

The Role of a Correctional Chaplain in a Litigious Era

By Stephen T. Hall

What is the role of the chaplain in a correctional setting? How does this differ from the role of religious volunteers? What education, skills and training should correctional chaplains have? Correctional institutions from their inception have offered a variety of religious services to incarcerated persons. Questions about who provides those services, what kind of services should be provided and what are the responsibilities of state and federal governments in this task have changed dramatically through the years. The First Amendment to the Constitution guarantees religious freedom to all, including the incarcerated, although some limitations may be imposed for safety and security reasons. Federal laws such as Religious Land Use and Institutionalized Persons Act (RLUIPA) place the responsibility on government institutions to provide religious services to the incarcerated. Chaplains are hired to monitor this process by advocating for the religious needs of all persons in their care, regardless of the religious beliefs of either the chaplain or the incarcerated.

The minimum qualifications for a chaplain as established by Indiana State Personnel Department (as well as a number of other states) include graduation from an accredited theological school with a Master of Divinity degree or completion of a graduate training program in Theology, Pastoral Ministry, Religious Studies, or Comparative Religions accredited by the Association of Theological Schools; ordination as a minister, priest, or rabbi, or commission to function in a ministry of pastoral care by an appropriate religious authority; current endorsement by the respective religious authority as a chaplain; satisfactory completion of one (1) unit of clinical pastoral education certified by the Association of Clinical Pastoral Education (ACPE) or by a professional organization accredited by the United States Catholic Chaplains (USCC), or satisfactory completion of a Supervised Counseling Practicum from an institution accredited by the American Association of Pastoral Counselors (AAPC).

Some question the need for such a high level of qualifications as those listed above. The question normally occurs in the context of a discussion about setting appropriate salaries. The minimum education and training requirements for correctional chaplains are higher than those required for almost any other position in the agency, including the agency head, yet the starting salary is the same as several positions that do not require any more than a high school diploma. Rather than increase the salaries to be more commensurate with the education level, many people move the argument in the opposite direction and ask about lowering the qualifications. This paper presents an argument for maintaining these standards, based upon the importance and complexity of the role of the correctional chaplain and the reasoning behind the minimum qualifications.

So why is there a need for a master of divinity degree, ordination, ecclesiastical endorsement and clinical pastoral education? The short answer is that these are the most common standards that have been set by many institutions over a history of many years for what is needed to be a professional clergy. This is the standard for the US Military Chaplaincy and it is the standard that most denominations require of pastors, as well as most hospital and prison chaplains. Some ask about dismantling the bundle of qualifications and eliminating or lowering some of them, but each is critical and together they are inter-related in a way that makes this impossible. The reason for the Master of Divinity is that it is the basic theological education and is a prerequisite in most denominations for ordination. Ordination or its equivalent is necessary in most faith groups to perform sacerdotal functions required for various rites of passage. Ecclesiastical endorsement is necessary to assure that those who apply are clergy in good standing with their faith group and have not been disciplined or terminated for ethical violations. Clinical pastoral education provides hands on, supervised training in ministry skills. More will be said about this training later.

While chaplaincy is clearly a form of ministry it involves distinctly different responsibilities and requires different education and skills than those needed by volunteers who bring faith-specific programs to inmates. The role of a staff chaplain in a correctional facility is to provide incarcerated persons with the opportunity to practice their religion in the least restrictive means possible to the extent that these practices do not compromise safety and security. There is a distinction between providing for religious services and performing religious services. Chaplains provide religious services by recruiting a wide variety of volunteers for all the diverse religions represented in the population. Chaplains perform religious services when they lead worship services and perform sacramental functions consistent with the faith group that has endorsed them for service as a chaplain. The majority of a chaplain's time is spent providing religious services by giving spiritual guidance and counsel to all persons in crisis, processing requests for accommodation of religious practices, such as religious-based personal preference diets, approving/denying religious property, etc.

The most effective chaplains are those with an extensive knowledge of diverse religious beliefs and practices as well as legislation related to religious practice. The preferred type of education regarding religious beliefs uses primary sources produced by religious groups themselves rather than books written by a member of one group about the beliefs of another group. The latter tend to be slanted in the direction of "What these people believe and why we think they are wrong." An effective chaplain is one who is knowledgeable about a wide variety of practices and is capable of suspending judgment long enough to be respectful and helpful of all without feeling the need to change them. Education about legal issues affecting religion is a continuous process because the courts are constantly interpreting the laws with new cases being brought to them.

Another characteristic of an effective chaplain is good clinical pastoral training. Most states, including Indiana, require at least one unit (400 clock hours) of Clinical Pastoral Education (CPE) from a facility accredited by the Association of Clinical Pastoral Educators (ACPE). CPE provides theological and professional education using the clinical method of learning in diverse contexts of ministry. The ACPE Standards (rev. 2005) list several outcomes/competencies for CPE that are relevant for the correctional environment: provide pastoral ministry to diverse people, taking into consideration multiple elements of cultural and ethnic differences, social conditions systems, and justice issues without imposing their own perspectives; demonstrate a range of pastoral skills, including listening, empathic reflection, conflict resolution/confrontation, crisis management, and appropriate use of religious /spiritual resources; manage ministry and administrative function in terms of accountability, productivity, self-direction, and clear, accurate professional communication; demonstrate competent use of self in ministry and administrative function which includes: emotional availability, **cultural humility**, appropriate self-disclosure, positive use of power and authority, a non-anxious and non-judgmental presence, and clear and responsible boundaries.

The American Correctional Chaplains Association (ACCA), the oldest auxiliary group of the American Correctional Association, has long advocated for a well-trained professional correctional chaplaincy that can effectively serve in a multi-cultural and multi-faith setting. Their highest category of membership is Certified Correctional Chaplain, whose aim is to utilize particular standards by which competence in correctional ministry can be recognized. Minimal standards for certification include all those listed earlier, plus additional units of CPE, three years full-time experience in a correctional setting, adherence to the ACCA Code of Ethics, several written papers on faith and practice, letters of recommendation and a face-to-face interview with the Certification Committee. Certified Correctional Chaplains represent the very highest level of competency in the corrections field.

The diversity of religious expression represented in prison populations has increased through the years to a point now that is quite staggering. The variety of faith groups demanding separate accommodation in correctional facilities tends to be much higher than that of the population in the communities where the facilities are located. It is a challenge to find qualified leadership for these under-represented groups and the number of resulting lawsuits is on the rise. Facilities which rely solely upon local volunteers, who are usually motivated by the desire to convert rather than accommodate, are increasingly at risk for expensive lawsuits. Chaplains who have gained the competencies enumerated above in their CPE training or ACCA certification are better equipped to deal with this diversity and come up with solutions that help safely manage the population, adhere to the law and avoid unnecessary and expensive legal settlements. They deserve respect and fair and just compensation. The prevention of just one federal lawsuit a year would in itself pay for most of a Chaplain's salary.