunset, inmates should be provided with an evening meal and a bag meal that can be taken back to their cell or living area for consumption later in the evening.

Relatedly, the tenets of Judaism require observers to follow specific dietary rules related to their food consumption. Jewish tradition requires adherence to Passover kosher rules, which include to refrain from eating certain meats, to ensure meats and dairy are not prepared or eaten in combination, and to avoid leavened bread. Observers may also be required to fast.

We ask that you comply with the law and ensure that inmates in your care receive the appropriate accommodations required for their observance of Ramadan and Passover this year.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, which appears to read "Claire G. Gastañaga". The signature is fluid and cursive.

Claire G. Gastañaga
Executive Director

April 17, 2019

Warden Clint Davis
Keen Mountain Correctional Center
State Route 629
P. O. Box 860
Oakwood, VA 24631

Dear Warden Davis:

The American Civil Liberties Union (ACLU) of Virginia is a non-profit organization that promotes civil liberties and civil rights for everyone in the Commonwealth through public education, litigation, and advocacy with the goal of securing freedom and equality for all. Today, we are writing to you and other supervisors of our state's prisons and jails to remind each facility manager of their legal obligation to accommodate inmates' religious traditions, including accommodation of dietary restrictions which are an important part of some religious observances. This is the season where Muslim and Jewish prisoners may be observing the upcoming holidays of Ramadan and Passover, respectively, while Christians may be observing Easter. This year, Ramadan will begin the evening of Sunday, May 5, and end the evening of Tuesday, June 4. Jewish inmates will begin celebrating Passover the evening of Friday, April 19, and end the evening of Saturday, April 27. Easter is Sunday, April 21st.

Under the First Amendment of the Constitution and under Section 3 of the Federal Religious Land Use and Institutionalized Persons Act (RLUIPA), you must allow inmates to observe Ramadan and Passover, including providing adequate meals and meal timing for inmates. Similarly, the Virginia Constitution and Virginia state law prohibit any government entity from "substantially burden[ing] a person's free exercise of religion even if the burden results from a rule of general applicability." Va. Code § 57-2.02.

Under RLUIPA, an institution may not impose a substantial burden on an inmate's "observance of Ramadan, the Islamic holy month of fasting and prayer" without a compelling government interest. *Lovelace v. Shinault*, 472 F.3d 174, 185-87 (4th Cir. 2006). Thus, courts have found a failure to accommodate the meal requirements during Ramadan can violate the Free Exercise Clause of the First Amendment. *See, e.g., Norwood v. Strada*, 249 Fed. Appx. 269, 2007 U.S. App. LEXIS 23062 (3d Cir. Pa. 2007) (citing *Makin v. Colo. Dep't of Corr.*, 183 F.3d 1205, 1211 (10th Cir. 1999)). In *Lovelace*, the Fourth Circuit Court of Appeals held that that an inmate had a cause of action under RLUIPA when he was excluded from special pre-dawn and post-sunset Ramadan meals, and, therefore, was not able to fast during the daylight hours and could "not fulfill one of the five pillars or obligations of Islam."



Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org



AMERICAN CIVIL LIBERTIES UNION
FOUNDATION

Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org

The tenets of Islam require fasting from sunrise to sunset for thirty days, but do not limit food consumption between sunset and dawn. Facility supervisors should provide inmates in their custody with a morning meal that is served and eaten before dawn. After sunset, inmates should be provided with an evening meal and a bag meal that can be taken back to their cell or living area for consumption later in the evening.

Relatedly, the tenets of Judaism require observers to follow specific dietary rules related to their food consumption. Jewish tradition requires adherence to Passover kosher rules, which include to refrain from eating certain meats, to ensure meats and dairy are not prepared or eaten in combination, and to avoid leavened bread. Observers may also be required to fast.

We ask that you comply with the law and ensure that inmates in your care receive the appropriate accommodations required for their observance of Ramadan and Passover this year.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Claire G. Gastañaga". The signature is fluid and cursive, with the first name "Claire" being the most prominent.

Claire G. Gastañaga
Executive Director

April 17, 2019

Warden James Beale
Lawrenceville Correctional Center
1607 Planters Road
Lawrenceville, VA 23868

Dear Warden Beale:

The American Civil Liberties Union (ACLU) of Virginia is a non-profit organization that promotes civil liberties and civil rights for everyone in the Commonwealth through public education, litigation, and advocacy with the goal of securing freedom and equality for all. Today, we are writing to you and other supervisors of our state's prisons and jails to remind each facility manager of their legal obligation to accommodate inmates' religious traditions, including accommodation of dietary restrictions which are an important part of some religious observances. This is the season where Muslim and Jewish prisoners may be observing the upcoming holidays of Ramadan and Passover, respectively, while Christians may be observing Easter. This year, Ramadan will begin the evening of Sunday, May 5, and end the evening of Tuesday, June 4. Jewish inmates will begin celebrating Passover the evening of Friday, April 19, and end the evening of Saturday, April 27. Easter is Sunday, April 21st.

Under the First Amendment of the Constitution and under Section 3 of the Federal Religious Land Use and Institutionalized Persons Act (RLUIPA), you must allow inmates to observe Ramadan and Passover, including providing adequate meals and meal timing for inmates. Similarly, the Virginia Constitution and Virginia state law prohibit any government entity from "substantially burden[ing] a person's free exercise of religion even if the burden results from a rule of general applicability." Va. Code § 57-2.02.

Under RLUIPA, an institution may not impose a substantial burden on an inmate's "observance of Ramadan, the Islamic holy month of fasting and prayer" without a compelling government interest. *Lovelace v. Shinault*, 472 F.3d 174, 185-87 (4th Cir. 2006). Thus, courts have found a failure to accommodate the meal requirements during Ramadan can violate the Free Exercise Clause of the First Amendment. *See, e.g., Norwood v. Strada*, 249 Fed. Appx. 269, 2007 U.S. App. LEXIS 23062 (3d Cir. Pa. 2007) (citing *Makin v. Colo. Dep't of Corr.*, 183 F.3d 1205, 1211 (10th Cir. 1999)). In *Lovelace*, the Fourth Circuit Court of Appeals held that that an inmate had a cause of action under RLUIPA when he was excluded from special pre-dawn and post-sunset Ramadan meals, and, therefore, was not able to fast during the daylight hours and could "not fulfill one of the five pillars or obligations of Islam."



Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org



AMERICAN CIVIL LIBERTIES UNION
FOUNDATION

Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org

The tenets of Islam require fasting from sunrise to sunset for thirty days, but do not limit food consumption between sunset and dawn. Facility supervisors should provide inmates in their custody with a morning meal that is served and eaten before dawn. After sunset, inmates should be provided with an evening meal and a bag meal that can be taken back to their cell or living area for consumption later in the evening.

Relatedly, the tenets of Judaism require observers to follow specific dietary rules related to their food consumption. Jewish tradition requires adherence to Passover kosher rules, which include to refrain from eating certain meats, to ensure meats and dairy are not prepared or eaten in combination, and to avoid leavened bread. Observers may also be required to fast.

We ask that you comply with the law and ensure that inmates in your care receive the appropriate accommodations required for their observance of Ramadan and Passover this year.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, which appears to read "Claire G. Gastañaga".

Claire G. Gastañaga
Executive Director

April 17, 2019

Warden Larry Edmonds
Lunenburg Correctional Center
690 Falls Road
Victoria, VA 23974

Dear Warden Edmonds:

The American Civil Liberties Union (ACLU) of Virginia is a non-profit organization that promotes civil liberties and civil rights for everyone in the Commonwealth through public education, litigation, and advocacy with the goal of securing freedom and equality for all. Today, we are writing to you and other supervisors of our state's prisons and jails to remind each facility manager of their legal obligation to accommodate inmates' religious traditions, including accommodation of dietary restrictions which are an important part of some religious observances. This is the season where Muslim and Jewish prisoners may be observing the upcoming holidays of Ramadan and Passover, respectively, while Christians may be observing Easter. This year, Ramadan will begin the evening of Sunday, May 5, and end the evening of Tuesday, June 4. Jewish inmates will begin celebrating Passover the evening of Friday, April 19, and end the evening of Saturday, April 27. Easter is Sunday, April 21st.

Under the First Amendment of the Constitution and under Section 3 of the Federal Religious Land Use and Institutionalized Persons Act (RLUIPA), you must allow inmates to observe Ramadan and Passover, including providing adequate meals and meal timing for inmates. Similarly, the Virginia Constitution and Virginia state law prohibit any government entity from "substantially burden[ing] a person's free exercise of religion even if the burden results from a rule of general applicability." Va. Code § 57-2.02.

Under RLUIPA, an institution may not impose a substantial burden on an inmate's "observance of Ramadan, the Islamic holy month of fasting and prayer" without a compelling government interest. *Lovelace v. Shinault*, 472 F.3d 174, 185-87 (4th Cir. 2006). Thus, courts have found a failure to accommodate the meal requirements during Ramadan can violate the Free Exercise Clause of the First Amendment. *See, e.g., Norwood v. Strada*, 249 Fed. Appx. 269, 2007 U.S. App. LEXIS 23062 (3d Cir. Pa. 2007) (citing *Makin v. Colo. Dep't of Corr.*, 183 F.3d 1205, 1211 (10th Cir. 1999)). In *Lovelace*, the Fourth Circuit Court of Appeals held that that an inmate had a cause of action under RLUIPA when he was excluded from special pre-dawn and post-sunset Ramadan meals, and, therefore, was not able to fast during the daylight hours and could "not fulfill one of the five pillars or obligations of Islam."



Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org



AMERICAN CIVIL LIBERTIES UNION
FOUNDATION

Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org

The tenets of Islam require fasting from sunrise to sunset for thirty days, but do not limit food consumption between sunset and dawn. Facility supervisors should provide inmates in their custody with a morning meal that is served and eaten before dawn. After sunset, inmates should be provided with an evening meal and a bag meal that can be taken back to their cell or living area for consumption later in the evening.

Relatedly, the tenets of Judaism require observers to follow specific dietary rules related to their food consumption. Jewish tradition requires adherence to Passover kosher rules, which include to refrain from eating certain meats, to ensure meats and dairy are not prepared or eaten in combination, and to avoid leavened bread. Observers may also be required to fast.

We ask that you comply with the law and ensure that inmates in your care receive the appropriate accommodations required for their observance of Ramadan and Passover this year.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, which appears to read "Claire G. Gastañaga". The signature is fluid and cursive.

Claire G. Gastañaga
Executive Director

April 17, 2019

Warden Dara Robichaux
Marion Treatment Center
110 Wright Street
Marion, VA 24354-3145

Dear Warden Robichaux:

The American Civil Liberties Union (ACLU) of Virginia is a non-profit organization that promotes civil liberties and civil rights for everyone in the Commonwealth through public education, litigation, and advocacy with the goal of securing freedom and equality for all. Today, we are writing to you and other supervisors of our state's prisons and jails to remind each facility manager of their legal obligation to accommodate inmates' religious traditions, including accommodation of dietary restrictions which are an important part of some religious observances. This is the season where Muslim and Jewish prisoners may be observing the upcoming holidays of Ramadan and Passover, respectively, while Christians may be observing Easter. This year, Ramadan will begin the evening of Sunday, May 5, and end the evening of Tuesday, June 4. Jewish inmates will begin celebrating Passover the evening of Friday, April 19, and end the evening of Saturday, April 27. Easter is Sunday, April 21st.

Under the First Amendment of the Constitution and under Section 3 of the Federal Religious Land Use and Institutionalized Persons Act (RLUIPA), you must allow inmates to observe Ramadan and Passover, including providing adequate meals and meal timing for inmates. Similarly, the Virginia Constitution and Virginia state law prohibit any government entity from "substantially burden[ing] a person's free exercise of religion even if the burden results from a rule of general applicability." Va. Code § 57-2.02.

Under RLUIPA, an institution may not impose a substantial burden on an inmate's "observance of Ramadan, the Islamic holy month of fasting and prayer" without a compelling government interest. *Lovelace v. Shinault*, 472 F.3d 174, 185-87 (4th Cir. 2006). Thus, courts have found a failure to accommodate the meal requirements during Ramadan can violate the Free Exercise Clause of the First Amendment. *See, e.g., Norwood v. Strada*, 249 Fed. Appx. 269, 2007 U.S. App. LEXIS 23062 (3d Cir. Pa. 2007) (citing *Makin v. Colo. Dep't of Corr.*, 183 F.3d 1205, 1211 (10th Cir. 1999)). In *Lovelace*, the Fourth Circuit Court of Appeals held that that an inmate had a cause of action under RLUIPA when he was excluded from special pre-dawn and post-sunset Ramadan meals, and, therefore, was not able to fast during the daylight hours and could "not fulfill one of the five pillars or obligations of Islam."



Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org



AMERICAN CIVIL LIBERTIES UNION
FOUNDATION

Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org

The tenets of Islam require fasting from sunrise to sunset for thirty days, but do not limit food consumption between sunset and dawn. Facility supervisors should provide inmates in their custody with a morning meal that is served and eaten before dawn. After sunset, inmates should be provided with an evening meal and a bag meal that can be taken back to their cell or living area for consumption later in the evening.

Relatedly, the tenets of Judaism require observers to follow specific dietary rules related to their food consumption. Jewish tradition requires adherence to Passover kosher rules, which include to refrain from eating certain meats, to ensure meats and dairy are not prepared or eaten in combination, and to avoid leavened bread. Observers may also be required to fast.

We ask that you comply with the law and ensure that inmates in your care receive the appropriate accommodations required for their observance of Ramadan and Passover this year.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Claire G. Gastañaga".

Claire G. Gastañaga
Executive Director

April 17, 2019

MCV Security Ward
Medical College of Virginia - MCV
401 N. 12th Street
Richmond, VA 23219

Dear MCV Security Ward:

The American Civil Liberties Union (ACLU) of Virginia is a non-profit organization that promotes civil liberties and civil rights for everyone in the Commonwealth through public education, litigation, and advocacy with the goal of securing freedom and equality for all. Today, we are writing to you and other supervisors of our state's prisons and jails to remind each facility manager of their legal obligation to accommodate inmates' religious traditions, including accommodation of dietary restrictions which are an important part of some religious observances. This is the season where Muslim and Jewish prisoners may be observing the upcoming holidays of Ramadan and Passover, respectively, while Christians may be observing Easter. This year, Ramadan will begin the evening of Sunday, May 5, and end the evening of Tuesday, June 4. Jewish inmates will begin celebrating Passover the evening of Friday, April 19, and end the evening of Saturday, April 27. Easter is Sunday, April 21st.

Under the First Amendment of the Constitution and under Section 3 of the Federal Religious Land Use and Institutionalized Persons Act (RLUIPA), you must allow inmates to observe Ramadan and Passover, including providing adequate meals and meal timing for inmates. Similarly, the Virginia Constitution and Virginia state law prohibit any government entity from "substantially burden[ing] a person's free exercise of religion even if the burden results from a rule of general applicability." Va. Code § 57-2.02.

Under RLUIPA, an institution may not impose a substantial burden on an inmate's "observance of Ramadan, the Islamic holy month of fasting and prayer" without a compelling government interest. *Lovelace v. Shinault*, 472 F.3d 174, 185-87 (4th Cir. 2006). Thus, courts have found a failure to accommodate the meal requirements during Ramadan can violate the Free Exercise Clause of the First Amendment. *See, e.g., Norwood v. Strada*, 249 Fed. Appx. 269, 2007 U.S. App. LEXIS 23062 (3d Cir. Pa. 2007) (citing *Makin v. Colo. Dep't of Corr.*, 183 F.3d 1205, 1211 (10th Cir. 1999)). In *Lovelace*, the Fourth Circuit Court of Appeals held that that an inmate had a cause of action under RLUIPA when he was excluded from special pre-dawn and post-sunset Ramadan meals, and, therefore, was not able to fast during the daylight hours and could "not fulfill one of the five pillars or obligations of Islam."



Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org



AMERICAN CIVIL LIBERTIES UNION
FOUNDATION

Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org

The tenets of Islam require fasting from sunrise to sunset for thirty days, but do not limit food consumption between sunset and dawn. Facility supervisors should provide inmates in their custody with a morning meal that is served and eaten before dawn. After sunset, inmates should be provided with an evening meal and a bag meal that can be taken back to their cell or living area for consumption later in the evening.

Relatedly, the tenets of Judaism require observers to follow specific dietary rules related to their food consumption. Jewish tradition requires adherence to Passover kosher rules, which include to refrain from eating certain meats, to ensure meats and dairy are not prepared or eaten in combination, and to avoid leavened bread. Observers may also be required to fast.

We ask that you comply with the law and ensure that inmates in your care receive the appropriate accommodations required for their observance of Ramadan and Passover this year.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Claire G. Gastañaga". The signature is fluid and cursive, with the first name "Claire" being the most prominent.

Claire G. Gastañaga
Executive Director

April 17, 2019

Warden David Call
Nottoway Correctional Center
2892 Schutt Road
P. O. Box 488
Burkeville, VA 23922

Dear Warden Call:

The American Civil Liberties Union (ACLU) of Virginia is a non-profit organization that promotes civil liberties and civil rights for everyone in the Commonwealth through public education, litigation, and advocacy with the goal of securing freedom and equality for all. Today, we are writing to you and other supervisors of our state's prisons and jails to remind each facility manager of their legal obligation to accommodate inmates' religious traditions, including accommodation of dietary restrictions which are an important part of some religious observances. This is the season where Muslim and Jewish prisoners may be observing the upcoming holidays of Ramadan and Passover, respectively, while Christians may be observing Easter. This year, Ramadan will begin the evening of Sunday, May 5, and end the evening of Tuesday, June 4. Jewish inmates will begin celebrating Passover the evening of Friday, April 19, and end the evening of Saturday, April 27. Easter is Sunday, April 21st.

Under the First Amendment of the Constitution and under Section 3 of the Federal Religious Land Use and Institutionalized Persons Act (RLUIPA), you must allow inmates to observe Ramadan and Passover, including providing adequate meals and meal timing for inmates. Similarly, the Virginia Constitution and Virginia state law prohibit any government entity from "substantially burden[ing] a person's free exercise of religion even if the burden results from a rule of general applicability." Va. Code § 57-2.02.

Under RLUIPA, an institution may not impose a substantial burden on an inmate's "observance of Ramadan, the Islamic holy month of fasting and prayer" without a compelling government interest. *Lovelace v. Shinault*, 472 F.3d 174, 185-87 (4th Cir. 2006). Thus, courts have found a failure to accommodate the meal requirements during Ramadan can violate the Free Exercise Clause of the First Amendment. *See, e.g., Norwood v. Strada*, 249 Fed. Appx. 269, 2007 U.S. App. LEXIS 23062 (3d Cir. Pa. 2007) (citing *Makin v. Colo. Dep't of Corr.*, 183 F.3d 1205, 1211 (10th Cir. 1999)). In *Lovelace*, the Fourth Circuit Court of Appeals held that that an inmate had a cause of action under RLUIPA when he was excluded from special pre-dawn and post-sunset Ramadan meals, and, therefore, was not able to fast during the daylight hours and could "not fulfill one of the five pillars or obligations of Islam."



Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org



AMERICAN CIVIL LIBERTIES UNION
FOUNDATION

Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org

The tenets of Islam require fasting from sunrise to sunset for thirty days, but do not limit food consumption between sunset and dawn. Facility supervisors should provide inmates in their custody with a morning meal that is served and eaten before dawn. After sunset, inmates should be provided with an evening meal and a bag meal that can be taken back to their cell or living area for consumption later in the evening.

Relatedly, the tenets of Judaism require observers to follow specific dietary rules related to their food consumption. Jewish tradition requires adherence to Passover kosher rules, which include to refrain from eating certain meats, to ensure meats and dairy are not prepared or eaten in combination, and to avoid leavened bread. Observers may also be required to fast.

We ask that you comply with the law and ensure that inmates in your care receive the appropriate accommodations required for their observance of Ramadan and Passover this year.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Claire G. Gastañaga".

Claire G. Gastañaga
Executive Director

April 17, 2019

Superintendent Garette Williams
Patrick Henry Correctional Unit #28
18155 A. L. Philpott Highway
P. O. Box 1090
Ridgeway, VA 24148

Dear Superintendent Williams:

The American Civil Liberties Union (ACLU) of Virginia is a non-profit organization that promotes civil liberties and civil rights for everyone in the Commonwealth through public education, litigation, and advocacy with the goal of securing freedom and equality for all. Today, we are writing to you and other supervisors of our state's prisons and jails to remind each facility manager of their legal obligation to accommodate inmates' religious traditions, including accommodation of dietary restrictions which are an important part of some religious observances. This is the season where Muslim and Jewish prisoners may be observing the upcoming holidays of Ramadan and Passover, respectively, while Christians may be observing Easter. This year, Ramadan will begin the evening of Sunday, May 5, and end the evening of Tuesday, June 4. Jewish inmates will begin celebrating Passover the evening of Friday, April 19, and end the evening of Saturday, April 27. Easter is Sunday, April 21st.

Under the First Amendment of the Constitution and under Section 3 of the Federal Religious Land Use and Institutionalized Persons Act (RLUIPA), you must allow inmates to observe Ramadan and Passover, including providing adequate meals and meal timing for inmates. Similarly, the Virginia Constitution and Virginia state law prohibit any government entity from "substantially burden[ing] a person's free exercise of religion even if the burden results from a rule of general applicability." Va. Code § 57-2.02.

Under RLUIPA, an institution may not impose a substantial burden on an inmate's "observance of Ramadan, the Islamic holy month of fasting and prayer" without a compelling government interest. *Lovelace v. Shinault*, 472 F.3d 174, 185-87 (4th Cir. 2006). Thus, courts have found a failure to accommodate the meal requirements during Ramadan can violate the Free Exercise Clause of the First Amendment. *See, e.g., Norwood v. Strada*, 249 Fed. Appx. 269, 2007 U.S. App. LEXIS 23062 (3d Cir. Pa. 2007) (citing *Makin v. Colo. Dep't of Corr.*, 183 F.3d 1205, 1211 (10th Cir. 1999)). In *Lovelace*, the Fourth Circuit Court of Appeals held that that an inmate had a cause of action under RLUIPA when he was excluded from special pre-dawn and post-sunset Ramadan meals, and, therefore, was not able to fast during the daylight hours and could "not fulfill one of the five pillars or obligations of Islam."



Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org



AMERICAN CIVIL LIBERTIES UNION
FOUNDATION

Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org

The tenets of Islam require fasting from sunrise to sunset for thirty days, but do not limit food consumption between sunset and dawn. Facility supervisors should provide inmates in their custody with a morning meal that is served and eaten before dawn. After sunset, inmates should be provided with an evening meal and a bag meal that can be taken back to their cell or living area for consumption later in the evening.

Relatedly, the tenets of Judaism require observers to follow specific dietary rules related to their food consumption. Jewish tradition requires adherence to Passover kosher rules, which include to refrain from eating certain meats, to ensure meats and dairy are not prepared or eaten in combination, and to avoid leavened bread. Observers may also be required to fast.

We ask that you comply with the law and ensure that inmates in your care receive the appropriate accommodations required for their observance of Ramadan and Passover this year.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, which appears to read "Claire G. Gastañaga". The signature is fluid and cursive.

Claire G. Gastañaga
Executive Director

April 17, 2019

Warden Stan Young
Pocahontas State Correctional Center
317 Old Mountain Road
P.O. Box 518
Pocahontas, VA 24635-0518

Dear Warden Young:

The American Civil Liberties Union (ACLU) of Virginia is a non-profit organization that promotes civil liberties and civil rights for everyone in the Commonwealth through public education, litigation, and advocacy with the goal of securing freedom and equality for all. Today, we are writing to you and other supervisors of our state's prisons and jails to remind each facility manager of their legal obligation to accommodate inmates' religious traditions, including accommodation of dietary restrictions which are an important part of some religious observances. This is the season where Muslim and Jewish prisoners may be observing the upcoming holidays of Ramadan and Passover, respectively, while Christians may be observing Easter. This year, Ramadan will begin the evening of Sunday, May 5, and end the evening of Tuesday, June 4. Jewish inmates will begin celebrating Passover the evening of Friday, April 19, and end the evening of Saturday, April 27. Easter is Sunday, April 21st.

Under the First Amendment of the Constitution and under Section 3 of the Federal Religious Land Use and Institutionalized Persons Act (RLUIPA), you must allow inmates to observe Ramadan and Passover, including providing adequate meals and meal timing for inmates. Similarly, the Virginia Constitution and Virginia state law prohibit any government entity from "substantially burden[ing] a person's free exercise of religion even if the burden results from a rule of general applicability." Va. Code § 57-2.02.

Under RLUIPA, an institution may not impose a substantial burden on an inmate's "observance of Ramadan, the Islamic holy month of fasting and prayer" without a compelling government interest. *Lovelace v. Shinault*, 472 F.3d 174, 185-87 (4th Cir. 2006). Thus, courts have found a failure to accommodate the meal requirements during Ramadan can violate the Free Exercise Clause of the First Amendment. *See, e.g., Norwood v. Strada*, 249 Fed. Appx. 269, 2007 U.S. App. LEXIS 23062 (3d Cir. Pa. 2007) (citing *Makin v. Colo. Dep't of Corr.*, 183 F.3d 1205, 1211 (10th Cir. 1999)). In *Lovelace*, the Fourth Circuit Court of Appeals held that that an inmate had a cause of action under RLUIPA when he was excluded from special pre-dawn and post-sunset Ramadan meals, and, therefore, was not able to fast during the daylight hours and could "not fulfill one of the five pillars or obligations of Islam."



Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org



AMERICAN CIVIL LIBERTIES UNION
FOUNDATION

Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org

The tenets of Islam require fasting from sunrise to sunset for thirty days, but do not limit food consumption between sunset and dawn. Facility supervisors should provide inmates in their custody with a morning meal that is served and eaten before dawn. After sunset, inmates should be provided with an evening meal and a bag meal that can be taken back to their cell or living area for consumption later in the evening.

Relatedly, the tenets of Judaism require observers to follow specific dietary rules related to their food consumption. Jewish tradition requires adherence to Passover kosher rules, which include to refrain from eating certain meats, to ensure meats and dairy are not prepared or eaten in combination, and to avoid leavened bread. Observers may also be required to fast.

We ask that you comply with the law and ensure that inmates in your care receive the appropriate accommodations required for their observance of Ramadan and Passover this year.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, which appears to read "Claire G. Gastañaga".

Claire G. Gastañaga
Executive Director

April 17, 2019

Chief Warden Jeffrey Kiser
Red Onion State Prison
10800 H. Jack Rose Highway
P. O. Box 970
Pound, VA 24279

Dear Chief Warden Kiser:

The American Civil Liberties Union (ACLU) of Virginia is a non-profit organization that promotes civil liberties and civil rights for everyone in the Commonwealth through public education, litigation, and advocacy with the goal of securing freedom and equality for all. Today, we are writing to you and other supervisors of our state's prisons and jails to remind each facility manager of their legal obligation to accommodate inmates' religious traditions, including accommodation of dietary restrictions which are an important part of some religious observances. This is the season where Muslim and Jewish prisoners may be observing the upcoming holidays of Ramadan and Passover, respectively, while Christians may be observing Easter. This year, Ramadan will begin the evening of Sunday, May 5, and end the evening of Tuesday, June 4. Jewish inmates will begin celebrating Passover the evening of Friday, April 19, and end the evening of Saturday, April 27. Easter is Sunday, April 21st.

Under the First Amendment of the Constitution and under Section 3 of the Federal Religious Land Use and Institutionalized Persons Act (RLUIPA), you must allow inmates to observe Ramadan and Passover, including providing adequate meals and meal timing for inmates. Similarly, the Virginia Constitution and Virginia state law prohibit any government entity from "substantially burden[ing] a person's free exercise of religion even if the burden results from a rule of general applicability." Va. Code § 57-2.02.

Under RLUIPA, an institution may not impose a substantial burden on an inmate's "observance of Ramadan, the Islamic holy month of fasting and prayer" without a compelling government interest. *Lovelace v. Shinault*, 472 F.3d 174, 185-87 (4th Cir. 2006). Thus, courts have found a failure to accommodate the meal requirements during Ramadan can violate the Free Exercise Clause of the First Amendment. *See, e.g., Norwood v. Strada*, 249 Fed. Appx. 269, 2007 U.S. App. LEXIS 23062 (3d Cir. Pa. 2007) (citing *Makin v. Colo. Dep't of Corr.*, 183 F.3d 1205, 1211 (10th Cir. 1999)). In *Lovelace*, the Fourth Circuit Court of Appeals held that that an inmate had a cause of action under RLUIPA when he was excluded from special pre-dawn and post-sunset Ramadan meals, and, therefore, was not able to fast during the daylight hours and could "not fulfill one of the five pillars or obligations of Islam."



Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org



AMERICAN CIVIL LIBERTIES UNION
FOUNDATION

Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org

The tenets of Islam require fasting from sunrise to sunset for thirty days, but do not limit food consumption between sunset and dawn. Facility supervisors should provide inmates in their custody with a morning meal that is served and eaten before dawn. After sunset, inmates should be provided with an evening meal and a bag meal that can be taken back to their cell or living area for consumption later in the evening.

Relatedly, the tenets of Judaism require observers to follow specific dietary rules related to their food consumption. Jewish tradition requires adherence to Passover kosher rules, which include to refrain from eating certain meats, to ensure meats and dairy are not prepared or eaten in combination, and to avoid leavened bread. Observers may also be required to fast.

We ask that you comply with the law and ensure that inmates in your care receive the appropriate accommodations required for their observance of Ramadan and Passover this year.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Claire G. Gastañaga". The signature is fluid and cursive, with the first name "Claire" being the most prominent.

Claire G. Gastañaga
Executive Director

April 17, 2019

Warden Barry Kanode
River North Correctional Center
329 Dell Brook Lane
Independence, VA 24348

Dear Warden Kanode:

The American Civil Liberties Union (ACLU) of Virginia is a non-profit organization that promotes civil liberties and civil rights for everyone in the Commonwealth through public education, litigation, and advocacy with the goal of securing freedom and equality for all. Today, we are writing to you and other supervisors of our state's prisons and jails to remind each facility manager of their legal obligation to accommodate inmates' religious traditions, including accommodation of dietary restrictions which are an important part of some religious observances. This is the season where Muslim and Jewish prisoners may be observing the upcoming holidays of Ramadan and Passover, respectively, while Christians may be observing Easter. This year, Ramadan will begin the evening of Sunday, May 5, and end the evening of Tuesday, June 4. Jewish inmates will begin celebrating Passover the evening of Friday, April 19, and end the evening of Saturday, April 27. Easter is Sunday, April 21st.

Under the First Amendment of the Constitution and under Section 3 of the Federal Religious Land Use and Institutionalized Persons Act (RLUIPA), you must allow inmates to observe Ramadan and Passover, including providing adequate meals and meal timing for inmates. Similarly, the Virginia Constitution and Virginia state law prohibit any government entity from "substantially burden[ing] a person's free exercise of religion even if the burden results from a rule of general applicability." Va. Code § 57-2.02.

Under RLUIPA, an institution may not impose a substantial burden on an inmate's "observance of Ramadan, the Islamic holy month of fasting and prayer" without a compelling government interest. *Lovelace v. Shinault*, 472 F.3d 174, 185-87 (4th Cir. 2006). Thus, courts have found a failure to accommodate the meal requirements during Ramadan can violate the Free Exercise Clause of the First Amendment. *See, e.g., Norwood v. Strada*, 249 Fed. Appx. 269, 2007 U.S. App. LEXIS 23062 (3d Cir. Pa. 2007) (citing *Makin v. Colo. Dep't of Corr.*, 183 F.3d 1205, 1211 (10th Cir. 1999)). In *Lovelace*, the Fourth Circuit Court of Appeals held that that an inmate had a cause of action under RLUIPA when he was excluded from special pre-dawn and post-sunset Ramadan meals, and, therefore, was not able to fast during the daylight hours and could "not fulfill one of the five pillars or obligations of Islam."



Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org



AMERICAN CIVIL LIBERTIES UNION
FOUNDATION

Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org

The tenets of Islam require fasting from sunrise to sunset for thirty days, but do not limit food consumption between sunset and dawn. Facility supervisors should provide inmates in their custody with a morning meal that is served and eaten before dawn. After sunset, inmates should be provided with an evening meal and a bag meal that can be taken back to their cell or living area for consumption later in the evening.

Relatedly, the tenets of Judaism require observers to follow specific dietary rules related to their food consumption. Jewish tradition requires adherence to Passover kosher rules, which include to refrain from eating certain meats, to ensure meats and dairy are not prepared or eaten in combination, and to avoid leavened bread. Observers may also be required to fast.

We ask that you comply with the law and ensure that inmates in your care receive the appropriate accommodations required for their observance of Ramadan and Passover this year.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Claire G. Gastañaga".

Claire G. Gastañaga
Executive Director

April 17, 2019

Superintendent Jerry Townsend
Rustburg Correctional Unit #9
479 Camp Nine Road
Rustburg, VA 24588

Dear Superintendent Townsend:

The American Civil Liberties Union (ACLU) of Virginia is a non-profit organization that promotes civil liberties and civil rights for everyone in the Commonwealth through public education, litigation, and advocacy with the goal of securing freedom and equality for all. Today, we are writing to you and other supervisors of our state's prisons and jails to remind each facility manager of their legal obligation to accommodate inmates' religious traditions, including accommodation of dietary restrictions which are an important part of some religious observances. This is the season where Muslim and Jewish prisoners may be observing the upcoming holidays of Ramadan and Passover, respectively, while Christians may be observing Easter. This year, Ramadan will begin the evening of Sunday, May 5, and end the evening of Tuesday, June 4. Jewish inmates will begin celebrating Passover the evening of Friday, April 19, and end the evening of Saturday, April 27. Easter is Sunday, April 21st.

Under the First Amendment of the Constitution and under Section 3 of the Federal Religious Land Use and Institutionalized Persons Act (RLUIPA), you must allow inmates to observe Ramadan and Passover, including providing adequate meals and meal timing for inmates. Similarly, the Virginia Constitution and Virginia state law prohibit any government entity from "substantially burden[ing] a person's free exercise of religion even if the burden results from a rule of general applicability." Va. Code § 57-2.02.

Under RLUIPA, an institution may not impose a substantial burden on an inmate's "observance of Ramadan, the Islamic holy month of fasting and prayer" without a compelling government interest. *Lovelace v. Shinault*, 472 F.3d 174, 185-87 (4th Cir. 2006). Thus, courts have found a failure to accommodate the meal requirements during Ramadan can violate the Free Exercise Clause of the First Amendment. *See, e.g., Norwood v. Strada*, 249 Fed. Appx. 269, 2007 U.S. App. LEXIS 23062 (3d Cir. Pa. 2007) (citing *Makin v. Colo. Dep't of Corr.*, 183 F.3d 1205, 1211 (10th Cir. 1999)). In *Lovelace*, the Fourth Circuit Court of Appeals held that that an inmate had a cause of action under RLUIPA when he was excluded from special pre-dawn and post-sunset Ramadan meals, and, therefore, was not able to fast during the daylight hours and could "not fulfill one of the five pillars or obligations of Islam."



Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org



AMERICAN CIVIL LIBERTIES UNION
FOUNDATION

Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org

The tenets of Islam require fasting from sunrise to sunset for thirty days, but do not limit food consumption between sunset and dawn. Facility supervisors should provide inmates in their custody with a morning meal that is served and eaten before dawn. After sunset, inmates should be provided with an evening meal and a bag meal that can be taken back to their cell or living area for consumption later in the evening.

Relatedly, the tenets of Judaism require observers to follow specific dietary rules related to their food consumption. Jewish tradition requires adherence to Passover kosher rules, which include to refrain from eating certain meats, to ensure meats and dairy are not prepared or eaten in combination, and to avoid leavened bread. Observers may also be required to fast.

We ask that you comply with the law and ensure that inmates in your care receive the appropriate accommodations required for their observance of Ramadan and Passover this year.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Claire G. Gastañaga".

Claire G. Gastañaga
Executive Director

April 17, 2019

Warden Dara Watson
St. Brides Correctional Center
701 Sanderson Road
P. O. Box 16482
Chesapeake, VA 23328-6482

Dear Warden Watson:

The American Civil Liberties Union (ACLU) of Virginia is a non-profit organization that promotes civil liberties and civil rights for everyone in the Commonwealth through public education, litigation, and advocacy with the goal of securing freedom and equality for all. Today, we are writing to you and other supervisors of our state's prisons and jails to remind each facility manager of their legal obligation to accommodate inmates' religious traditions, including accommodation of dietary restrictions which are an important part of some religious observances. This is the season where Muslim and Jewish prisoners may be observing the upcoming holidays of Ramadan and Passover, respectively, while Christians may be observing Easter. This year, Ramadan will begin the evening of Sunday, May 5, and end the evening of Tuesday, June 4. Jewish inmates will begin celebrating Passover the evening of Friday, April 19, and end the evening of Saturday, April 27. Easter is Sunday, April 21st.

Under the First Amendment of the Constitution and under Section 3 of the Federal Religious Land Use and Institutionalized Persons Act (RLUIPA), you must allow inmates to observe Ramadan and Passover, including providing adequate meals and meal timing for inmates. Similarly, the Virginia Constitution and Virginia state law prohibit any government entity from "substantially burden[ing] a person's free exercise of religion even if the burden results from a rule of general applicability." Va. Code § 57-2.02.

Under RLUIPA, an institution may not impose a substantial burden on an inmate's "observance of Ramadan, the Islamic holy month of fasting and prayer" without a compelling government interest. *Lovelace v. Shinault*, 472 F.3d 174, 185-87 (4th Cir. 2006). Thus, courts have found a failure to accommodate the meal requirements during Ramadan can violate the Free Exercise Clause of the First Amendment. *See, e.g., Norwood v. Strada*, 249 Fed. Appx. 269, 2007 U.S. App. LEXIS 23062 (3d Cir. Pa. 2007) (citing *Makin v. Colo. Dep't of Corr.*, 183 F.3d 1205, 1211 (10th Cir. 1999)). In *Lovelace*, the Fourth Circuit Court of Appeals held that that an inmate had a cause of action under RLUIPA when he was excluded from special pre-dawn and post-sunset Ramadan meals, and, therefore, was not able to fast during the daylight hours and could "not fulfill one of the five pillars or obligations of Islam."



Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org



AMERICAN CIVIL LIBERTIES UNION
FOUNDATION

Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org

The tenets of Islam require fasting from sunrise to sunset for thirty days, but do not limit food consumption between sunset and dawn. Facility supervisors should provide inmates in their custody with a morning meal that is served and eaten before dawn. After sunset, inmates should be provided with an evening meal and a bag meal that can be taken back to their cell or living area for consumption later in the evening.

Relatedly, the tenets of Judaism require observers to follow specific dietary rules related to their food consumption. Jewish tradition requires adherence to Passover kosher rules, which include to refrain from eating certain meats, to ensure meats and dairy are not prepared or eaten in combination, and to avoid leavened bread. Observers may also be required to fast.

We ask that you comply with the law and ensure that inmates in your care receive the appropriate accommodations required for their observance of Ramadan and Passover this year.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, which appears to read "Claire G. Gastañaga". The signature is fluid and cursive.

Claire G. Gastañaga
Executive Director

April 17, 2019

Warden Thomas Meyer
State Farm Correctional Center
3500 Woods Way
State Farm, VA 23160

Dear Warden Meyer:

The American Civil Liberties Union (ACLU) of Virginia is a non-profit organization that promotes civil liberties and civil rights for everyone in the Commonwealth through public education, litigation, and advocacy with the goal of securing freedom and equality for all. Today, we are writing to you and other supervisors of our state's prisons and jails to remind each facility manager of their legal obligation to accommodate inmates' religious traditions, including accommodation of dietary restrictions which are an important part of some religious observances. This is the season where Muslim and Jewish prisoners may be observing the upcoming holidays of Ramadan and Passover, respectively, while Christians may be observing Easter. This year, Ramadan will begin the evening of Sunday, May 5, and end the evening of Tuesday, June 4. Jewish inmates will begin celebrating Passover the evening of Friday, April 19, and end the evening of Saturday, April 27. Easter is Sunday, April 21st.

Under the First Amendment of the Constitution and under Section 3 of the Federal Religious Land Use and Institutionalized Persons Act (RLUIPA), you must allow inmates to observe Ramadan and Passover, including providing adequate meals and meal timing for inmates. Similarly, the Virginia Constitution and Virginia state law prohibit any government entity from "substantially burden[ing] a person's free exercise of religion even if the burden results from a rule of general applicability." Va. Code § 57-2.02.

Under RLUIPA, an institution may not impose a substantial burden on an inmate's "observance of Ramadan, the Islamic holy month of fasting and prayer" without a compelling government interest. *Lovelace v. Shinault*, 472 F.3d 174, 185-87 (4th Cir. 2006). Thus, courts have found a failure to accommodate the meal requirements during Ramadan can violate the Free Exercise Clause of the First Amendment. *See, e.g., Norwood v. Strada*, 249 Fed. Appx. 269, 2007 U.S. App. LEXIS 23062 (3d Cir. Pa. 2007) (citing *Makin v. Colo. Dep't of Corr.*, 183 F.3d 1205, 1211 (10th Cir. 1999)). In *Lovelace*, the Fourth Circuit Court of Appeals held that that an inmate had a cause of action under RLUIPA when he was excluded from special pre-dawn and post-sunset Ramadan meals, and, therefore, was not able to fast during the daylight hours and could "not fulfill one of the five pillars or obligations of Islam."



Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org



AMERICAN CIVIL LIBERTIES UNION
FOUNDATION

Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org

The tenets of Islam require fasting from sunrise to sunset for thirty days, but do not limit food consumption between sunset and dawn. Facility supervisors should provide inmates in their custody with a morning meal that is served and eaten before dawn. After sunset, inmates should be provided with an evening meal and a bag meal that can be taken back to their cell or living area for consumption later in the evening.

Relatedly, the tenets of Judaism require observers to follow specific dietary rules related to their food consumption. Jewish tradition requires adherence to Passover kosher rules, which include to refrain from eating certain meats, to ensure meats and dairy are not prepared or eaten in combination, and to avoid leavened bread. Observers may also be required to fast.

We ask that you comply with the law and ensure that inmates in your care receive the appropriate accommodations required for their observance of Ramadan and Passover this year.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Claire G. Gastañaga".

Claire G. Gastañaga
Executive Director

April 17, 2019

Warden Thomas Meyer
State Farm Enterprise Unit
3600 Woods Way
State Farm, VA 23160

Dear Warden Meyer:

The American Civil Liberties Union (ACLU) of Virginia is a non-profit organization that promotes civil liberties and civil rights for everyone in the Commonwealth through public education, litigation, and advocacy with the goal of securing freedom and equality for all. Today, we are writing to you and other supervisors of our state's prisons and jails to remind each facility manager of their legal obligation to accommodate inmates' religious traditions, including accommodation of dietary restrictions which are an important part of some religious observances. This is the season where Muslim and Jewish prisoners may be observing the upcoming holidays of Ramadan and Passover, respectively, while Christians may be observing Easter. This year, Ramadan will begin the evening of Sunday, May 5, and end the evening of Tuesday, June 4. Jewish inmates will begin celebrating Passover the evening of Friday, April 19, and end the evening of Saturday, April 27. Easter is Sunday, April 21st.

Under the First Amendment of the Constitution and under Section 3 of the Federal Religious Land Use and Institutionalized Persons Act (RLUIPA), you must allow inmates to observe Ramadan and Passover, including providing adequate meals and meal timing for inmates. Similarly, the Virginia Constitution and Virginia state law prohibit any government entity from "substantially burden[ing] a person's free exercise of religion even if the burden results from a rule of general applicability." Va. Code § 57-2.02.

Under RLUIPA, an institution may not impose a substantial burden on an inmate's "observance of Ramadan, the Islamic holy month of fasting and prayer" without a compelling government interest. *Lovelace v. Shinault*, 472 F.3d 174, 185-87 (4th Cir. 2006). Thus, courts have found a failure to accommodate the meal requirements during Ramadan can violate the Free Exercise Clause of the First Amendment. *See, e.g., Norwood v. Strada*, 249 Fed. Appx. 269, 2007 U.S. App. LEXIS 23062 (3d Cir. Pa. 2007) (citing *Makin v. Colo. Dep't of Corr.*, 183 F.3d 1205, 1211 (10th Cir. 1999)). In *Lovelace*, the Fourth Circuit Court of Appeals held that that an inmate had a cause of action under RLUIPA when he was excluded from special pre-dawn and post-sunset Ramadan meals, and, therefore, was not able to fast during the daylight hours and could "not fulfill one of the five pillars or obligations of Islam."



Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org



AMERICAN CIVIL LIBERTIES UNION
FOUNDATION

Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org

The tenets of Islam require fasting from sunrise to sunset for thirty days, but do not limit food consumption between sunset and dawn. Facility supervisors should provide inmates in their custody with a morning meal that is served and eaten before dawn. After sunset, inmates should be provided with an evening meal and a bag meal that can be taken back to their cell or living area for consumption later in the evening.

Relatedly, the tenets of Judaism require observers to follow specific dietary rules related to their food consumption. Jewish tradition requires adherence to Passover kosher rules, which include to refrain from eating certain meats, to ensure meats and dairy are not prepared or eaten in combination, and to avoid leavened bread. Observers may also be required to fast.

We ask that you comply with the law and ensure that inmates in your care receive the appropriate accommodations required for their observance of Ramadan and Passover this year.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, which appears to read "Claire G. Gastañaga". The signature is fluid and cursive.

Claire G. Gastañaga
Executive Director

April 17, 2019

Warden Thomas Meyer
State Farm Work Center
1954 State Farm Road
State Farm, VA 23160

Dear Warden Meyer:

The American Civil Liberties Union (ACLU) of Virginia is a non-profit organization that promotes civil liberties and civil rights for everyone in the Commonwealth through public education, litigation, and advocacy with the goal of securing freedom and equality for all. Today, we are writing to you and other supervisors of our state's prisons and jails to remind each facility manager of their legal obligation to accommodate inmates' religious traditions, including accommodation of dietary restrictions which are an important part of some religious observances. This is the season where Muslim and Jewish prisoners may be observing the upcoming holidays of Ramadan and Passover, respectively, while Christians may be observing Easter. This year, Ramadan will begin the evening of Sunday, May 5, and end the evening of Tuesday, June 4. Jewish inmates will begin celebrating Passover the evening of Friday, April 19, and end the evening of Saturday, April 27. Easter is Sunday, April 21st.

Under the First Amendment of the Constitution and under Section 3 of the Federal Religious Land Use and Institutionalized Persons Act (RLUIPA), you must allow inmates to observe Ramadan and Passover, including providing adequate meals and meal timing for inmates. Similarly, the Virginia Constitution and Virginia state law prohibit any government entity from "substantially burden[ing] a person's free exercise of religion even if the burden results from a rule of general applicability." Va. Code § 57-2.02.

Under RLUIPA, an institution may not impose a substantial burden on an inmate's "observance of Ramadan, the Islamic holy month of fasting and prayer" without a compelling government interest. *Lovelace v. Shinault*, 472 F.3d 174, 185-87 (4th Cir. 2006). Thus, courts have found a failure to accommodate the meal requirements during Ramadan can violate the Free Exercise Clause of the First Amendment. *See, e.g., Norwood v. Strada*, 249 Fed. Appx. 269, 2007 U.S. App. LEXIS 23062 (3d Cir. Pa. 2007) (citing *Makin v. Colo. Dep't of Corr.*, 183 F.3d 1205, 1211 (10th Cir. 1999)). In *Lovelace*, the Fourth Circuit Court of Appeals held that that an inmate had a cause of action under RLUIPA when he was excluded from special pre-dawn and post-sunset Ramadan meals, and, therefore, was not able to fast during the daylight hours and could "not fulfill one of the five pillars or obligations of Islam."

ACLU

AMERICAN CIVIL LIBERTIES UNION
FOUNDATION

Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org



AMERICAN CIVIL LIBERTIES UNION
FOUNDATION

Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org

The tenets of Islam require fasting from sunrise to sunset for thirty days, but do not limit food consumption between sunset and dawn. Facility supervisors should provide inmates in their custody with a morning meal that is served and eaten before dawn. After sunset, inmates should be provided with an evening meal and a bag meal that can be taken back to their cell or living area for consumption later in the evening.

Relatedly, the tenets of Judaism require observers to follow specific dietary rules related to their food consumption. Jewish tradition requires adherence to Passover kosher rules, which include to refrain from eating certain meats, to ensure meats and dairy are not prepared or eaten in combination, and to avoid leavened bread. Observers may also be required to fast.

We ask that you comply with the law and ensure that inmates in your care receive the appropriate accommodations required for their observance of Ramadan and Passover this year.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, which appears to read "Claire G. Gastañaga". The signature is fluid and cursive.

Claire G. Gastañaga
Executive Director

April 17, 2019

Warden Israel Hamilton
Sussex I State Prison
24414 Musselwhite Drive
Waverly, VA 23891-1111

Dear Warden Hamilton:

The American Civil Liberties Union (ACLU) of Virginia is a non-profit organization that promotes civil liberties and civil rights for everyone in the Commonwealth through public education, litigation, and advocacy with the goal of securing freedom and equality for all. Today, we are writing to you and other supervisors of our state's prisons and jails to remind each facility manager of their legal obligation to accommodate inmates' religious traditions, including accommodation of dietary restrictions which are an important part of some religious observances. This is the season where Muslim and Jewish prisoners may be observing the upcoming holidays of Ramadan and Passover, respectively, while Christians may be observing Easter. This year, Ramadan will begin the evening of Sunday, May 5, and end the evening of Tuesday, June 4. Jewish inmates will begin celebrating Passover the evening of Friday, April 19, and end the evening of Saturday, April 27. Easter is Sunday, April 21st.

Under the First Amendment of the Constitution and under Section 3 of the Federal Religious Land Use and Institutionalized Persons Act (RLUIPA), you must allow inmates to observe Ramadan and Passover, including providing adequate meals and meal timing for inmates. Similarly, the Virginia Constitution and Virginia state law prohibit any government entity from "substantially burden[ing] a person's free exercise of religion even if the burden results from a rule of general applicability." Va. Code § 57-2.02.

Under RLUIPA, an institution may not impose a substantial burden on an inmate's "observance of Ramadan, the Islamic holy month of fasting and prayer" without a compelling government interest. *Lovelace v. Shinault*, 472 F.3d 174, 185-87 (4th Cir. 2006). Thus, courts have found a failure to accommodate the meal requirements during Ramadan can violate the Free Exercise Clause of the First Amendment. *See, e.g., Norwood v. Strada*, 249 Fed. Appx. 269, 2007 U.S. App. LEXIS 23062 (3d Cir. Pa. 2007) (citing *Makin v. Colo. Dep't of Corr.*, 183 F.3d 1205, 1211 (10th Cir. 1999)). In *Lovelace*, the Fourth Circuit Court of Appeals held that that an inmate had a cause of action under RLUIPA when he was excluded from special pre-dawn and post-sunset Ramadan meals, and, therefore, was not able to fast during the daylight hours and could "not fulfill one of the five pillars or obligations of Islam."



Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org



AMERICAN CIVIL LIBERTIES UNION
FOUNDATION

Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org

The tenets of Islam require fasting from sunrise to sunset for thirty days, but do not limit food consumption between sunset and dawn. Facility supervisors should provide inmates in their custody with a morning meal that is served and eaten before dawn. After sunset, inmates should be provided with an evening meal and a bag meal that can be taken back to their cell or living area for consumption later in the evening.

Relatedly, the tenets of Judaism require observers to follow specific dietary rules related to their food consumption. Jewish tradition requires adherence to Passover kosher rules, which include to refrain from eating certain meats, to ensure meats and dairy are not prepared or eaten in combination, and to avoid leavened bread. Observers may also be required to fast.

We ask that you comply with the law and ensure that inmates in your care receive the appropriate accommodations required for their observance of Ramadan and Passover this year.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Claire G. Gastañaga". The signature is fluid and cursive, with a large initial "C" and "G".

Claire G. Gastañaga
Executive Director

April 17, 2019

Warden Beth Cabell
Sussex II State Prison
24427 Musselwhite Drive
Waverly, VA 23891-2222

Dear Warden Cabell:

The American Civil Liberties Union (ACLU) of Virginia is a non-profit organization that promotes civil liberties and civil rights for everyone in the Commonwealth through public education, litigation, and advocacy with the goal of securing freedom and equality for all. Today, we are writing to you and other supervisors of our state's prisons and jails to remind each facility manager of their legal obligation to accommodate inmates' religious traditions, including accommodation of dietary restrictions which are an important part of some religious observances. This is the season where Muslim and Jewish prisoners may be observing the upcoming holidays of Ramadan and Passover, respectively, while Christians may be observing Easter. This year, Ramadan will begin the evening of Sunday, May 5, and end the evening of Tuesday, June 4. Jewish inmates will begin celebrating Passover the evening of Friday, April 19, and end the evening of Saturday, April 27. Easter is Sunday, April 21st.

Under the First Amendment of the Constitution and under Section 3 of the Federal Religious Land Use and Institutionalized Persons Act (RLUIPA), you must allow inmates to observe Ramadan and Passover, including providing adequate meals and meal timing for inmates. Similarly, the Virginia Constitution and Virginia state law prohibit any government entity from "substantially burden[ing] a person's free exercise of religion even if the burden results from a rule of general applicability." Va. Code § 57-2.02.

Under RLUIPA, an institution may not impose a substantial burden on an inmate's "observance of Ramadan, the Islamic holy month of fasting and prayer" without a compelling government interest. *Lovelace v. Shinault*, 472 F.3d 174, 185-87 (4th Cir. 2006). Thus, courts have found a failure to accommodate the meal requirements during Ramadan can violate the Free Exercise Clause of the First Amendment. *See, e.g., Norwood v. Strada*, 249 Fed. Appx. 269, 2007 U.S. App. LEXIS 23062 (3d Cir. Pa. 2007) (citing *Makin v. Colo. Dep't of Corr.*, 183 F.3d 1205, 1211 (10th Cir. 1999)). In *Lovelace*, the Fourth Circuit Court of Appeals held that that an inmate had a cause of action under RLUIPA when he was excluded from special pre-dawn and post-sunset Ramadan meals, and, therefore, was not able to fast during the daylight hours and could "not fulfill one of the five pillars or obligations of Islam."



Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org



AMERICAN CIVIL LIBERTIES UNION
FOUNDATION

Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org

The tenets of Islam require fasting from sunrise to sunset for thirty days, but do not limit food consumption between sunset and dawn. Facility supervisors should provide inmates in their custody with a morning meal that is served and eaten before dawn. After sunset, inmates should be provided with an evening meal and a bag meal that can be taken back to their cell or living area for consumption later in the evening.

Relatedly, the tenets of Judaism require observers to follow specific dietary rules related to their food consumption. Jewish tradition requires adherence to Passover kosher rules, which include to refrain from eating certain meats, to ensure meats and dairy are not prepared or eaten in combination, and to avoid leavened bread. Observers may also be required to fast.

We ask that you comply with the law and ensure that inmates in your care receive the appropriate accommodations required for their observance of Ramadan and Passover this year.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Claire G. Gastañaga".

Claire G. Gastañaga
Executive Director

April 17, 2019

Warden Donald Wilmouth
Virginia Correctional Center for Women
2841 River Road
P. O. Box 1
Goochland, VA 23063

Dear Warden Wilmouth:

The American Civil Liberties Union (ACLU) of Virginia is a non-profit organization that promotes civil liberties and civil rights for everyone in the Commonwealth through public education, litigation, and advocacy with the goal of securing freedom and equality for all. Today, we are writing to you and other supervisors of our state's prisons and jails to remind each facility manager of their legal obligation to accommodate inmates' religious traditions, including accommodation of dietary restrictions which are an important part of some religious observances. This is the season where Muslim and Jewish prisoners may be observing the upcoming holidays of Ramadan and Passover, respectively, while Christians may be observing Easter. This year, Ramadan will begin the evening of Sunday, May 5, and end the evening of Tuesday, June 4. Jewish inmates will begin celebrating Passover the evening of Friday, April 19, and end the evening of Saturday, April 27. Easter is Sunday, April 21st.

Under the First Amendment of the Constitution and under Section 3 of the Federal Religious Land Use and Institutionalized Persons Act (RLUIPA), you must allow inmates to observe Ramadan and Passover, including providing adequate meals and meal timing for inmates. Similarly, the Virginia Constitution and Virginia state law prohibit any government entity from "substantially burden[ing] a person's free exercise of religion even if the burden results from a rule of general applicability." Va. Code § 57-2.02.

Under RLUIPA, an institution may not impose a substantial burden on an inmate's "observance of Ramadan, the Islamic holy month of fasting and prayer" without a compelling government interest. *Lovelace v. Shinault*, 472 F.3d 174, 185-87 (4th Cir. 2006). Thus, courts have found a failure to accommodate the meal requirements during Ramadan can violate the Free Exercise Clause of the First Amendment. *See, e.g., Norwood v. Strada*, 249 Fed. Appx. 269, 2007 U.S. App. LEXIS 23062 (3d Cir. Pa. 2007) (citing *Makin v. Colo. Dep't of Corr.*, 183 F.3d 1205, 1211 (10th Cir. 1999)). In *Lovelace*, the Fourth Circuit Court of Appeals held that that an inmate had a cause of action under RLUIPA when he was excluded from special pre-dawn and post-sunset Ramadan meals, and, therefore, was not able to fast during the daylight hours and could "not fulfill one of the five pillars or obligations of Islam."



Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org



AMERICAN CIVIL LIBERTIES UNION
FOUNDATION

Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org

The tenets of Islam require fasting from sunrise to sunset for thirty days, but do not limit food consumption between sunset and dawn. Facility supervisors should provide inmates in their custody with a morning meal that is served and eaten before dawn. After sunset, inmates should be provided with an evening meal and a bag meal that can be taken back to their cell or living area for consumption later in the evening.

Relatedly, the tenets of Judaism require observers to follow specific dietary rules related to their food consumption. Jewish tradition requires adherence to Passover kosher rules, which include to refrain from eating certain meats, to ensure meats and dairy are not prepared or eaten in combination, and to avoid leavened bread. Observers may also be required to fast.

We ask that you comply with the law and ensure that inmates in your care receive the appropriate accommodations required for their observance of Ramadan and Passover this year.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, which appears to read "Claire G. Gastañaga". The signature is fluid and cursive.

Claire G. Gastañaga
Executive Director

April 17, 2019

Warden Carl Manis
Wallens Ridge State Prison
272 Dogwood Drive
P. O. Box 759
Big Stone Gap, VA 24219

Dear Warden Manis:

The American Civil Liberties Union (ACLU) of Virginia is a non-profit organization that promotes civil liberties and civil rights for everyone in the Commonwealth through public education, litigation, and advocacy with the goal of securing freedom and equality for all. Today, we are writing to you and other supervisors of our state's prisons and jails to remind each facility manager of their legal obligation to accommodate inmates' religious traditions, including accommodation of dietary restrictions which are an important part of some religious observances. This is the season where Muslim and Jewish prisoners may be observing the upcoming holidays of Ramadan and Passover, respectively, while Christians may be observing Easter. This year, Ramadan will begin the evening of Sunday, May 5, and end the evening of Tuesday, June 4. Jewish inmates will begin celebrating Passover the evening of Friday, April 19, and end the evening of Saturday, April 27. Easter is Sunday, April 21st.

Under the First Amendment of the Constitution and under Section 3 of the Federal Religious Land Use and Institutionalized Persons Act (RLUIPA), you must allow inmates to observe Ramadan and Passover, including providing adequate meals and meal timing for inmates. Similarly, the Virginia Constitution and Virginia state law prohibit any government entity from "substantially burden[ing] a person's free exercise of religion even if the burden results from a rule of general applicability." Va. Code § 57-2.02.

Under RLUIPA, an institution may not impose a substantial burden on an inmate's "observance of Ramadan, the Islamic holy month of fasting and prayer" without a compelling government interest. *Lovelace v. Shinault*, 472 F.3d 174, 185-87 (4th Cir. 2006). Thus, courts have found a failure to accommodate the meal requirements during Ramadan can violate the Free Exercise Clause of the First Amendment. *See, e.g., Norwood v. Strada*, 249 Fed. Appx. 269, 2007 U.S. App. LEXIS 23062 (3d Cir. Pa. 2007) (citing *Makin v. Colo. Dep't of Corr.*, 183 F.3d 1205, 1211 (10th Cir. 1999)). In *Lovelace*, the Fourth Circuit Court of Appeals held that that an inmate had a cause of action under RLUIPA when he was excluded from special pre-dawn and post-sunset Ramadan meals, and, therefore, was not able to fast during the daylight hours and could "not fulfill one of the five pillars or obligations of Islam."



Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org



AMERICAN CIVIL LIBERTIES UNION
FOUNDATION

Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org

The tenets of Islam require fasting from sunrise to sunset for thirty days, but do not limit food consumption between sunset and dawn. Facility supervisors should provide inmates in their custody with a morning meal that is served and eaten before dawn. After sunset, inmates should be provided with an evening meal and a bag meal that can be taken back to their cell or living area for consumption later in the evening.

Relatedly, the tenets of Judaism require observers to follow specific dietary rules related to their food consumption. Jewish tradition requires adherence to Passover kosher rules, which include to refrain from eating certain meats, to ensure meats and dairy are not prepared or eaten in combination, and to avoid leavened bread. Observers may also be required to fast.

We ask that you comply with the law and ensure that inmates in your care receive the appropriate accommodations required for their observance of Ramadan and Passover this year.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Claire G. Gastañaga".

Claire G. Gastañaga
Executive Director

April 17, 2019

Superintendent Lafayette Fleming
Wise Correctional Unit
3602 Bear Lane
P. O. Box 1198
Coeburn, VA 24230

Dear Superintendent Fleming:

The American Civil Liberties Union (ACLU) of Virginia is a non-profit organization that promotes civil liberties and civil rights for everyone in the Commonwealth through public education, litigation, and advocacy with the goal of securing freedom and equality for all. Today, we are writing to you and other supervisors of our state's prisons and jails to remind each facility manager of their legal obligation to accommodate inmates' religious traditions, including accommodation of dietary restrictions which are an important part of some religious observances. This is the season where Muslim and Jewish prisoners may be observing the upcoming holidays of Ramadan and Passover, respectively, while Christians may be observing Easter. This year, Ramadan will begin the evening of Sunday, May 5, and end the evening of Tuesday, June 4. Jewish inmates will begin celebrating Passover the evening of Friday, April 19, and end the evening of Saturday, April 27. Easter is Sunday, April 21st.

Under the First Amendment of the Constitution and under Section 3 of the Federal Religious Land Use and Institutionalized Persons Act (RLUIPA), you must allow inmates to observe Ramadan and Passover, including providing adequate meals and meal timing for inmates. Similarly, the Virginia Constitution and Virginia state law prohibit any government entity from "substantially burden[ing] a person's free exercise of religion even if the burden results from a rule of general applicability." Va. Code § 57-2.02.

Under RLUIPA, an institution may not impose a substantial burden on an inmate's "observance of Ramadan, the Islamic holy month of fasting and prayer" without a compelling government interest. *Lovelace v. Shinault*, 472 F.3d 174, 185-87 (4th Cir. 2006). Thus, courts have found a failure to accommodate the meal requirements during Ramadan can violate the Free Exercise Clause of the First Amendment. *See, e.g., Norwood v. Strada*, 249 Fed. Appx. 269, 2007 U.S. App. LEXIS 23062 (3d Cir. Pa. 2007) (citing *Makin v. Colo. Dep't of Corr.*, 183 F.3d 1205, 1211 (10th Cir. 1999)). In *Lovelace*, the Fourth Circuit Court of Appeals held that that an inmate had a cause of action under RLUIPA when he was excluded from special pre-dawn and post-sunset Ramadan meals, and, therefore, was not able to fast during the daylight hours and could "not fulfill one of the five pillars or obligations of Islam."



Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org



AMERICAN CIVIL LIBERTIES UNION
FOUNDATION

Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org

The tenets of Islam require fasting from sunrise to sunset for thirty days, but do not limit food consumption between sunset and dawn. Facility supervisors should provide inmates in their custody with a morning meal that is served and eaten before dawn. After sunset, inmates should be provided with an evening meal and a bag meal that can be taken back to their cell or living area for consumption later in the evening.

Relatedly, the tenets of Judaism require observers to follow specific dietary rules related to their food consumption. Jewish tradition requires adherence to Passover kosher rules, which include to refrain from eating certain meats, to ensure meats and dairy are not prepared or eaten in combination, and to avoid leavened bread. Observers may also be required to fast.

We ask that you comply with the law and ensure that inmates in your care receive the appropriate accommodations required for their observance of Ramadan and Passover this year.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Claire G. Gastañaga". The signature is fluid and cursive, with the first name "Claire" being the most prominent.

Claire G. Gastañaga
Executive Director