

April 18, 2019

Ms. Marce Anderson  
Albemarle Charlottesville Regional Jail  
160 Peregory Lane  
Charlottesville, VA 22902

Dear Ms. Anderson,

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 21<sup>st</sup>.

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."



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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,

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Claire G. Gastañaga  
Executive Director

April 18, 2019

Mr. Matthew Bowser  
Alleghany Regional Jail  
268 West Main Street  
Covington, VA 24426

Dear Mr. Bowser,

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 21<sup>st</sup>.

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Claire G. Gastañaga  
Executive Director

April 18, 2019

Mr. Matthew Marsteller  
Blue Ridge Regional Jail  
P.O Box 6078  
Lynchburg, VA 24505

Dear Mr. Marsteller,

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 21<sup>st</sup>.

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Claire G. Gastañaga  
Executive Director

April 18, 2019

Sheriff Ronald Sprinkle  
Botetourt-Craig Regional Jail  
205 N Roanoke St. PO BOX 18  
Fincastle, VA 24090

Dear Sheriff Sprinkle,

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 21<sup>st</sup>.

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Claire G. Gastañaga  
Executive Director



April 18, 2019

Maj. R. Davis  
Central Virginia Regional Jail  
13021 James Madison Hwy.  
Orange, VA 22960

Dear Maj. 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 21<sup>st</sup>.

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Executive Director

April 18, 2019

Ms. Janice Williams  
Eastern Shore Regional Jail  
Post Office Box 66  
Eastville, VA 23347

Dear Ms. Williams,

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Claire G. Gastañaga  
Executive Director

April 18, 2019

Sgt. Danny Rosario  
Hampton Roads Regional Jail  
2690 Elmhurst Lane  
Portsmouth, VA 23701

Dear Sgt. Rosario,

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Executive Director

April 18, 2019

Ms. Tamra McKinney  
Henrico County Regional Jail East  
PO Box 90775  
Henrico, VA 23273

Dear Ms. McKinney,

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April 18, 2019

Ms. Shelley Slaughter  
Meherrin River Jail  
9000 Boydton Plank Road  
Alberta, VA 23821

Dear Ms. Slaughter,

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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,

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Claire G. Gastañaga  
Executive Director

April 18, 2019

Superintendent Timothy Doss  
Middle Peninsula Regional Jail  
PO Box 403  
Saluda, VA 23149

Dear Superintendent Doss,

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Claire G. Gastañaga  
Executive Director

April 18, 2019

Ms. Tina Reed  
Middle River Regional Jail  
P.O. Box 2744  
Staunton, VA 24402

Dear Ms. Reed,

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 21<sup>st</sup>.

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Claire G. Gastañaga  
Executive Director

April 18, 2019

Sergeant Jolene Mabrey  
New River Valley Regional Jail  
108 Baker Road  
Dublin, VA 24084

Dear Sergeant Mabrey,

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 21<sup>st</sup>.

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Claire G. Gastañaga  
Executive Director



April 18, 2019

Ms. Michelle Lewis  
Northern Neck Regional Jail  
P.O. Box 1090  
Warsaw, VA 22572

Dear Ms. Lewis,

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 21<sup>st</sup>.

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Claire G. Gastañaga  
Executive Director

April 18, 2019

Capt. Patricia Barr  
Northwestern Regional Jail  
141 Fort Collier Road  
Winchester, VA 22603

Dear Capt. Barr,

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Executive Director

April 18, 2019

Major Kimberly Hopkins  
Pamunkey Regional Jail  
P.O. Box 510  
Hanover, VA 23069

Dear Major Hopkins,

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Claire G. Gastañaga  
Executive Director

April 18, 2019

Lt. Tonya Blanton  
Piedmont Regional Jail  
P.O. Drawer 388  
Farmville, VA 23901

Dear Lt. Blanton,

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Executive Director



April 18, 2019

Capt. Susan McMahon  
Prince William-Manassas ADC  
9311 Lee Avenue JU130  
Manassas, VA 20110

Dear Capt. McMahon,

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Claire G. Gastañaga  
Executive Director

April 18, 2019

Ms. Santina Thelen  
Rappahannock Regional Jail  
PO Box 3030  
Stafford, VA 22555

Dear Ms. Thelen,

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 21<sup>st</sup>.

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Claire G. Gastañaga  
Executive Director

April 18, 2019

Superintendent Jeffery Newton  
Riverside Regional Jail  
500 FOLAR Trail  
North Prince George, VA 23860

Dear Superintendent Newton,

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Claire G. Gastañaga  
Executive Director

April 18, 2019

Mr. Derek Almarode  
Rockbridge Regional Jail  
258 Greenhouse Rd  
Lexington, VA 24450

Dear Mr. Almarode,

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Claire G. Gastañaga  
Executive Director



April 18, 2019

Captain Michael Miller  
RSW Regional Jail  
6601 Winchester Road  
Front Royal, VA 22630

Dear Captain Miller,

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Executive Director

April 18, 2019

Col. Karen Craig  
Southside Regional Jail  
244 Uriah Branch Way  
Emporia, VA 23847

Dear Col. Craig,

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Executive Director

April 18, 2019

Lieutenant Jeannie Patrick  
Southwest Virginia Regional Jail  
P.O. Box 279  
Meadowview, VA 24361

Dear Lieutenant Patrick,

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Executive Director

April 18, 2019

Superintendent John Kuplinski  
Virginia Peninsula Regional Jail  
9320 Merrimac Trail  
Williamsburg, VA 23185

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April 18, 2019

Ms. Marissa Dickens  
Western Tidewater Regional Jail  
2402 Godwin Blvd  
Suffolk, VA 23434

Dear Ms. Dickens,

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 21<sup>st</sup>.

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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."



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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 18, 2019

Mr. David Cox  
Western Virginia Regional Jail  
5885 W. River Road  
Salem, VA 24153

Dear Mr. Cox,

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