# Accommodating Islam in Prisons 

A HANDBOOK FOR USE IN
UNDERSTANDING AND POLICY MAKING

CLCMA


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We hope that this handbook serves as a useful tool in understanding Islam-particularly as it relates to prisoners-the law, and serves as a starting point when considering how to accommodate inmates' religious needs while also balancing prison interests.


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## Chapter One

## 1. Purpose of Handbook

It is hardly an overstatement to say that there are a plethora of lawsuits arising from the lack of religious accommodations for Muslim inmates in prisons and detention centers. In fact, a 2019 report shows that a Muslim inmate is adequately aggrieved such that he or she files a federal lawsuit roughly every three days. ${ }^{1}$ In some instances, the basis of the lawsuit is a complete lack of accommodations, and in other instances it is lackluster accommodations that do not take into account the sincerely held religious beliefs of the prisoner. Litigation is, of course, a costly and time and resource consuming process for all parties that should be avoided whenever possible.

There is currently a lack of literature to address the legal rights and religious needs of Muslim inmates. This is problematic for numerous reasons. First, and perhaps most importantly, freedom of religion is a cornerstone of American jurisprudence and society in general. Second, Islam is the fastest growing religion in the world ${ }^{2}$ and hence it is reasonable to assume that the number of Muslim inmates will only grow. ${ }^{3}$ Despite the large and growing Muslim inmate population, these same inmates are forced to fight tooth and nail for basic rights such as the right to pray, the right not to be forced to eat foods contrary to their beliefs, and the right to fast during the holy month of Ramadan.

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## 2. Who is this handbook written for?

This handbook is written primarily for prison officials, though we hope that it will also be helpful for Muslim inmates, clergy, and the families of inmates. We, the authors, are cognizant that Islam is not the dominant religion in the United States and therefore that some concepts may be foreign to those reading this handbook. As such, this handbook hopes to bridge that gap and serve as a useful tool that informs the adoption of effective and comprehensive prison policies with regard to religious accommodations.

The handbook addresses common Islamic religious beliefs and requirements, gives suggestions on how to accommodate these religious requirements, and provides examples of particularly good or bad religious policies from prisons nationwide. This handbook also provides a high-level overview of Islam. As emphasized repeatedly throughout this handbook, interpretations of religious doctrine can vary greatly, and many concepts discussed are very complex. Hence, a subject-matter expert should be consulted for greater detail as needed. The appendices of this handbook provide a glossary of common terms that a prison staff member might encounter and provides sample prayer schedules for some major American cities for the 2021 calendar year.

Keep in mind that religion is individualized and highly personal. This means that two people might interpret the same concept in different ways, and both may be correct. It is of paramount importance to note that per the Establishment Clause of the United States Constitution, the government may not inquire into the accuracy of religion or certain religious beliefs. ${ }^{4}$ However, prisons can inquire into the sincerity of a person's religious beliefs. Take for example an inmate wanting to attend weekly religious services. A prison may determine the sincerity of that person's belief by taking into account how often the specific inmate attends the service on their own volition. The prison may not, however, take into account the widespread nature of the practice or whether this person's designated sect also attends the service. This is merely an example; legal boundaries are discussed in more detail in Chapter 4.

Of course, we recognize that prisons have their own interests as well and we hope this handbook provides a way for prisons to balance their own interests with the religious interests of their inmates.

The law in this area is constantly evolving. Hence, while the statutory and case law included in this handbook is current as of the time of publication, it is wise to check the law in your circuit, particularly if it has been some time since the date of publication of this handbook.

[^1]
## Chapter Two

Islam is a complex and varied religion with a storied history. It is the second largest organized religion practiced worldwide-second only to Christianity. ${ }^{5}$ With nearly two billion practitioners across the globe, understandings of Islamic edicts naturally vary. Further, because there is no central authority figure for all Muslims, interpretations are highly individualized.

This chapter will address the core beliefs of three different, major sects of Islam-Sunnism, Shiism, and Nation of Islam. Sunnism and Shiism make up the overwhelming majority-about $95 \%$ - of the Muslim population. The Nation of Islam sect is much less prevalent, but it is important to understand its role in the American Muslim community, the Black community, and in prisons.

While there is a range of practices and beliefs amongst Muslims, there are several commonalities among all sects of Islam. First and foremost is the belief in the oneness of God. Islam is a strictly monotheistic religion. This requires that a person believe that God is all-powerful and does not have any equals or any counterparts (e.g., spouses, parents, children). The second commonality across sects of Islam is the belief that Prophet Muhammad (peace be upon him) was a messenger of God. ${ }^{6}$

Before diving into three main sects of Islam, it is important to understand that the word "Muslim" means submitter to God. ${ }^{7}$ Note that the Americanized pronunciation of the word Muslim (as "Muz-lim") changes the meaning of the word from one who submits to God, to one who is oppressive. The mispronunciation may be offensive to some. Thus, efforts should be taken to pronounce the word by the proper Arabic pronunciation; instead of using a " z " sound, an " $s$ " sound as in the word "sun" should be used. A closer pronunciation may be the word "muslin" with an " m " sound instead of an " n ".

In addition, please be aware, that there may be multiple pronunciations or synonyms of the same word. This handbook attempts to address common synonyms where possible. Similarly, because most words are derived from Arabic (or other languages with a different alphabet) and transliterated to English (e.g., salah, sunnah, hadith), the spelling can vary. The spelling used in this handbook is not the only way to spell certain words relating to Islam. If there is confusion when an inmate requests an accommodation due to an unfamiliar word or spelling, it is wise to question them further to understand what it is they are asking for.

The primary sources of jurisprudence are the Quran and hadiths. Muslims believe that the Quran is the word of God that is the first source to be considered. Hadiths are collections of sayings, stories, and actions-mostly by the Prophet-which expand on Quranic rules. For example, while the Quran mandates that Muslims pray five times a day, it does not provide an explanation of how to pray whereas the hadith does. Comparing it to the civil law system, an analogy is that the Quran is like a statute and hadith is like case law. Like case law, hadiths too vary in

[^2]precedence. That is, some hadiths are considered authentic (and thus, more binding) whereas others are considered weak hadiths because they were not reported on by certain people or certain numbers of people which suggests they are not to be relied on too heavily because they could be inaccurate. Determining the strength of hadith is an entire discipline on its own so a layman should not attempt to credit or discredit a hadith.

## 1. Sunnism

By and large, Sunnism is the majority group of Islam with roughly $85 \%$ of Muslims practicing this type of Islam. ${ }^{8}$ Indeed, many Muslim majority countries have a clear Sunni majority.

By contrast to other sects, Sunnis place a greater emphasis on the Prophet, his companions (referred to in Arabic as the sahaba), and the customs and traditions of those people. In fact, the name "Sunni" is derived from the word sunnah, which at its most simplistic level means the traditions and customs of the Prophet Muhammad (peace be upon him). As discussed in greater detail below, the disagreement between Sunnis and Shias is at its core a difference of opinion in who should have succeeded Prophet Muhammad (peace be upon him). ${ }^{9}$

Muslims, both Sunni and otherwise, observe what is commonly referred to as The Five Pillars of Islam. These pillars symbolize the five requisites to be a faithful Muslim. They are: (1) the declaration of faith, (2) prayer, (3) fasting, (4) the annual giving of alms, and (5) hajj, or pilgrimage to Mecca. There can be concessions for all but the declaration of faith. For example, and as described further in Chapter 3, a person with a chronic illness that prevents him/her from fasting would be exempt from that pillar, those who are on their periods or who are newly postpartum are exempt from praying, and those who are not financially secure may be exempt from giving alms and/or going on the pilgrimage.

The declaration of faith-or shahada in Arabic-is how a person, not born into Islam, becomes Muslim. A person wishing to convert must say in front of at least one Muslim witness the shahada; "there is no God but Allah, and Muhammad is the messenger of Allah." Many people say this continuously throughout their lives as a prayer. Further, when a Muslim dies, they are encouraged to say the shahada. It is not uncommon for loved ones to prompt or ask a dying person to repeat the shahada.

In addition to the Five Pillars, most if not all branches of Sunnism, Shiism, and the Nation of Islam (which are described below) testify to six articles of faith commonly referred to as the Six Pillars of Iman (Arabic for faith), which are believed to be essential to the practice of Islam. Those pillars are (1) belief in the oneness of God, (2) belief in the angels of God, (3) belief in all divine books (e.g., Quran, Bible, Torah, Scrolls of Abraham), (4) belief in the prophets, (5) belief in the Day of Judgment, and (6) belief in qadr, or pre-ordainment/destiny. ${ }^{10}$

[^3]Belief in oneness of God is the simplest of the Six Pillars. Islam is a strictly monotheistic religion, which does not attribute power to any entity other than God. God, as Muslims believe, is not human. Therefore, while in modern times, and particularly in English, God is referred to in the masculine, Muslims believe that God is not gendered. Even more, to suggest that God is gendered is incompatible with the Islamic view. Nonetheless, due to the reality of gendered language, God is referred to using male or they/them pronouns by Muslims and in the Quran.

Muslims believe that God is forgiving and magnanimous and that most sins can be forgiven if truly repented for. The one sin, however, that is widely understood to be unforgiveable is shirk, or polytheism. ${ }^{11}$

Second, in order to satisfy the next pillar of faith, Muslims must believe in the existence and role of angels, which is the second of the Six Pillars. Muslims believe that unlike humans, angels do not have free will and therefore are beholden to the commands of God.

Third, because Muslims believe in all Prophets, both named in the Quran and otherwise, they must similarly believe in the books revealed to some of these Prophets. The books are the Quran, Torah, Bible, Book of Psalms, and the Scrolls of Abraham and Moses. All of these books are believed to be the word of God in their unaltered form. When Muslims refer to "people of the book," they are referring to those who follow the aforementioned texts, or, in practice, Christians or Jews. When comparing stories from the Quran, Bible, and Torah, there are numerous overlaps and similarities in stories.

Fourth, Muslims must believe in the prophets (e.g., Adam, Abraham, Moses). There are at least twenty-five prophets listed by name in the Quran, but most scholars agree that the number of prophets exceeds 200,000 with the final prophet being Muhammad (peace be upon him). ${ }^{12,13}$ The Quran states that there was a messenger for every nation. ${ }^{14}$

Fifth, like Christians, Muslims believe that there will come a day when the world will cease to exist as we know it and all of mankind will be resurrected to answer for their deeds. Those who lived their lives as good people, will go to heaven and those who did not, will be punished in hell. The afterlife lasts for eternity.

Finally, Muslims believe that God is all-powerful and all knowing. So, while Muslims believe that each person has autonomy and free will over their choices, Muslims also believe that their choices are pre-determined and were ordained even before that person was born.

[^4]
## 2. Shiism

Shiism is the second largest denomination of Islam, comprising roughly $10 \%$ of the Muslim population. ${ }^{15}$ Like in Sunnism, there are numerous sub-sects of Shiism, though this handbook will not address those due to space constraints. Unlike many Muslim countries, which tend to have smaller Shia communities, Iran, Iraq, Bahrain, Azerbaijan, Lebanon, and Afghanistan have large Shia communities. ${ }^{16}$ Unfortunately, in many Sunni majority communities, Shias are severely persecuted. ${ }^{17}$

In terms of belief in the core tenets, Sunnis and Shias have much in common despite centuries of violence and disdain between them. Both communities believe in and affirm the oneness of God and revere the Prophet Muhammad (peace be upon him) as a messenger of God. Similarly, each group venerates the Quran as the unadulterated word of God, believes in prayer, and practices fasting, among other things.

The primary split between the Sunnis and the Shias, however, is the determination of who was to hold political leadership following the death of the Prophet Muhammad (peace be upon him).

Sunnis believe that Prophet Muhammad (peace be upon him) passed without appointing a leader and thus, the leadership position should go to the highest amongst the ranks of the caliphate (the closest companions to the Prophet). ${ }^{18}$ That, at the time of the Prophet's death, was the Rashidun caliphate led by Abu Bakr, followed by the Ummayad and Abbasid caliphates. By contrast, Shias believe that the Prophet did name a successor-his son in law and cousin, Ali ibn Abi Talib.

However, Ali was not allowed to take the leadership position and instead, the Sunni view prevailed, and the companions of the Prophet took leadership. Some years after this incident, the Muslims living in Medina (as compared to those living in Mecca where the Rashidun caliphate was the political rulers) elected Ali as their leader. Soon afterwards, the Muslim leader of AsSham (modern day Syria and Iraq) declared civil war against Ali. During the war, though there was no clear victor, Ali was assassinated. Those who were loyal to Ali took the title Shiat Ali which translates, roughly, to party of Ali which was eventually shortened to Shia.

Though the initial groups had little-to-no distinction other than who they believed was the rightful political leader, over centuries, Sunnism and Shiism have developed distinct identities. Today, most Shia scholars believe that Ali and all descendants of the Prophet Muhammad through the line of Ali and Fatima, one of his daughters, are the most qualified to hold supreme political and religious authority over the Islamic communities. By contrast, the Sunni view of who should lead is based largely on merit and experience in the caliphate. According to the Shias, the Sunni caliphs (including the Rashidun, Umayyad, and Abbasid dynasties) were usurpers and were illegitimate.

[^5]The largest group within Shiism is the Twelver group. This group is made up of the adherents of twelve prominent imams, which is either used to denote a person who leads the congregational prayer or can be the title of a Muslim leader. According to the Shia view, God granted Prophet Muhammad (peace be upon him) wisdom which he imparted to Ali-the first of the twelve imams. It is important to note that the twelve imams are not considered prophets or messengers but are considered by Shias to have special wisdom that is beyond that of the average human.

Unfortunately, and somewhat unsurprisingly, there were clashes between the Sunni caliphates and the Twelver imams, including severe persecution of the Shia minority. Hussain, the son of the first Imam, Ali, is also a revered figure in Shiism. Supporters of Ali persuaded Hussain to avenge his father's murder and attempt to overthrow the much stronger Umayyad caliph. Unsurprisingly, his modest army was far outnumbered, and he and his men were killed in battle. Allegedly, the Umayyads took captive the surviving women and children and desecrated the bodies of those killed in battle, leaving them unburied-in stark contrast to the rules of war set forth by Prophet Muhammad (peace be upon him), which stress respect of the dead. This battle is referred to as the battle of Karbala (which is located in modern day Iraq) and occurred in the tenth day of the first month of the Hijri calendar, Muharram. Even today, it is a time of intense mourning for Shias and many Shias make pilgrimage to Karbala to honor the martyred. ${ }^{19}$ Muharram and Karbala are commemorated in other ways too, including self-flagellation in some Shia communities. The battle at Karbala is viewed as a grave tragedy by Shias and many Sunnis alike and is sometimes considered the impetus for the galvanization of a separate sect of Islam. Unsurprisingly, this event led to many insurrections against the Sunni caliphates, though largely unsuccessful.

In modern times, Shias revere Ali and the other imams in a way that most Sunnis do not (though Ali, Hussain, and other descendants of the Prophet (peace be upon him) are given great respect by the Sunnis). A minority of Shias have in essence deified the imams, by calling to these imams in prayer, which as mentioned above may be considered a sin by Sunnis (and likely some Shias). Many Sunnis view this as attributing partners to God, which is considered among the gravest of sins. Perhaps due to historical animus or because of minor differences in practice (e.g., slightly different timings of prayers, breaking fast), Sunnis and Shias generally have separate mosques. Depending on individual views, praying behind an imam of the opposing sect can be viewed as invalid.

[^6]
## 3. Nation of Islam

The Nation of Islam ("Nation") is a relatively young sect of Islam that originated in the United States. It is both a religious movement and a socio-political ideology. There are views of this sect that can be controversial, prompting some critics to see antisemitism and/or anti-LGBT+ sentiment in their views. Of course, it is not for the government to determine the palatability of individual religious beliefs except where those beliefs are a threat to safety or other prison interests. As long as the beliefs are not threatening anyone else's safety, a person is free to subscribe to them without the threat of ramification by the government. With that in mind, prison administrators should be mindful that some of the views held by some Nation members may be considered offensive by Sunni or Shia Muslims which often leads to the groups wanting to worship separately, whether in prisons or not.

Wallace Fard Muhammad founded the Nation of Islam movement in 1930 in Detroit, Michigan. His goal, according to the Nation's publications, was to "teach the downtrodden and defenseless Black people a thorough Knowledge of God and of themselves, and to put them on the road to Self-Independence with a superior culture and higher civilization than they had previously experienced." ${ }^{20}$

It is important to consider what was happening at that point in history in the United Statesthough it had been nearly one hundred years since the Emancipation Proclamation, Black people were still subject to inhumane and unfair treatment and were not considered equal to their white counterparts by much of America. Further, around this time, there was a movement of selfempowerment among African Americans. Understandably then, some Black people were searching for means of self-preservation and ways to further themselves. For this reason, Muhammad's movement appealed to many. ${ }^{21}$

Wallace Fard Muhammad chose Elijah Muhammad as his assistant and soon after disappeared, leaving Elijah Muhammad in charge of the movement. During World War II, Elijah Muhammad was jailed for violating the Selective Service Act, as were many other members of the Nation who strongly opposed serving in the military. In the wake of war, the Nation built up its membership. The Nation called for a separate nation for Blacks and advocated for a religion based on the worship of Allah with the understanding that Blacks were God's chosen people. It was during this time that the Nation attracted possibly its most famous member-Malcolm Little, later known as Malcolm X.

Keeping with the tradition of the Nation, Malcolm Little dropped his surname and adopted " X " as a means of symbolically distancing himself from white enslavers. The " X " is understood to represent "a lost heritage and a personal unknown history." ${ }^{22}$ Malcolm X quickly arose to prominence and became a minister and national spokesperson for the Nation. Under his tutelage,

[^7]membership in the sect increased exponentially. However, in 1964, Malcolm X—allegedly after performing hajj, which is the mandatory pilgrimage to holy sites in present day Saudi Arabiaparted ways with the Nation and joined the more mainstream Sunni sect.

Nonetheless, the Nation continued and continues to grow even after the death of Elijah Muhammad and Malcolm X's departure. Ultimately, the Nation somewhat splintered with some following a version of the Nation that is more similar to orthodox Sunni views and others following the original, black pride centered version (such as Louis Farrakhan). To this day, the Nation has a modest but robust presence nationwide with hundreds of Nation mosques and study groups.

As for the Nation's practices, they are comparable to orthodox Sunnism Shiism. The Nation affirms the oneness of God and believes that Prophet Muhammad (peace be upon him) is a messenger of God. The Nation also believes in the importance of daily prayer.

There is occasional animosity between some Nation members and Sunnis and Shias due to views held by some Nation members that non-Nation members find offensive. For example, some in the Nation believe that a scientist who lived over 6,000 years ago created the white race using eugenics, and that this race was created explicitly to cause havoc. ${ }^{23}$ Some in the Nation also believe that miscegenation is wrong.

Further, groups that may be considered to be offshoots of the Nation (like the Five Percenter group) teach that the world is segmented into three groups-(1) $85 \%$ of all people who are easily manipulated, (2) $10 \%$ of people who do the manipulation and are referred to as the rich slavemakers, and (3) $5 \%$ of people who are the righteous teachers of the $85 \%$ who do not know better. ${ }^{24}$ As with any belief, this is not necessarily a view held by every Nation member but nonetheless, this may help to explain the occasional disdain between the groups as non-Nation members do not hold this belief.

Like mainstream Muslims, members of the Nation abstain from alcohol and pork. Many also follow How to Eat to Live authored by Elijah Muhammad, which instructs followers to avoid refined grains and sugars, to practice intermittent fasting, and to eat as healthy as possible. ${ }^{25}$

As noted above, the Nation is somewhat bifurcated in its beliefs these days with some following a version of the sect that is similar to orthodox Sunnism. This makes it difficult to discuss beliefs and practices with broad strokes. Thus, when determining what accommodations are appropriate, it is important to consider the sincerity of the belief and not its accuracy (i.e., how one's belief compares to what the rest of the group follows), lest the government inadvertently violate the First Amendment.

[^8]
## Chapter Three

This chapter addresses the Islamic rules and practices that underlie the accommodations most sought by Muslim inmates. As noted throughout, there may be considerable differences of opinion between sects, and even among people who belong to the same sect. Unlike Mormonism, for example, which has a centralized structure with a single governing body and leader, Islam is rather individualized and allows for each Muslim to consult with a faith leader of their choice, or even make decisions for themselves based on religious texts and precedent. Thus, while two Muslim people may interpret the same thing differently, neither is necessarily wrong. Further, it is not for the government to decide whether a religious belief is "wrong" because discerning the accuracy of a religious edict runs afoul of the First Amendment.

As noted, this Chapter focuses on the basis and religious significance of the accommodations often requested by Muslims. Please turn to Chapter 5 for a discussions of how prisons can accommodate these religion-based requests.

## 1. Dietary Needs

Islam is often considered not just a religion but a way of life. As such, there are comprehensive rules governing a Muslim's way of life, including dietary restrictions. Perhaps most well-known: Muslims, like Jews, abstain from eating any foods containing pork or pork byproducts. Unlike Jews, Muslims are also instructed to abstain from alcohol.

There is a complex system of rules governing what foods are and are not lawful for Muslims.
Permissible food is referred to as "halal." It should be noted, however, that the word halal literally translates to lawful or permissible meaning the word is used for many other things such as permissible conduct (e.g., buying a can of soda is halal).

With nearly two billion adherents of Islam, understanding of what is and is not halal can vary greatly. Some, for example, believe that meat from "people of the book"-e.g., Christians and kosher-following Jews-is "halal." ${ }^{26,27}$ Others believe that meat can only be considered halal if slaughtered by a Muslim while following certain rules prescribed by Islam. ${ }^{28}$ And yet others believe that they are not permitted to be vegetarian and instead must eat a diet which regularly includes meat. ${ }^{29}$

## a. Slaughtering Rules

Meat slaughtered according to Quranic rules is referred to as zabiha meat. The word zabiha, sometimes spelled differently, is the commonly used term for meat slaughtered according to the prescribed method of slaughter for all land-dwelling meat sources (i.e., not fish or other seafood). Often, the terms zabiha and halal are used interchangeably, which can lead to some confusion, so inquiring into whether kosher is acceptable to a Muslim person will provide clarification. In other words, zabiha meat is necessarily halal, but halal meat is not necessarily zabiha.

Zabiha rules call for using a well-sharpened knife such that a deep incision can be made in one swift motion that cuts the front of the animal's throat, carotid artery, trachea, and jugular veins. The purpose of this is so that the animal loses consciousness instantaneously and does not needlessly suffer, and so that the blood may continue to flow out of the animal's body, thereby removing toxins that are found in blood. Further, the head of the animal being slaughtered must be facing the qibla-or towards Mecca. In addition, the Islamic phrase "bismillah" meaning "in

[^9]the name of God" must be uttered. Blood must be drained from the body entirely, or as much as practicable. ${ }^{30}$

Most scholars agree that according to zahiba rules, animals may be stunned prior to being slaughtered.

## b. Haram

This section discusses the concept of haram.
As mentioned, there can be considerable variations in what is considered haram. This handbook lists the most prevalent and mainstream view, while also noting differences in opinion where possible. Unanimously, all sects of Islam agree that pork is categorically impermissible-or haram. Additionally, amphibians and reptiles such as frogs, toads, etc. are generally considered haram, as are carnivorous animals such as lions, tigers, and bears. Similarly, consuming blood is prohibited. ${ }^{31}$

Another item that is prohibited across the board is alcohol (though there is some debate on whether alcohol as an ingredient that is cooked out is permissible). Also considered haram is any food sacrificed to another deity; for example, Hindus often make offerings of fruits and coconuts to their gods (among other things). This means that even if the food is not per se haram for one of the other above listed reasons, it would be haram to eat because it was sacrificed to a different higher power.

Furthermore, certain categories of meat, even though they are from otherwise permissible animals, are prohibited. Among these are carcasses of animals which died from natural causes, animals that were strangled or beaten to death, animals that died from a fall, or animals that have been sacrificed to another deity. ${ }^{32}$

Also forbidden to eat under most interpretations are all insects except locust and animals that do not contain blood (e.g., spiders, worms, or scorpions). ${ }^{33}$

While this may sound like a lot of rules, the most common types of food that are haram are pork and alcohol. Thus, it is important to remember that Muslims may not be served pork, anything containing pork byproduct (e.g., gelatin, lard), alcohol, or foods cooked with alcohol.

[^10]
## c. Permissible Food

Just as all sects agree that pork cannot be eaten, all sects agree that fish are permissible to eat. ${ }^{34}$ While there are varying opinions amongst Muslims on whether other sea-dwelling animals, such as oysters and crab, are permissible to eat, a sizable number of Muslims believe they are permissible to eat.

It is important to note that in the event of genuine necessity or emergency, all dietary restrictions are relaxed. For example, it has been reported that in the direst times during the Syrian civil war, people were forced to resort to eating their house pets and other vermin. ${ }^{35}$ Most scholars agreed that because the alternative in this situation would be death, it is permissible to eat foods that would have otherwise been prohibited. Similarly, most scholars agree that consumption of impermissible ingredients-commonly trace amounts of alcohol or gelatin in medication-is permissible when medically necessary. However, where there is an alternative (e.g., a gel acetaminophen capsule which contains gelatin and an acetaminophen pill which does not contain gelatin), the alternative which contains no impermissible ingredients should be taken instead. In other words, though the rules are flexible in the event of dire need, Muslims should always take efforts to ingest only foods that are permissible.

We urge prison officials not to take advantage of this exception to force inmates to eat or do things against their will where another option is available even if it is slightly more expensive or cumbersome.

[^11]
## 2. Clothing

As aforementioned, Islam is a way of life and has rules and suggestions for almost every aspect of day-to-day life. Among these rules includes certain clothing rules for both sexes.

## a. Women

Most people are aware that many Muslim women choose to wear a head covering, often referred to as "hijab." ${ }^{36}$ In traditional Islamic scholarship and jurisprudence, the term hijab refers to a set of rules governing modesty-for both sexes (though expressed differently for men and woman)-and is a word that occupies a metaphysical dimension. Today, it has come to be synonymous, particularly in the West, with the headscarf worn by many Muslim women.

Important in the concept of hijab, for both sexes, is the term "awrah." This term refers to the parts of one's body that should be covered. The awrah of women is all of her body with the exception of the hands and face. However, among other women, a woman's awrah is from navel to the knees.

## b. Men

The awrah of men is from the navel to the knees. Beyond only covering one's awrah, there are many cultural garments for men, which have become excessively associated with religion. Most notably is a kufi, which is usually a knit, brimless cap. If sized properly, it should not cover a person's eyes. This style of cap is most common among those from North, East, and West Africa and the Indian subcontinent. Many North Africans and those belonging to the Nation tend to wear a fez, which is also a brimless cap but is less rounded and more cylindrical. While not mandated by the Quran, kufis have taken a life of their own and have become mandatory for some peoples' worship. For example, in some mosques in India, a person cannot enter the mosque without wearing a kufi.

Another common garment for men, which in some cases has taken on a sort of religious importance, is the thobe. A thobe is most common in the Middle East and North Africa. It is a long, mid-calf or floor length garment. Some have sleeves and some do not. Often these are light colored garments made to keep cool in the desert-environments from which it originates, but they are available in darker colors as well.

Similarly, a kurta is a common garment for men in the Indian subcontinent. It is usually a knee to mid-calf length garment with slits on the side to accommodate movement easily. Like thobes, kurtas can vary in sleeve length, color, and fabric type.

Because Islam is a way of life, often culture and religion become intertwined and what was originally a cultural expression can become a part of a person's sincerely held beliefs.

[^12]
## 3. Grooming

Islam greatly emphasizes personal hygiene, recommending that a Muslim trim the fingernails and shave or trim body hair. This is to avoid the build-up of filth. While this may not be as applicable in modern times with the accessibility of regular showers, it is a principle to which many choose to adhere.

Islamic tradition strongly recommends that men do not completely shave their beards. There is a widely followed hadith (that is, sayings and stories relating to the Prophet (peace be upon him)) that instructs men to trim their moustaches and allow their beard to grow. ${ }^{37}$ There is some difference of opinion on the appropriate length of beards. However, the consensus is that beards, regardless of length, should be well-kempt and presentable. Of course, all of this is moot in the face of any conditions that bar someone from keeping a beard; for example, a dermatological condition which is worsened by facial hair, or simply the inability to grow facial hair.

Beards are not mandated in the Quran. However, the Prophet and all of his companions had beards and thus the concept has become enshrined in sunnah.

Generally, sunnah acts are highly encouraged but not mandatory. ${ }^{38}$ However, are some sunnahs that are so important that they rise to mandatory status-or wajib. Beards on men is one of these. As with many topics discussed herein, the importance of various sunnahs is a complicated discussion and may require the counsel of an Islamic scholar.

Of course, as with everything in Islam, growing a beard is a personal choice and should not be forced upon someone-particularly by prison administrators.

It should not be surprising that grooming is one of the most common religious accommodation issues that the Constitutional Law Center for Muslims in America receives, second only to foodrelated issues. Grooming issues have also caught the attention of our court system. The landmark Supreme Court case Holt v. Hobbs, ${ }^{39}$ which is described in more detail below, firmly established that an all-out ban on facial hair is not the least restrictive means of accomplishing a compelling government interest, and therefore required that the Arkansas prison system allow Muslims to grow a quarter-inch beard if they so choose.

[^13]
## 4. Prayer

Muslims are expected to pray a minimum of five times a day at various, pre-determined times. These times are roughly sunrise, early afternoon, late afternoon, sunset, and at night. It is widely understood that the purpose for the staggering of prayers throughout the day is to facilitate constant remembrance of God. Because of the planet's changing orbit, these times can vary greatly by location and the time of the year-at least in the continental United States where sunrise and sunset times change greatly depending on the time of year.

It should be noted that "prayer", as used in this handbook and as understood in the Islam, refers to a set of motions as opposed to the more common understanding of asking or thanking a higher power for something. This sort of prayer can be referred to as contact prayers. The more reflective form of prayer does exist separate from the ritual daily prayers and is referred to as "dua." Dua can be done at any time of the day, either out loud or within one's heart.

A prayer schedule can be easily found online ${ }^{40}$ or by contacting a local mosque. As described above, the timing of the prayer schedule can differ greatly by location. For example, the prayer schedule for San Diego, California will be considerably different than that of Albany, New York. Hence, it is important to ensure that you are using the schedule for your locale. Also, note that Shias and Sunnis sometimes pray at slightly different times based on a difference in understanding of when prayer is prescribed. If requested, a sect specific schedule can also be found on the internet.

Most importantly, a Muslim who is praying-or performing "salah"-must be facing the Kaaba located in Mecca, Saudi Arabia (also referred to as the qibla). In relation to the continental United States, Mecca is east. However, facing east generally is not sufficient-the exact direction must be determined as well as possible. This can very easily be done using a compass or cellphone app. ${ }^{41}$ In addition, some prayer rugs are sold with a small, built-in (usually plastic) compass at the head of the mat so that the user can always determine the direction of the qibla. If appropriate given safety measures, we recommend making this type of mat, or compasses, available for purchase.

Along with facing the proper direction, the area in which a person prays should be clean. This is, at least in part, because the worshipper will place their forehead on the ground multiple times. ${ }^{42}$ Prayer mats come in handy for this purpose. Many Muslims choose to use towel-sized prayer rugs often called "musallahs." These are available for purchase online. One may also be able to get donations of prayer rugs from nearby mosques. Similarly, several organizations offer free or reduced cost prayer rugs, particularly to inmates. ${ }^{43}$ Regardless of where the prayer mat comes from, inmates should have access to a prayer rug even if it is merely an extra towel or blanket.

[^14]It goes without saying that prayer is a holy activity that should be treated with reverence and respect. As such, Muslims must be in a state of ritual purity before conducting certain religious activities including prayer. The process of creating purity is referred to as "wudu" or ablution in English. Performing wudu has certain ritual steps including, among other steps, making the intention to create purity, saying "bismillah," washing hands, rinsing the mouth, and washing the face. As such, inmates wishing to pray should be given access to the bathroom (or another clean water source) to wash up prior to prayer. While it is possible to keep this state of ritual purity, there are many things that negate such a state and will require the person to "re-do" their wudu. These things involve using the bathroom, passing gas, sleeping, masturbation, or sexual activity. Additionally, an open wound that continues to bleed will invalidate wudu (i.e., not a paper cut which stops bleeding but a deep wound that has continued to bleed for some time).

When praying, Muslims must be dressed as prescribed by the Quran. For men, this requires being covered from navel to knee at a minimum, though most cultures dictate that more appropriate attire (such as a shirt and full-length pants) is the most respectful prayer attire. Women are expected to cover their entire bodies except for their hands and face (there is some disagreement on whether women's feet should be covered during prayer).

There are many different phases of prayer. The worship will begin with the prayer's arms crossed and resting on their chest. The prayer will then bow and rise again. Then, the prayer will prostrate, sit up, prostrate again, and sit up again. This series of movements constitute one "rakat," which will be repeated between two and four times depending on which prayer is being prayed. It is of the utmost importance than the person is not interrupted for any non-emergency reason during prayer. Islam instructs that people should not break their prayer for any reason other than a legitimate emergency.

In addition, it is important not to cross in front of the person who is praying. For this reason, some people will place an item in front of them such as a chair or purse so that others may pass in front of that item without disrupting the person's prayer.

The actual prayer may take anywhere from a few minutes to an hour depending on, among other things, how long the person chooses to pray and which segments of the Quran they choose to recite. Unless praying in a congregation, prayers are generally silent and thus even the longest of individual prayers poses no disturbance to others.

There are five mandatory prayers each day. There are, however, many opportunities for additional prayers, or sunnah prayers. These additional prayers can include two rakat (or one set of the prescribed movements and words used while offering prayer) prayers that accompany the daily prayers, additional (and sometimes lengthy) nighttime prayers during Ramadan, prayers for specific things such as rain or prayers out of gratitude, desperation, and a myriad of other reasons. If an inmate chooses to pray these additional prayers, they should not be punished for "deviating" from the five required prayers.

Islam is, at its core, a purposivist religion so there are concessions that are available if praying in the traditional fashion is not possible. For example, prayers can be shortened and combined when a person is travelling a certain distance from home. If a person goes on an international trip, they
can shorten some (but not all) prayers and pray them in conjunction with other prayers in light of the realization that praying normally might be inconvenient while travelling. The only prayers that may be shortened are the two afternoon prayers and the late-night prayer.

Another concession to prayer is when a person cannot physically perform the motions. For instance, it is very common to see elderly, pregnant, or injured people sitting in chairs while praying. They mimic the normal prayer motions as closely as possible. Of course, the most notable difference is that these individuals do not prostrate to the ground. Likewise, if a person is bed-bound or a quadriplegic, they can perform the prayers by moving their head or just their eyes. ${ }^{44}$

Finally, as discussed very briefly above, continuous bleeding that cannot be stopped, in contrast to a paper cut which can be stopped with a Band-Aid, invalidates wudu; it is partially for this reason that women who are menstruating are exempt from prayer. ${ }^{45}$

This handbook will now provide details on some specific prayers.

## a. Jummah

One of the most common requests by prisoners is the ability to pray Jummah. Jummah is a congregational Friday prayer prayed in lieu of the second prayer of the day, or dhur. ${ }^{46}$ It is one of the most important Islamic rituals and is generally considered mandatory for all able-bodied men. Of course, women can attend if they choose, but it is generally not considered mandatory for women. Note, however, that attending jummah may be part of a Muslim woman's sincerely held beliefs. As mentioned, a prison should look at the sincerity of the belief and not the perceived accuracy of the belief.

Jummah consists of a sermon given by someone with knowledge on the topic, followed by a two rakat prayer. Jummah generally lasts between thirty-to-forty-five minutes but can be longer depending on preference and topic. ${ }^{47}$ The person giving the sermon is referred to as the khateeb and he/she often serves as the imam, or the leader of the prayer, as well. Traditionally, the khateeb delivers two sermons with a short pause in between. The first is generally longer and contains the bulk of the information and the second is usually a brief summing up of the preceding information followed by a dua. A dua is a prayer, or supplication, that asks for forgiveness, health, etc. It is not uncommon to make dua for a specific community member who may be ill or for entire countries that are experiencing hardship.

[^15]There are certain conditions that must be met to host a jummah service. First, it must be prayed in congregation. The number needed to make a quorum can vary by school of thought and the number may be as small as three-to-five people or as large as forty people. As discussed, this is a highly complicated ruling and can vary greatly based on a person's understanding of Islamic edict. Therefore, it is best practice to allow inmates to pray in congregation where there are as little as three inmates interested.

Muslims may pray in congregation anywhere that is practicable; it is important, however, that the congregants are not being distracted by other activity.

## b. Taraweh

Taraweh refers to the additional prayers prayed at night during Ramadan. Taraweh is prayed after the final of the five daily prayers. The prayer may involve reading one chapter of the Quran each day (so the person praying can complete all 30 chapters in the month), though this varies in importance by region. Taraweh can span anywhere from eight-to-twenty rakats, or units of prayer, and can also vary greatly in length based on the number of verses read, speed of the reader, etc. Unlike the daily prayers, however, these prayers are sunnah. These prayers can be done alone or in congregation, but like all prayers, the understanding is that there is more reward when prayed in congregation.

Note that because a day in the hijri calendar begins at sunset and not sunrise, taraweh is prayed the night before the first full day of fasting - or at the start of Ramadan - and is not prayed on the night before Eid.

## 5. Fasting

Fasting is one of the pillars of Islam and is incumbent on able-bodied, adult Muslims during the month of Ramadan. Fasting is intended to bring worshippers closer to God through remembrance, sacrifice, and reflection. It is meant to be a reset for the mind, body, and soul and encourages greater self-control and spirituality. Fasting is not only abstention from food and drink but also from other vices like anger and greed.

As with other religious obligations, fasting becomes mandatory upon puberty when a Muslims are considered accountable for their deeds. Fasting is only mandatory for able-bodied and sane adults. ${ }^{48}$ For example, if a person suffers from a chronic illness such as Type 1 Diabetes, they are not expected to fast. Alternatively, if a person misses a mandatory fast during Ramadan due to temporary illness such as a cold, that person must make up that fast by fasting on another day before the beginning of the next Ramadan.

All Muslims who are able are instructed to fast during the ninth month of the hijri, or Islamic calendar-Ramadan. The hijri calendar is a lunar calendar, which means that the months move in relation to the Gregorian calendar because the moon's cycle is about twelve days shorter than the sun's cycle. Thus, Ramadan begins approximately twelve days before the start of Ramadan in the previous year.

A fast starts at the time the sun begins to rise over the horizon and ends when the sun begins to set. Muslims are encouraged to eat a meal before the start of the fast so that they may be properly nourished throughout the day. The morning meal is called suhoor in Arabic and the evening meal is called iftar.

These meals can vary greatly in extravagance and type based on culture and personal preference but should nonetheless consists of complex carbs and high fiber foods where possible so that the person feels full for a long time. The fast must be broken shortly after the sun begins to set. Traditionally, the fast is broken with a date, or something else which is sweet, and some water followed by whatever the person desires to eat.

There is no flexibility in the start and end times of the fast, so it is of utmost importance that meals are served at the appropriate time. This is particularly true for suhoor, as the person must stop eating as soon as the time at which the sun begins to rise strikes.

The prohibition on ingesting anything while fasting extends to oral medication as well. For this reason, where possible, dosage and/or timing of medications should be adjusted to be taken outside of fasting hours.

As stated in this section, one reasons for fasting is increased devotion. For this reason, many Muslims choose to partake in additional prayers or reading of the Quran during the fasting period.

Though fasting should not pose health or other difficulties to otherwise healthy people, it is wise to avoid strenuous activity such as intense exercise or spending too much time in the heat while

[^16]fasting. For this reason, some Muslims who work labor-intensive jobs such as construction jobs choose to adjust their schedules where possible.

## 6. Holidays

Like most religions, Islam has holidays. This handbook draws a distinction between holidays and holy days. As used in this section, holy days refer to days and periods of introspection, increased worship and reverence, whereas holidays refer to days of celebration (in addition to worship). Of course, there is natural overlap between the two, but this handbook makes the distinction to highlight the potential differences in observation.

The two main Islamic holidays are Eid ul-Fitr and Eid ul-Adha. Eid ul-Fitr is the holiday that immediately follows Ramadan and is meant to commemorate the Muslims' sacrifice and devotion for having fasted the entire month. Technically, Eid ul-Fitr lasts three days and Eid ulAdha lasts four days, but often only the first day of each holiday is celebrated through gatherings and feasts.

Eid ul-Adha is roughly 68 days after Eid ul-Fitr. Eid ul-Adha is widely understood to honor Abraham's dedication to God and his willingness to sacrifice his son. The Muslim version of the story follows very closely to the Christian version and essentially says that Abraham was instructed to sacrifice his son. After conferring with his son, and at the insistence of his son, Abraham made preparations to conduct the sacrifice. However, at the last moment, an angel acting on behalf of God stopped him and gave him a ram to sacrifice instead. For this reason, there is a sunnah referred to as udhiya in Arabic or qurbani in Hindi/Urdu which occurs on Eid ul-Adha and which encourages people to sacrifice animals such as sheep, lamb, camels, etc. The resulting meat is traditionally split into three parts-one for the person giving the sacrifice, one for the family and friends of that person, and one for the poor. This is a highly encouraged act, though not mandatory, for any adult Muslim.

Eid ul-Adha also commemorates the end of the hajj pilgrimage. Hajj is a multi-day journey beginning on the eighth day of Dhul-Hijjah, the final month of the hijri calendar, and ending on the thirteenth day of Dhul-Hijah. Every adult who is financially and physically able must perform the hajj at least once in their life. There are many nuances and details regarding the dress and behavior to be observed during hajj but because they are far out of the scope of prison administration, this handbook will not discuss them.

Determining the date of holidays can be a contentious topic, particularly for Eid ul-Fitr. Eid ulFitr is declared when the new moon is sighted. Generally speaking, there are two schools of thought on how to determine holidays-local moon sighting and global moon sighting. Local moon sighting means that the moon must be sighted in that country or locale. Global moon sighting, on the other hand, means that Eid ul-Fitr will be declared if the moon is sighted in any country which shares a night with your country. In practice, however, global moon sighting has come to mean when the moon is sighted in Saudi Arabia (or potentially other Gulf countries). Because of this, it is not uncommon for cities, states, or countries to celebrate Eid ul-Fitr on differing days.

Most mosques in the United States pick one new moon policy and stick firmly to it. In the United States, there are a few organizations that serve as the authority for the national Eid ul-Fitr schedule. Two such organizations are the Islamic Society of North America and the Fiqh Council
of North America. Prison officials should look to a national committee or consult with a local mosque well in advance of Eid ul-Fitr and follow its decisions.

The timing of Eid ul-Adha is somewhat less contentious. The second-to-last day of the hajj procession is referred to as arafat day and it is the day pilgrims visit Mount Arafat. Thus, because hajj can only be performed in Saudi Arabia, Eid ul-Adha necessarily follows arafat day.

Both Eids are universally celebrated by all Muslim sects, though traditions can vary greatly. In general, Eid is marked by a special sermon and special prayer early in the morning followed by copious food, friends, and festivities. ${ }^{49}$ Muslims are encouraged to dress their best on these holidays, though not necessarily in new clothes.

There are also numerous holy days observed in various ways by various groups. In the same way that Saturdays are important to Jews and Sundays are important to Christians, Fridays are important to Muslims. Fridays are considered holy days because it is the day jummah is prayed.

Again, because of the large number of adherents and varying interpretations, it would be a gargantuan task to list each holy day in Islam. Notable days that are often marked by reflection, increased worship, additional prayers, and fasting include (1) Ashura, which as discussed previously is a memorial of the Battle of Karbala for Shias and a celebration of Moses and the Israelites escaping from Pharaoh for Sunnis, (2) any six days in Shawwal (the month immediately following Ramadan), (3) and arafat day (the day before Eid ul-Adha).

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## 7. Death, funerals, and burials

As explained, Islam is a detailed way of life rather than just a set of beliefs or religious norms. This extends to death as well. Islam places great importance on respect for the dead and the notion that from God we come, and to God we return. ${ }^{50}$

The Arabic word for funeral is janazah. Islamic funerals look vastly different than traditional Western funerals and are far more modest. There are specific rites and rituals involved in an Islamic funeral that must be closely followed. Islamic law calls for burial of a body as soon as practicable. Generally, absent a need for an autopsy or some other extenuating circumstance, the deceased is buried within twenty-four hours of his/her death. This is partially because of the sanitation issues a dead body can pose to the living (though this is not as much of a concern in modern times), and out of respect for the dead. Further, when a person dies, they should not be embalmed or otherwise preserved unless there are extenuating circumstances that demand it.

When a person dies, a group of people will bathe the deceased. This may be the family of the deceased or it may be a same-sex group of volunteers. After the person's body has been cleansed, it will be wrapped with a white cotton or linen cloth. ${ }^{51}$ At this point, the body may be kept for loved ones to offer their respects, but that period should not last for an excessive amount of time. This period is followed by the janazah, which is a prayer in honor of the deceased. The janazah asks for the deceased's forgiveness and for their place in heaven. Like the Eid prayers, the janazah is different from regular prayers. The janazah does not require prostration nor does it follow the format of the daily prayers.

After the janazah, the body is transported to a burial ground and placed in a grave. The body is placed in the ground without a coffin. The deceased's body is placed on its right side so the body faces Mecca; the burial plot is generally perpendicular to the qibla, or the direction of Mecca, to accommodate this. The body is lowered into the ground by the male next of kin.

Attendees of the burial symbolically throw three handfuls of dirt each into the grave while reciting a verse from the Quran. ${ }^{52}$ Of course, these three handfuls will not fill the grave in most instances, so gravediggers then fill the grave. It is believed that once the last person at the grave takes seven steps from the grave, angels begin to question the deceased about their beliefs while alive. ${ }^{53}$ A person who did not live according to God's commands will not be able to answer these questions.

Unlike some other Abrahamic religions, Islam does not have the concept of purgatory. Nevertheless, the closest equivalent to purgatory is what happens to the deceased between the time of their death and the Day of Judgment. Muslims believe that the dead get a "preview" of

[^18]their ultimate fates while in the grave. That is, those bound for heaven will have no difficulties. Conversely, those who did not live a righteous life will be punished in the grave.
While there is no requirement that Muslims be buried in Muslim graveyards, in practice many people are buried in Muslim graveyards. This may be for a myriad of reasons but one common reason, in the United States particularly, is the common requirement that bodies be embalmed and in a wooden coffin prior to burial. In addition, and in line with Islam's prohibition on excess, headstones or other markers should be modest and not gaudy. Headstones often take the form of a small plaque or flowers.

Cremation or other forms of disposal are strictly forbidden; the only acceptable body disposal method is burial.

## Chapter 4

Religious freedom is an important American ideal. ${ }^{54}$ Religious freedom is so important that it was included in the First Amendment of the U.S. Constitution. Specifically, the Establishment Clause prohibits the government, or any of its agents, from making any law "respecting an establishment of religion. ${ }^{55}$ Not only can the federal government not establish a state religion, the government may also not unduly favor one religion over another or take any actions to that effect. ${ }^{56}$

While prisoners and detainees may be deprived of some rights, such as the right to vote, ${ }^{57}$ they are guaranteed their First Amendment right to practice their chosen religion within reasonable parameters. The Religious Land Use and Institutionalized Persons Act ("RLUIPA") and the Religious Freedom Restoration Act ("RFRA") are the two primary laws that ensure that inmates and detainees are afforded the opportunity to practice their religion according to their sincerely held religious beliefs. The language of each statute is nearly identical, but the primary difference is that RLUIPA applies to state actors and RFRA ${ }^{58}$ applies to federal actors. ${ }^{59}$

[^19]As will be discussed in more detail, the most famous recent case touching on religious freedom for prisoners is Holt v. Hobbs. In Holt, the Supreme Court struck down an Arkansas Department of Corrections policy prohibiting facial hair because the outright ban was not the least restrictive means of accomplishing the prison's interest in security. ${ }^{60}$

This section explains the applicable law relating to religious freedom for prisoners and inmates. It will clarify the burdens and limits of inquiry as they exist at the time of publication.
(1) is in furtherance of a compelling government interest; and (2) is the least restrictive means of furthering that compelling governmental interest." 42 U.S.C. § 2000bb-1.
${ }^{60}$ Holt v. Hobbs, 574 U.S. 352 (2015).

## 1. RLUIPA/RFRA Explained

Turning to statutory law, the relevant portion of RLUIPA states that "[n]o government shall impose a substantial burden on the religious exercise of a person residing in or confined to an institution, as defined in section 1997 of this title, even if the burden results from a rule of general applicability, unless the government demonstrates that imposition of the burden on that person (1) is in the furtherance of a compelling governmental interest and (2) is the least restrictive means of furthering that compelling government interest." ${ }^{\text {61 }}$ Prisons qualify as "institutions" under this statute. ${ }^{62}$

Similarly, RFRA states that the "[g]overnment shall not substantially burden a person's exercise of religion even if the burden results from a rule of general applicability." ${ }^{63}$ However, the "government may substantially burden a person's exercise of religion only if it demonstrates that application of the burden to the person (1) is in furtherance of a compelling government interest and (2) is the least restrictive means of furthering that government interest." ${ }^{64}$

Under both of these statutes, a prisoner's right to exercise their religion is balanced against the government's interests. This means that while a person has an absolute right to believe whatever he or she wants to believe no matter how outlandish, that person does not always have the right to do things just because of their beliefs. For example, a religious belief that the person must sacrifice another person to a diety would almost surely not be protected by RLUIPA or RFRA because it would be balanced against the compelling government interest of prohibiting citizens from killing other citizens.

In cases involving RLUIPA and RFPA, the burden of proof is on the government to show that there is no less restrictive means to accomplish the compelling government interest at stake.

It is important that a prison fully understand the requirements of the RFRA and the RLUIPA. The three main elements of a court's inquiry under these statutes are (1) substantial burden, (2) a compelling government interest, and (3) least restrictive means.

## a. Substantial burden

Under the RFRA and the RLUIPA, an inmate is not protected from there being any burden on their religious practice; they are only protected from a substantial burden. The substantial nature of the burden is almost always a fact-specific inquiry. The U.S. Supreme Court has stated that this element is satisfied where there is a substantial burden on the adherent to modify his or her behavior and to violate their beliefs. ${ }^{65,66}$

[^20]
## b. Compelling government interest

When analyzing First Amendment questions under the RFRA and RLUIPA, most issues are analyzed using various levels of scrutiny-strict, intermediate, and rational basis scrutiny. The strict scrutiny standard is applicable in instances where a suspect classification such as race, national origin, religion, or alienage is implicated. Under strict scrutiny, the burden of proof is on the government. To pass the strict scrutiny standard, the government must show that a law furthers a "compelling governmental interest," and the law must be narrowly tailored to achieve that interest. ${ }^{67}$

Common sense dictates that "compelling" is meant to be a higher interest than the "legitimate" or "important" thresholds in the other lesser scrutiny standards. An interest is compelling where it is essential rather than a preference or a matter of convenience.

## c. Least restrictive means ${ }^{68}$

When determining whether a law infringes upon a right guaranteed by the First Amendment, the Supreme Court has often used what is commonly referred to as the least restrictive means test. The substance test is somewhat obvious from its name. In order for the law to pass this test, the party with the burden of proof-here, the government-must show that there is no less restrictive way to accomplish its interest. ${ }^{69}$ The measure must be both related to a compelling government interest and the least restrictive means of accomplishing said interest.

[^21]
## 2. Notable RLUIPA/RFRA-based decisions

It is helpful to see how challenges under these statutes play out in real life. Below is a description of three key cases in this area.
a. Holt v. Hobbs, 574 US 352 (2015).

Gregory Holt was an inmate and also a practicing Muslim. Consistent with his sincerely held beliefs, he wanted to grow a beard. However, at that time, the Arkansas Department of Correction's ("ADOC") policy was that only those who had a dermatological condition could grow a quarter-inch beard; no one else was allowed to have any facial hair. Mr. Holt did not have any such skin conditions. As a compromise, Mr. Holt said he was willing to limit his beard to a half inch as opposed to the more common fist length beard for Muslims. However, his request was rejected by the prison.

During the litigation, Mr. Holt argued pro se that he was entitled to an exemption from the ADOC's policy because the policy was not the least restrictive means under RLUIPA for ADOC to further its interests in safety. Mr. Holt testified that it would be impossible to hide anything in his beard which the prison rebutted. The magistrate judge deferred to the prison and issued a report and recommendation that the prison's policy was RLUIPA compliant. The district court then adopted this report and recommendation and granted the prison officials' motion to dismiss which the Eight Circuit Court of Appeals affirmed. Mr. Holt then filed a writ of certiorari and the Supreme Court agreed to hear the case.

The question before the Supreme Court was whether the ADOC's policy of prohibiting any facial hair in the absence of a dermatological condition violated RLUIPA. In a unanimous decision, the Court decided that the policy did violate the RLUIPA.

The Supreme Court found that the ADOC failed to show that "substantially burdening" the religious exercise of Mr. Holt by disallowing his beard was the "least restrictive means of furthering [the] compelling government interest" of safety. The defendants were unable to show that this was the least restrictive way of preventing contraband. Thus, the Supreme Court determined that the policy prohibiting beards substantially burdened Mr. Holt's sincerely held beliefs. As discussed in Chapter 4, the need for men to grow a beard is a common belief which Mr. Holt subscribed to. Mr. Holt's sincerity of belief was not in dispute. The Court noted that the policy forced him into a Hobson's choice of choosing between punishment or actions which are antithetical to his beliefs.
b. Jones v. Carter, 915 F.3d 1147 (7th Cir. 2019).

Roman Jones was a Muslim inmate incarcerated in the Indiana Department of Corrections ("IDOC"). Pursuant to his sincerely held beliefs, he wished to observe Islamic dietary restrictions. Jones believed that kosher food, and particularly kosher meat, was sufficient to satisfy his beliefs.

At the time of the lawsuit, IDOC had stopped serving kosher meal trays due to increased cost. IDOC placed all those who had been receiving kosher meals on a vegan diet. While some

Muslims find a vegan diet acceptable, Jones did not because his Islamic sect instructs that a diet must regularly contain some meat. Inmates, including Jones, sued under the RLUIPA.

The issue before the Seventh Circuit was whether the refusal to provide Jones with kosher meat was a "substantial burden" on his religious exercise. IDOC argued that there was no substantial burden on Jones' religious exercise because he could purchase kosher meats from the prison's commissary. The IDOC further argued the lack of meat was attributable to "[Jones'] own spending choices. ${ }^{י 70}$

In light of Holt (and Burwell v. Hobby Lobby" ${ }^{71}$ ), the court held that "there [is] no doubt that when the state forces a prisoner to give away his last dime so that his daily meals will not violate his religious practice, it is imposing a substantial burden" on his religious beliefs. ${ }^{72}$ Further, the court rejected IDOC's argument that Jones could supplement his diet with items purchased from the commissary. In dicta, the court discussed that it would cost $\$ 14$ per week to buy meat products from the commissary; Jones makes at most $\$ 8.40$ per week.

## c. Moussazadeh v. Tex. Dep't of Crim. Just., 703 F.3d 781 (5th Cir. 2012).

Max Moussazadeh was a Jewish inmate incarcerated in the Texas Department of Criminal Justice ("TDCJ"). He requested kosher food as part of his religious exercise but was denied the food without explanation. After nearly a year of negotiations after the lawsuit was filed, TDCJ began offering kosher food in one unit to which Moussazadeh was transferred. In addition, after much research, TDCJ decided to implement a "two-tier" program-in tier one facilities, kosher meals could be purchased in the commissary, and in tier two facilities, kosher meals were provided free of charge to Jewish inmates. At the time, there was only one tier two facility in the TDCJ. The parties ultimately did not settle because TDCJ would not guarantee Moussazadeh kosher food.

The court dismissed the case as moot during the negotiations. Moussazadeh then appealed the dismissal. During the appeal, he was transferred to a different unit and was again denied kosher food. The court remanded, concluding that the changed circumstances rendered the issue ripe once more.

The Court of Appeals held that the lower court's analysis of Mossazadeh's sincerity of belief was faulty. The district court held that because Moussazadeh bought items that were not certified kosher, he was not sincere in his beliefs about keeping kosher. ${ }^{73}$ However, the Fifth Circuit noted that buying items that were not certified kosher does not necessarily mean that the items are not in fact not acceptable (e.g., coffee may not be certified kosher but may nonetheless be acceptable). Moreover, the court said that sincerity does not require perfect adherence. ${ }^{74}$

[^22]The Fifth Circuit also found that the failure to provide Moussazadeh with free kosher meals placed a substantial burden on his religious practice, and the court rejected the notion that the heightened cost to purchase acceptable food would strain the food budget. The additional cost per year to purchase food would only be $\$ 88,000$. Today, as of result of Moussazadeh, there are multiple kosher kitchens in the TDCJ system which provide kosher meals to inmates, free of cost.

## Chapter 5

This section contains recommendations for how prisons can accommodate Muslim prisoners' religious beliefs and practices. We hope that this section will leave prisons and policy makers fully informed of their options and obligations.

Following the most conservative (i.e., inclusive) interpretation of religious practices is advisable because that will generally capture all lesser-conservative beliefs. For example, one state corrections department that took this approach is Wisconsin. The Wisconsin Department of Corrections ("DOC") adopted the most conservative diets for both the vegetarian and halal meal plans. In particular, in regard to the halal diet, the DOC eliminated dairy products entirely because some Muslims will abstain from certain cheeses or dairy products given that many of these products are processed with rennet or other animal, including pork, byproduct. ${ }^{75}$ Just as there are surely inmates who eat dairy, there are surely inmates who do not. By eliminating dairy entirely, it prevents inmates who are cautious about eating dairy cross-contaminated with meat from either being forced to eat foods that violate their beliefs or to throw away meals that they cannot eat. Importantly, however, while the Wisconsin DOC did not provide dairy, it also instructed its prison staff not to punish Muslims who purchased or otherwise consumed dairy. In other words, it eliminated the offending ingredient while acknowledging the permissibility of it and not punishing people for eating or buying it.

All recommendations in this chapter are best practices based on what we have observed in other prisons. We are aware that considerations may vary based on security level and other factors. Nevertheless, religious freedom remains an important right guaranteed by the First Amendment, and prisons must take every effort to accommodate religious beliefs while still balancing its' own interests.

Finally, while it is important to adopt RLUIPA/RFRA-compliant and thoughtful policies, it is even more important to apply these policies fairly and appropriately. In some instances, we find that the policies as written are likely compliant with the law and are respectful of inmates' religious beliefs, but the policies are not actually followed. For this reason, we recommend ensuring that each person in a position of power (e.g., wardens, guards, medical staff) are properly appraised of the prison's policies in regard to religion.

We cannot guarantee, of course, that adopting the suggested policies will completely eliminate inmate complaints. We do, however, strongly believe that these policies will drastically reduce complaints-if implemented appropriately-and moreover will protect the prison from liability as it will likely meet the RLUIPA standard.

[^23]
## 1. Dietary needs

There are three common ways that prisons use to attempt to satisfy requests for halal food.
First, some prisons adopt what is commonly referred to as the Common Fare Diet. This generally involves a vegetarian or vegan diet that is applied uniformly for anyone of any religion who seeks a particular diet on religious grounds. ${ }^{76}$ Second, some prisons offer kosher meals to Muslim inmates who seek a halal or halal-compliant diet. Third, some prisons offer a true halal meal to inmates.

Each of these options has pros and cons. And, of course, some of these options may not be suitable for all Muslims. As explained in more detail above in Chapter 3, there are varying interpretations in what constitutes halal.

An inmate's own belief as to of whether they can eat kosher food and whether they must regularly eat meat is likely the determining factor is whether a policy meets the RLUIPA standard or not.

For this reason, the most "conservative" approach is to offer a halal diet, which regularly includes meat. This does not mean that meals must include meat every day. We of course understand that halal meals may cost more than non-halal meals. According to a 2018 proposal to serve halal and kosher meat in school lunches in New York City, halal meat costs 10 to 20\% more than conventional meat (i.e., meat that does not observe Jewish or Islamic slaughtering rules) but less expensive than kosher meat. ${ }^{77}$ Where kosher meat is widely provided, so must halal food be. Moreover, marginal increases in cost should not outweigh a person's right to practice their religion. ${ }^{78}$ And from a practice standpoint, the costs of litigation and time spent on this issue likely are comparable to, if not dwarfed by, the increased cost of providing halal meat.

If an inmate is on the kosher meal plan, however, they must not be punished or removed from the meal plan for eating foods that are not kosher but otherwise halal. For example, if a Muslim inmate who receives kosher meals in the absence of halal meals buy clams from the commissary, they must not be punished because while that is not permitted in Judaism, it is certainly permitted in Islam. In other words, they should not be forced to observe the tenets of other religions merely because the prison does not have a meal plan specific to their faith.

[^24]
## 2. Clothing

## a. Women

With female Muslim inmates, often the primary concern is the ability to wear hijab. A secondary (though by no means less important) concern is modesty more generally, including long sleeves and full length pants.

As to hijab, many prisons have policies which allow Muslim inmates to wear hijab and to submit to searches as necessary (by same-sex employees where possible). As an example, a policy from the Federal Correctional Center Coleman states that where an inmate is identified in the system as a member of Islam, or a few other religions, she may wear a headscarf. Women in this correctional center are authorized to have three hijabs that are either black or off-white. ${ }^{79}$ Similarly, effective December 2020, the Virginia Department of Corrections will allow inmates to wear religious headwear including hijab. Inmates may wear hijabs which are up to 48 by 48 inches in size in any part of the prison except for industrial worksite. These hijabs may be purchased through pre-approved vendors or received as a donation through a pre-approved source.

If secular headwear is offered free of charge at the prison, so too should hijabs be.
As for photographs, some prisons choose to take a picture of the inmate with and without hijab. The picture on a prisoner's ID card must be a picture of a hijab-wearing woman with a hijab. The only time a photo without a hijab may be used is in emergency situations (e.g., in the event of an escape attempt). ${ }^{80}$ Further, if this dual-photo method is adopted, the non-hijab version must be kept as private as practicable and should not be viewed by staff without reason.

Modesty is an important part of Islam, including physical modesty. For these reasons, a Muslim woman may desire to change her clothes privately and more importantly, may prefer a woman to conduct any body searches. Thus, where possible, only a woman should conduct body searches and/or pat downs of a female Muslim inmates except in the case of genuine necessity.

Even where a body search is necessary, it is important to respect a person's bodily autonomy. One way to do this is by, for example, allowing the inmate to undress themselves. In the absence of any such policy, we strongly urge prisons to urge policies to this effect.

## b. Men

Modesty is also important for male Muslims. For this reason, the same rules about same sex guards performing body searches applies with men. Another common complaint among Muslim male inmates is having to shower in open locker room style showers where other inmates, as well as guards, can see the inmate in the nude. For this reason, if it does not exist already, we

[^25]recommend installing shower curtains or some other method of maintaining privacy in common shower areas.

The most common clothing related request for men is kufis. As explained earlier, a kufi is a small knit brimless cap. Like hijabs, many institutions have found ways to accommodate these pieces. Particularly where inmates are allowed to wear secular headwear such as beanies, durags, and baseball caps, Muslim inmates who desire to must be able to wear a kufi. Like hijab, prisons may designate only certain colors if that is necessary for order and safety.

If secular headwear is provided free of cost, so too should kufis be.

## 3. Grooming

Islam places great importance on cleanliness and being well-kempt. The most common complaint regarding grooming is male inmates' complaints about the inability to grow a beard.

As noted, there is Supreme Court precedent which holds that policies banning beards altogether are not compliant with RLUIPA. Nevertheless, many prisons still do not comply.

The best practice is to allow Muslim male inmates to grow a beard if they so choose. Many institutions impose "no-shaping rules" to avoid any identification with gangs or other groups. Given that safety is generally a compelling interest, such restrictions would likely be valid if there is no other way to accomplish that interest.

Similarly, many prisons choose to take an ID picture of male inmates both with and without a beard. The picture with the beard should be used on any badges and regular ID cards while the beardless picture to be used as reference in the event of necessity, like an escape attempt.

## 4. Prayer

Prayer is one of the core activities required to be a faithful Muslim. Thus, prison administrators should allow and facilitate (e.g., provide space, give permission, provide prayer mats) this.

For most prayers, there is leeway of about 2-3 hours in which they can be prayed. But the sunrise and sunset prayers have a relatively short window during which they can occur, so where possible, accommodations should be made so that Muslim inmates who wish to pray are not working or otherwise busy during that time. Accommodations should be made so that inmates have a reasonable amount of time to wash up and perform their prayers before returning to other commitments.

## a. Jummah

Another very common accommodation request amongst Muslim prisoners, and therefore a very common complaint when it is not being met, is the ability to pray jummah.

Prisons have accommodated this request in many ways. Some prisons allocate a separate room or make the chapel available for prisoners who want to pray. If a chapel is used, efforts should be taken to cover paintings or statues of other religious relics such as any crucifixes or pictures of other religious figures. This can be done easily with a curtain or other temporary covering that can be removed when members of other religions are using the room.

Some prisons require that an outside volunteer, generally for supervisory reasons, be present in order to hold religious functions. ${ }^{81}$ While this is not on its face problematic, in practice we find that it often is. Often prisons are located in remote regions of the state. Even more, Islam is not the dominant religion in the U.S., with about only $1 \%$ of the population identifying as Muslim. Therefore, it can be difficult to find a Muslim who is able to travel to the prison each week for prayer. This, as we have observed repeatedly, is not true for Christians nor, to a lesser extent, Jews. Therefore, while the policy of requiring supervisors may be a facially neutral policy, it is discriminatory in effect. For this reason, we strongly advise against this policy.

Instead, we suggest that prisons allow inmates to gather without a supervisor (when appropriate based on security classification, etc.) or with the supervision of a prison staff member. If the prayer is supervised by a staff member, this person should be advised that they are to be a quiet observer and should not interrupt the prayer, walk in front of those praying, or talk to anyone except in the event of genuine necessity as doing so will negate the prayer.

The other common issue involving the jummah prayer is that often certain Muslim groups may not want to worship with other Muslim groups. As mentioned previously, there are many interpretations of Islam. Some sects of Muslims can be antagonistic to those not adhering to that sect's viewpoint. Put more bluntly, often Sunnis and Shias do not wish to pray jummah with members of the Nation of Islam, and vice versa. The reason being that the groups views are so different. Hence, best practice for prisons is to allow for at least two separate services. Because

[^26]the prayer time is relatively short, this can be done easily by either having two concurrent prayers in different spaces or two back-to-back prayers in the same space (e.g., Sunnis praying at noon and Nation of Islam praying at one o'clock). Note, however, that the jummah prayer must be prayed within a certain window, and ideally as close as possible to the $d h u r$, or mid-afternoon, prayer. We recommend policy makers consult with local mosques regarding the timing of holding multiple jummah prayers if needed.

## b. Taraweh

Taraweh, as discussed previously in Chapter 3, refers to the nightly prayers that occur during Ramadan. These prayers are often fundamental to many Muslims' religious practice and must be accommodated, where possible.

Generally, taraweh consists of eight or twenty rakats (or groups of two prostrations) and can vary greatly in length of time. The same considerations taken for jummah should be applied here.

## 5. Fasting

Muslims must fast during Ramadan if they are able. Improper treatment or outright denial of the right to fast is one of the most common inmate complaints.

Prisons have accommodated fasting in a multitude of ways. Many prisons have adopted what is often referred to as a "Ramadan List" or another similar term which includes the names of all inmates who want to and have been approved to fast. There are multiple ways that prisons determine who belongs on the list. Some consult with the chaplain who makes the list while others utilize a voluntary sign-up process. We recommend the latter because it avoids inadvertent mistakes by the chaplain and shifts the onus of responsibility to the prisoner. Generally, prisons which use this method institute a cut-off date for sign-up a certain number of days before Ramadan starts.

We recommend that the Ramadan List sign up process become available 120 days before the projected start of Ramadan and be closed 30 days before the start of Ramadan. Announcements regarding the sign-up sheet should be made widely so that all inmates are properly informed. We recommend instituting an internal procedure whereby an inmate is approved or denied for the list within 15 working days of their sign-up. One cannot be denied a place on the list due to disciplinary infractions (e.g., gang activity). More explicitly, inability to practice one's religion is not a valid punishment for such infractions. The only reason a person can be denied admission to the list is if they are not Muslim (by their own admission) in the prison's records at the time of the sign up. There must also be procedures, and exceptions made, for inmates who either convert to Islam within the 30 days before Ramadan and for Muslims who are admitted to prison within those 30 days so that they can fast during Ramadan.

During Ramadan, all efforts must be taken to ensure that food is served on time. This is of utmost importance due to the strict start-dawn-and end times-sunset-of the fast. Compliant prisons choose to accommodate Ramadan meals, where they differ from the timing of mainline meals, in multiple ways. Some opt to provide brown bag lunches to the prisoners. Some deliver meals to their Muslim prisoners at start and end of fasts. Others distribute meals that can be stored in the inmate's cell. Often the pre-dawn meal will be distributed the night before and the sunset meal will be distributed around lunchtime. This is a good option because, if done consistently and correctly, it avoids the inmate not being fed on time. Of course, the food must be able to stay edible and safe-to-eat for multiple hours.

Some prisons serve meals to their Muslim inmates as they usually would, presumably in the dining hall with inmates or staff serving food, but at the appropriate times. If this option is used, it is important to allocate enough time to serve all the inmates and allow them the same amount of time to eat their meals as non-Muslims are allocated.

A few years ago, a Florida prison and detention center became the subject of scrutiny after it was reported that Muslim inmates were fed (if they were at all) food that had been left out since
lunch-up to eight hours. ${ }^{82}$ By that point, the food had become congealed and inedible. This is a perfect example of what not to do. There is no inherent issue with serving leftovers assuming they are properly kept refrigerated (if the foods are not shelf stable).

It is also important to note that just because inmates choose to fast and only eat two meals a day does not mean the inmates forego the calories and nutrients from the third meal. Inmates who are fasting must be afforded the same, or comparable, number of calories and nutrients as any other inmate. This can be done by serving more calories and nutrient dense foods during the two allowed meals.

Another important consideration that should be made is adjusting medication where possible. As stated in Chapter 3, those who are fasting may not ingest anything including medication. Thus, if the timing of the medication is not critical, we encourage the medical staff of the prison to adjust the timings so that medication is taken either with the morning meal or with the evening meal.

If requested, we encourage adopting procedures whereby inmates who work labor intensive jobs are either able to work during non-fasting hours or are reassigned to jobs which are comparable in pay, at least during Ramadan. Inmates should not be demoted or punished merely for fasting.

[^27]
## 6. Holidays

The most important and widely celebrated Islamic holidays are discussed above in Chapter 3. Celebrating holidays can be an important part of a person's sincerely held beliefs. As such, Muslim inmates must be afforded the same rights with regard to holidays as are inmates who practice other religions. This means, for example, if Christians are provided a "feast" that goes above and beyond what they are normally fed on Christmas, so too must Muslims receive a special meal on Eid.

Many prisons have policies whereby each religious group can elect to celebrate one holiday annually with a special meal. Some solicit donations from local organizations to pay for these special meals. We suggest contacting local mosques and organizations for funds, if cost is an issue, or referrals to resources.

Other ways prisons make holidays special is to allow celebrating inmates to eat separately from the main population during their holiday.

## 7. Death, funerals, and burials

There is little to no precedent on prisons and end of life procedures.
Nonetheless, it is important to respect the inmate's choice of end of life procedures. We suggest that prisons adopt a procedure whereby a person can designate at the time they are admitted to the prison or when the person converts to Islam, their preferred end of life procedures (if they have any). We advise that a form or some other procedure be adopted so that a person can attest that they want to be buried and provide information for next of kin or a mosque. ${ }^{83}$ At this time, the prisoner should also be allowed to designate a person to whom their body is released. Further, the prison should consider contacting the closest mosque to set up a partnership in the event that a Muslim person passes without identifying next of kin. In the United States, many mosques own or operate Muslim graveyards and will likely have more resources than the prison when it comes to burying a person according to Islamic norms. As mentioned earlier, no Muslim inmate should be cremated (unless they so indicate).

[^28]
## Chapter 6

Religion is a deeply personal matter and can be extremely important to a person. This is likely even more true for inmates, as many of them find or turn to religion while in prison. Unfortunately, many inmates-Muslim or not-find that their sincerely held beliefs are not accommodated in prison.

Muslims comprise a large population of prisoners, and hence it is prudent for prisons to adopt compassionate and comprehensive policies with respect to Islamic religious accommodations because we suspect that this number will only continue to grow.

The Constitutional Law Center for Muslims in America hopes to enhance knowledge regarding the religious accommodations provided to Muslim inmates and thereby eliminate, or greatly reduce, the need for litigation regarding the lack of or substandard Islamic religious accommodations. We hope that this handbook serves as a useful tool in bridging any gaps in understanding the various requests of Muslim inmates.

We will gladly assist prison officials and staff as they attempt to rectify existing policies and encourage any interested party to contact the Center as needed.

## Glossary

## A

- Allah: Arabic word for God. Does not denote a deity separate from that of the other Abrahamic faiths. "Allah" is merely a term for God akin to "dios" in Spanish and is not God's name.
- Athan: Arabic word for the call to prayer. It is said five times a day and signals that the time for the next prayer has begun. Muslims, absent minor concessions when traveling, may not pray a prayer until the time has begun.
- Ayat: Arabic word for a verse of the Quran.


## B

C

## D

- Dates: The fruit of a palm tree. Traditionally dates are eaten to break the fast during Ramadan (or during other fasts).
- Dua: Supplication. This is similar to the more common understanding of prayer and does not require (but may involve) any specific physical actions. Making dua might involve reciting certain verses of the Quran or other prayers or may involve praying for whatever it is that the person desires.


## E

- Eid: Refers to a Muslim holiday. In particular, there are two universally celebrated Eids -Eid ul-Fitr and Eid ul-Adha. Eid ul-Fitr immediately follows the end of Ramadan and commemorates Muslims' sacrifice during the preceding month. This Eid lasts three days, though most of the celebration occurs on the first day. Eid ul-Adha occurs roughly sixty-eight days after Eid ul-Fitr and commemorates both Abraham's willingness to sacrifice his son and the end of the mandatory (for those who are healthy and can afford it; it is only mandatory to attend once in a lifetime) pilgrimage-hajj.


## F

- Fasting: Also known as "sawm." Muslims are instructed to fast during the ninth month of the Islamic calendar-Ramadan. This involves abstaining from food or drink (as well
as other vices such anger, greed, etc.) from dawn to sunset. Certain minimal exemptions are made regarding who is exempt from fasting. This includes: the young, the elderly, the infirm (e.g., diabetics who are insulin dependent, cancer patients), travelers, and those who are menstruating, pregnant, or breastfeeding. Fasting Muslims may not ingest anything, including medication, between dawn to sunset. Medication timing and dosage should be adjusted where necessary and possible so that it can be taken outside of fasting hours. Those who are otherwise able to fast but missed a day or more (e.g., those who were temporarily ill as opposed to those who are chronically ill) of fasting are instructed to make up the day(s) before the start of the following Ramadan.
- Hadith: A collection of sayings and stories which elaborate on Quranic teachings and serve as an additional source of Islamic jurisprudence.
- Hajj: Refers to the Muslim pilgrimage to Mecca and other parts of Saudi Arabia. It lasts several days and has various rites and rituals. It is incumbent to perform at least once on every able-bodied Muslim who can afford it.
- Halal: Literally translates to "permissible." Often used in the food context but can apply to other things as well. Muslims are instructed to eat only foods that are halal. There are various interpretations of what kinds of meat are halal. Some Muslims believe that only meat raised and slaughtered according to Quranic instruction is halal. Others believe that meat from "people of the book" (i.e., Christians and Jews) is permissible to eat-thus, some Muslims are content with kosher meat. Generally, all seafood is considered halal though some schools of thought consider bottom-feeders like crab, catfish, etc. not to be halal. Similarly, all vegetables, grains, etc. are considered halal unless otherwise cross contaminated by haram ingredients.
- Haram: Literally translates to impermissible. This term is often used in the food context but can refer to impermissible acts, etc. Foods that are per se haram are pork, pork byproducts, and alcohol. Some other animals are considered haram as well, though it is not as relevant because these foods are not commonly eaten in contemporary times. For example, predatory birds which kill using their talons such as eagles, donkeys, bugs (except locust), and vermin such as rats are all generally considered haram to eat. Many Muslims also believe that food that is not raised and slaughtered in the way called for by Islam is haram though it does not contain any per se haram ingredients. Any haram food can be eaten in times of genuine necessity-e.g., war, famine.

Hijab: The term refers to modesty codes, generally, for men and women. However, in colloquially usage, it has been co-opted to refer to the head covering worn by many Muslim women. Fabric type and color can vary greatly. Styles can vary as well-some women choose to wear their hijab in a turban style, exposing their neck; some choose to wear a scarf that covers their hair, ears, and neck.

- Hijri: The calendar system used in Islam which should be used to determine the date of Muslim holidays. This is a lunar calendar. It should be noted that the hijri calendar changes in relation to the Gregorian calendar due to differences in the sun and moon's orbits. Thus, Ramadan typically starts approximately twelve days before the previous year's start date. Additionally, a day in the hijri calendar begins at sunset because it is based on a lunar calendar. That is, Ramadan will technically start when the moon begins to rise, marking the start of the ninth month-not on the first full day of fasting.


## I

- Iftar: The Arabic word for the meal eaten to break one's fast. Generally, fasts are broken with a date, or something sweet, and water followed by whatever foods the person chooses to eat.
- Imam: One who leads prayer.


## J

- Janamaz: This is the Hindi/Urdu word for prayer rug. May also be referred to as "musallah" which is the Arabic word for prayer rug. Because Muslims touch their foreheads to the ground at certain points during prayer, Muslims are encouraged to ensure that they are praying on a clean surface. Generally, a janamaz is about the size of a standard bath towel.
- Janazah: A congregational funeral prayer prayed in honor of the deceased. It is customary to ask God for the forgiveness of the dead and for their place in heaven.
- Jummah: Congregational prayer on Friday afternoon that is generally considered mandatory for men. While not mandatory for women, many women sincerely believe that they should attend. This prayer takes the place of the second prayer of the day, dhuhr. It is approximately thirty to forty-five minutes long and includes a short sermon given by a knowledgeable individual on a topic of their choice. Following that, there is an abbreviated prayer (which includes the physical motions traditionally observed). Congregants should not be interrupted unless there is an emergency because talking or doing other activities, even while listening to the sermon, negates the prayer.


## K

- Kufi: A knit brimless cap worn by Muslim men. Color and material have no religious significance but may hold cultural significance.
- Khutba: A short sermon on any topic relating to Islam which accompanies the prayer during jummah. Normally, the afternoon prayer which jummah takes the place of consists of four repetitions of the motions, referred to as rakats. However, at jummah alone, the khutba takes the place of two out of four of these rakats. Therefore, worshippers must remain focused as they would during normal prayers. This means that they may not talk, unnecessarily walk around, read, etc. Efforts should be taken to ensure that prison staff do not interrupt the sermon or following prayers except for in emergency situations.
- Khateeb: The person who gives the khutba. While the khateeb is generally an imam or some other learned individual, any person who is knowledgeable on a subject may serve as the khateeb in most schools of though.


## L

M

- Masjid: Arabic word for mosque. Refers to an Islamic house of worship.
- Miswak: A twig from the Salvadora persica tree used to clean teeth. The tree is naturally rich in many things, like fluorine and antibiotic compounds, and is thought to be good for oral health. Generally, a miswak is about the size of a regular pencil, if not smaller.
- Musallah: Arabic word for prayer rug. May also be referred to as "janamaz" which is the Hindi/Urdu word for prayer rug. Because Muslims touch their foreheads to the ground at certain points during prayer, Muslims are encouraged to ensure that they are praying on a clean surface. Generally, the musallah is about the size of a standard bath towel.

N

- Namaz: Aka "salah." Hindi/Urdu word for prayer. Muslims are instructed to pray at least five times a day at predetermined times that change with the change in the sun's position throughout the year. This type of prayer is sometimes referred to as contact prayers. In general, the times are at dawn, mid-afternoon, late-afternoon, sunset, and evening.

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## P

## Q

- Qibla: This refers to the direction Muslims must face during prayer. Those who are praying must face Mecca, Saudi Arabia. The direction can be determined using a compass. There are also numerous cellphone apps available which make it very easy to determine the correct direction. While Mecca is east in relation to the contiguous United States, facing east alone is not sufficient and the precise direction must be discerned.
- Quran: The holy scripture of Islam. Akin to the Torah or Bible. The Quran has been translated into practically every language spoken today and does not need to be in Arabic in order to be considered holy. However, many Muslims believe that reading the Quran in its original Arabic is mandatory and/or important to their worship. The Quran, like other holy scriptures, should be respected and not torn up, thrown in the trash, stepped on, etc.


## R

- Ramadan: The ninth month of the hijri (aka Islamic) calendar. Believed to be when the Quran was first revealed. Lasting either 29 or 30 days depending on the moon's cycle, Ramadan is a month of heightened spirituality for most Muslims. Primarily, Muslims are instructed to abstain from food or drink-or, fast-from dawn to sunset. They are also instructed to abstain from vices such as anger or greed. There are additional, encouraged activities during this period such as extra prayers (e.g., contact prayer, reading more of the Quran, etc.) and charitable behaviors.


## S

- Salah: Aka "namaz." Arabic word for prayer. Muslims are instructed to pray at least five times a day at predetermined times that change with the change in the sun's position throughout the year. This type of prayer is sometimes referred to as contact prayers. In general, the times are at dawn, mid-afternoon, late-afternoon, sunset, and evening.
- Sawm: Arabic word for fasting.
- Shiism: One of the two major branches of Islam. Adherents of this school of thought are called "Shias" or "Shiites."
- Shahada: The declaration of faith. In order to convert to Islam, one must say the shahada which involves publicly (to at least one person) affirming the oneness of God and that the Prophet Muhammad (peace be upon him) is a prophet of God.
- Sharia: Refers to the Islamic legal code. This ranges from rules regarding all aspects of life such as rules regarding inheritance, alms, marriage, etc. In popular western culture,
sharia has become synonymous with the penal code portion of sharia. However, the penal portion only comprises a very small amount of the laws and has several rules surrounding when such punishments may be doled out. In fact, many jurists agree that the penal portion of sharia can only be implemented in Muslim countries and when extremely high burdens of proof are met.
- Sheikh: Islamic faith leader. The transliterated spelling on this word can vary greatly.
- Suhoor: The Arabic word for the meal eaten before the start of the fast. Muslims may eat as much or as little as they desire after the sun sets and before the sun begins to rise. Muslims are encouraged to eat a pre-fast meal-suhoor. Often, suhoor is comprised of complex carbs such as nuts, legumes, whole grains, etc. that will provide energy throughout the day as opposed to simple carbs.
- Sunnah: Refers to the habits and actions of the Prophet Muhammad (peace be upon him). While these are not mandatory actions, they are highly encouraged and may be a part of a Muslim's sincerely held beliefs. Common sunnah actions include fasting on every Monday and Thursday, fasting on various auspicious days throughout the year, praying additional contact prayers, and eating with the right hand.
- Sunnism: One of the two major branches of Islam. Adherents of this school of thought are called "Sunnis."
- Surah: Section of the Quran. The Quran was revealed over time and is divided into 30 chapters, referred to as juz in Arabic. Within each of these chapters are subchapters, so to speak, which are called surahs (in Arabic). Some surahs span multiple chapters and others are merely a few verses.
- Taraweh: Late night prayers held during Ramadan. Do not have to be prayed in congregation but it is highly encouraged.
- Tasbih: Prayer beads. Color and material have no religious significance.
$\mathbf{U}$
V


## W

- Wudu: Arabic word for ablution. Refers to the cleansing that is required before prayers. Muslims must make wudu in order to maintain a ritual state of purity required to perform
certain actions such as prayer. Wudu generally requires washing of hands, forearms, face, and feet, with small differences of opinion by sect and school of thought.


## X

- Zabiha: Meat raised and slaughtered according to Islamic law. In order for meat to be zabiha, it must be slaughtered in a humane way by per Quranic instruction. The animal must have also been raised humanely. It cannot be in the presence of other animals, carcasses, blood, etc. when being slaughtered. In fact, the animal cannot even see the knife that will be used to kill it. The prescribed method of slaughter is to sever the jugular vein, carotid artery, and windpipe using a sharp knife in a swift motion. When done properly, the animal loses consciousness immediately and does not suffer. Once the animal has been killed, the blood must be drained completely. Note that there is a difference between halal and zabiha-kosher meat may be considered halal by some whereas it would not be zabiha because it likely was not slaughtered by a Muslim or in accordance with Quranic instruction.
- Zakat ul-Mal: Mandatory alms; generally referred to using the short form-"zakat." Financially secure Muslims must donate a portion of their wealth annually to charitable causes that serve Muslims. The exact percentage can vary by sect but $2.5 \%$ is the generally accepted number among Sunnis, who make up the vast majority of the Muslim population. Note that financially secured as used here refers to a specific threshold referred to in Arabic as nisab. The amount varies from year to year due to inflation and natural changes in value of items (because originally nisab was based on ownership of certain items). As of April 2020, the amount varied from $\$ 4,478$ to $\$ 4,731$.
- Zakat ul-Fitr: Separate from the annual zakat. This refers to the once a year amount that each Muslim must pay on Eid ul-Fitr. The amount varies slightly from year to year but is generally around ten U.S. dollars per person.


## Atlanta Prayer Times 2021

IslamicFinder

| January 2021 |  |  | Jumada Al-Awwal 1442 |  | Jumada Al-Akhirah 1442 |  | February 2021 |  |  |  | Jumada Al-Akhirah 1442 - Rajab 1442 |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| Day | Fajr | Sunrise | Dhuhr | Asr | Maghrib | Isha | Day | Fajr | Sunrise | Dhuhr | Asr | Maghrib | Isha |
| 1 | 06:29 AM | 07:42 AM | 12:42 PM | 03:22 PM | 05:41 PM | 06:54 PM | 1 | 06:23 AM | 07:33 AM | 12:52 PM | 03:48 PM | 06:09 PM | 07:20 PM |
| 2 | 06:29 AM | 07:42 AM | 12:42 PM | 03:23 PM | 05:41 PM | 06:55 PM | 2 | 06:23 AM | 07:33 AM | 12:52 PM | 03:49 PM | 06:10 PM | 07:21 PM |
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| 4 | 06:30 AM | 07:42 AM | 12:43 PM | 03:25 PM | 05:43 PM | 06:57 PM | 4 | 06:21 AM | 07:31 AM | 12:52 PM | 03:50 PM | 06:12 PM | 07:23 PM |
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| 29 | 06:25 AM | 07:35 AM | 12:51 PM | 03:45 PM | 06:06 PM | 07:17 PM |  |  |  |  |  |  |  |
| 30 | 06:24 AM | 07:35 AM | 12:51 PM | 03:46 PM | 06:07 PM | 07:18 PM |  |  |  |  |  |  |  |
| 31 | 06:24 AM | 07:34 AM | 12:51 PM | 03:47 PM | 06:08 PM | 07:19 PM |  |  |  |  |  |  |  |


| March 2021 Rajab 1442 - Shaban 1442 |  |  |  |  |  |  | April 2021 |  |  |  |  | Shaban 1442 - Ramadan 1442 |  |
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| Day | Fajr | Sunrise | Dhuhr | Asr | Maghrib | Isha | Day | Fajr | Sunrise | Dhuhr | Asr | Maghrib | Isha |
| 1 | 05:57 AM | 07:05 AM | 12:50 PM | 04:06 PM | 06:35 PM | 07:43 PM | 1 | 06:16 AM | 07:25 AM | 01:42 PM | 05:15 PM | 07:58 PM | 09:08 PM |
| 2 | 05:56 AM | 07:04 AM | 12:50 PM | 04:07 PM | 06:36 PM | 07:44 PM | 2 | 06:15 AM | 07:24 AM | 01:42 PM | 05:15 PM | 07:59 PM | 09:09 PM |
| 3 | 05:54 AM | 07:03 AM | 12:50 PM | 04:07 PM | 06:36 PM | 07:45 PM | 3 | 06:13 AM | 07:23 AM | 01:41 PM | 05:15 PM | 08:00 PM | 09:10 PM |
| 4 | 05:53 AM | 07:01 AM | 12:50 PM | 04:07 PM | 06:37 PM | 07:46 PM | 4 | 06:12 AM | 07:21 AM | 01:41 PM | 05:16 PM | 08:00 PM | 09:11 PM |
| 5 | 05:52 AM | 07:00 AM | 12:49 PM | 04:08 PM | 06:38 PM | 07:47 PM | 5 | 06:10 AM | 07:20 AM | 01:41 PM | 05:16 PM | 08:01 PM | 09:11 PM |
| 6 | 05:51 AM | 06:59 AM | 12:49 PM | 04:08 PM | 06:39 PM | 07:47 PM | 6 | 06:09 AM | 07:19 AM | 01:41 PM | 05:16 PM | 08:02 PM | 09:12 PM |
| 7 | 05:49 AM | 06:58 AM | 12:49 PM | 04:09 PM | 06:40 PM | 07:48 PM | 7 | 06:07 AM | 07:17 AM | 01:40 PM | 05:16 PM | 08:03 PM | 09:13 PM |
| 8 | 05:48 AM | 06:56 AM | 12:49 PM | 04:09 PM | 06:40 PM | 07:49 PM | 8 | 06:06 AM | 07:16 AM | 01:40 PM | 05:16 PM | 08:03 PM | 09:14 PM |
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| 11 | 05:44 AM | 06:52 AM | 12:48 PM | 04:10 PM | 06:43 PM | 07:51 PM | 11 | 06:01 AM | 07:12 AM | 01:39 PM | 05:16 PM | 08:06 PM | 09:17 PM |
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| 22 | 06:30 AM | 07:39 AM | 01:45 PM | 05:13 PM | 07:51 PM | 09:00 PM | 22 | 05:46 AM | 06:59 AM | 01:37 PM | 05:17 PM | 08:14 PM | 09:27 PM |
| 23 | 06:29 AM | 07:38 AM | 01:45 PM | 05:13 PM | 07:51 PM | 09:00 PM | 23 | 05:45 AM | 06:58 AM | 01:36 PM | 05:17 PM | 08:15 PM | 09:28 PM |
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| 25 | 06:26 AM | 07:35 AM | 01:44 PM | 05:14 PM | 07:53 PM | 09:02 PM | 25 | 05:42 AM | 06:55 AM | 01:36 PM | 05:17 PM | 08:16 PM | 09:30 PM |
| 26 | 06:25 AM | 07:33 AM | 01:44 PM | 05:14 PM | 07:54 PM | 09:03 PM | 26 | 05:41 AM | 06:54 AM | 01:36 PM | 05:17 PM | 08:17 PM | 09:31 PM |
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| 29 | 06:20 AM | 07:29 AM | 01:43 PM | 05:15 PM | 07:56 PM | 09:05 PM | 29 | 05:37 AM | 06:51 AM | 01:35 PM | 05:17 PM | 08:19 PM | 09:34 PM |
| 30 | 06:19 AM | 07:28 AM | 01:43 PM | 05:15 PM | 07:57 PM | 09:06 PM | 30 | 05:35 AM | 06:50 AM | 01:35 PM | 05:17 PM | 08:20 PM | 09:35 PM |
| 31 | 06:17 AM | 07:27 AM | 01:42 PM | 05:15 PM | 07:57 PM | 09:07 PM |  |  |  |  |  |  |  |


| May 2021 Ramadan 1442-Shawwal 1442 |  |  |  |  |  |  | June 2021 |  |  |  | Shawwal 1442 - Dhul Qadah 1442 |  |  |
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| Day | Fajr | Sunrise | Dhuhr | Asr | Maghrib | Isha | Day | Fajr | Sunrise | Dhuhr | Asr | Maghrib | Isha |
| 1 | 05:34 AM | 06:49 AM | 01:35 PM | 05:17 PM | 08:21 PM | 09:36 PM | 1 | 05:06 AM | 06:27 AM | 01:36 PM | 05:20 PM | 08:43 PM | 10:05 PM |
| 2 | 05:33 AM | 06:48 AM | 01:35 PM | 05:17 PM | 08:22 PM | 09:37 PM | 2 | 05:06 AM | 06:27 AM | 01:36 PM | 05:21 PM | 08:44 PM | 10:06 PM |
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| 7 | 05:27 AM | 06:43 AM | 01:35 PM | 05:18 PM | 08:26 PM | 09:42 PM | 7 | 05:04 AM | 06:26 AM | 01:37 PM | 05:21 PM | 08:47 PM | 10:10 PM |
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| 21 | 05:13 AM | 06:32 AM | 01:35 PM | 05:19 PM | 08:36 PM | 09:56 PM | 21 | 05:03 AM | 06:26 AM | 01:40 PM | 05:24 PM | 08:52 PM | 10:16 PM |
| 22 | 05:12 AM | 06:32 AM | 01:35 PM | 05:19 PM | 08:37 PM | 09:57 PM | 22 | 05:04 AM | 06:27 AM | 01:40 PM | 05:25 PM | 08:52 PM | 10:16 PM |
| 23 | 05:12 AM | 06:31 AM | 01:35 PM | 05:19 PM | 08:37 PM | 09:58 PM | 23 | 05:04 AM | 06:27 AM | 01:40 PM | 05:25 PM | 08:52 PM | 10:16 PM |
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| 30 | 05:07 AM | 06:28 AM | 01:35 PM | 05:20 PM | 08:42 PM | 10:04 PM | 30 | 05:07 AM | 06:29 AM | 01:42 PM | 05:26 PM | 08:53 PM | 10:16 PM |
| 31 | 05:06 AM | 06:28 AM | 01:36 PM | 05:20 PM | 08:43 PM | 10:05 PM |  |  |  |  |  |  |  |


| July 2021 Dhul Qadah 1442-Dhul Hijjah 1442 |  |  |  |  |  |  | August 2021 |  |  |  | Dhul Hijjah 1442 - Muharram 1443 |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| Day | Fajr | Sunrise | Dhuhr | Asr | Maghrib | Isha | Day | Fajr | Sunrise | Dhuhr | Asr | Maghrib | Isha |
| 1 | 05:07 AM | 06:30 AM | 01:42 PM | 05:26 PM | 08:53 PM | 10:16 PM | 1 | 05:32 AM | 06:48 AM | 01:44 PM | 05:28 PM | 08:39 PM | 09:56 PM |
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| 11 | 05:14 AM | 06:35 AM | 01:43 PM | 05:28 PM | 08:51 PM | 10:13 PM | 11 | 05:42 AM | 06:55 AM | 01:43 PM | 05:26 PM | 08:30 PM | 09:45 PM |
| 12 | 05:14 AM | 06:35 AM | 01:44 PM | 05:28 PM | 08:51 PM | 10:13 PM | 12 | 05:43 AM | 06:56 AM | 01:43 PM | 05:25 PM | 08:29 PM | 09:43 PM |
| 13 | 05:15 AM | 06:36 AM | 01:44 PM | 05:28 PM | 08:50 PM | 10:12 PM | 13 | 05:44 AM | 06:57 AM | 01:43 PM | 05:25 PM | 08:27 PM | 09:42 PM |
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| 31 | 05:31 AM | 06:48 AM | 01:44 PM | 05:28 PM | 08:40 PM | 09:57 PM | 31 | 06:00 AM | 07:10 AM | 01:38 PM | 05:16 PM | 08:06 PM | 09:17 PM |


| September 2021 |  | Muharram 1443 - Safar 1443 |  |  |  |  | October 2021 |  |  |  | Safar 1443 - Rabi ul Awal 1443 |  |  |
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| 1 | 06:01 AM | 07:10 AM | 01:38 PM | 05:15 PM | 08:04 PM | 09:15 PM | 1 | 06:24 AM | 07:31 AM | 01:28 PM | 04:50 PM | 07:23 PM | 08:31 PM |
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| November 2021 |  |  |  | Rabi ul Awal 1443 - Rabi Al-Akhar 1443 |  |  | Dece | ber 2021 | Rabi Al-Akhar 1443 - Jumada Al-Awwal 1443 |  |  |  |  |
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| Day | Fajr | Sunrise | Dhuhr | Asr | Maghrib | Isha | Day | Fajr | Sunrise | Dhuhr | Asr | Maghrib | Isha |
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## Boston Prayer Times 2021

IslamicFinder

| January 2021 |  | Jumada Al-Awwal 1442 - Jumada Al-Akhirah 1442 |  |  |  |  | February 2021 |  |  |  | Jumada Al-Akhirah 1442 - Rajab 1442 |  |  |
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| Day | Fajr | Sunrise | Dhuhr | Asr | Maghrib | Isha | Day | Fajr | Sunrise | Dhuhr | Asr | Maghrib | Isha |
| 1 | 05:50 AM | 07:13 AM | 11:49 AM | 02:05 PM | 04:23 PM | 05:48 PM | 1 | 05:37 AM | 06:57 AM | 11:58 AM | 02:37 PM | 04:59 PM | 06:19 PM |
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| 31 | 05:38 AM | 06:58 AM | 11:58 AM | 02:36 PM | 04:58 PM | 06:18 PM |  |  |  |  |  |  |  |


| March 2021 Rajab 1442 - Shaban 1442 |  |  |  |  |  |  | April 2021 |  |  |  |  | Shaban 1442 - Ramadan 1442 |  |
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| Day | Fajr | Sunrise | Dhuhr | Asr | Maghrib | Isha | Day | Fajr | Sunrise | Dhuhr | Asr | Maghrib | Isha |
| 1 | 05:02 AM | 06:19 AM | 11:57 AM | 03:04 PM | 05:35 PM | 06:52 PM | 1 | 05:08 AM | 06:28 AM | 12:49 PM | 04:23 PM | 07:10 PM | 08:29 PM |
| 2 | 05:00 AM | 06:17 AM | 11:57 AM | 03:05 PM | 05:36 PM | 06:54 PM | 2 | 05:06 AM | 06:26 AM | 12:49 PM | 04:24 PM | 07:11 PM | 08:31 PM |
| 3 | 04:59 AM | 06:16 AM | 11:57 AM | 03:06 PM | 05:38 PM | 06:55 PM | 3 | 05:05 AM | 06:24 AM | 12:48 PM | 04:24 PM | 07:12 PM | 08:32 PM |
| 4 | 04:57 AM | 06:14 AM | 11:56 AM | 03:07 PM | 05:39 PM | 06:56 PM | 4 | 05:03 AM | 06:22 AM | 12:48 PM | 04:25 PM | 07:13 PM | 08:33 PM |
| 5 | 04:55 AM | 06:12 AM | 11:56 AM | 03:07 PM | 05:40 PM | 06:57 PM | 5 | 05:01 AM | 06:21 AM | 12:48 PM | 04:25 PM | 07:14 PM | 08:35 PM |
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| 9 | 04:49 AM | 06:06 AM | 11:55 AM | 03:10 PM | 05:45 PM | 07:02 PM | 9 | 04:53 AM | 06:14 AM | 12:47 PM | 04:27 PM | 07:19 PM | 08:40 PM |
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| 11 | 04:45 AM | 06:02 AM | 11:55 AM | 03:12 PM | 05:47 PM | 07:04 PM | 11 | 04:49 AM | 06:11 AM | 12:46 PM | 04:28 PM | 07:21 PM | 08:43 PM |
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| 31 | 05:10 AM | 06:29 AM | 12:49 PM | 04:23 PM | 07:09 PM | 08:28 PM |  |  |  |  |  |  |  |


| May 2021 Ramadan 1442 - Shawwal 1442 |  |  |  |  |  |  | June 2021 |  |  |  | Shawwal 1442 - Dhul Qadah 1442 |  |  |
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| 1 | 04:12 AM | 05:40 AM | 12:42 PM | 04:35 PM | 07:44 PM | 09:12 PM | 1 | 03:29 AM | 05:10 AM | 12:43 PM | 04:45 PM | 08:15 PM | 09:56 PM |
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| 31 | 03:30 AM | 05:11 AM | 12:42 PM | 04:45 PM | 08:14 PM | 09:55 PM |  |  |  |  |  |  |  |


| July 2021 Dhul Qadah 1442 - Dhul Hijjah 1442 |  |  |  |  |  |  | August 2021 |  |  |  | Dhul Hijjah 1442 - Muharram 1443 |  |  |
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| 1 | 03:28 AM | 05:11 AM | 12:49 PM | 04:52 PM | 08:26 PM | 10:10 PM | 1 | 04:05 AM | 05:36 AM | 12:51 PM | 04:48 PM | 08:05 PM | 09:38 PM |
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| September 2021 |  | Muharram 1443 - Safar 1443 |  |  |  |  | October 2021 |  |  |  | Safar 1443 - Rabi ul Awal 1443 |  |  |
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| 24 | 05:17 AM | 06:33 AM | 12:37 PM | 04:00 PM | 06:40 PM | 07:57 PM | 24 | 05:51 AM | 07:06 AM | 12:29 PM | 03:23 PM | 05:50 PM | 07:08 PM |
| 25 | 05:18 AM | 06:34 AM | 12:37 PM | 03:59 PM | 06:38 PM | 07:55 PM | 25 | 05:52 AM | 07:08 AM | 12:29 PM | 03:22 PM | 05:49 PM | 07:06 PM |
| 26 | 05:19 AM | 06:35 AM | 12:36 PM | 03:58 PM | 06:36 PM | 07:53 PM | 26 | 05:53 AM | 07:09 AM | 12:29 PM | 03:21 PM | 05:47 PM | 07:05 PM |
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| 29 | 05:23 AM | 06:38 AM | 12:35 PM | 03:54 PM | 06:31 PM | 07:48 PM | 29 | 05:56 AM | 07:13 AM | 12:29 PM | 03:18 PM | 05:43 PM | 07:01 PM |
| 30 | 05:24 AM | 06:39 AM | 12:35 PM | 03:53 PM | 06:29 PM | 07:46 PM | 30 | 05:57 AM | 07:14 AM | 12:29 PM | 03:17 PM | 05:42 PM | 07:00 PM |
|  |  |  |  |  |  |  | 31 | 05:58 AM | 07:15 AM | 12:28 PM | 03:15 PM | 05:40 PM | 06:59 PM |


| November 2021 |  |  |  | Rabi ul Awal 1443 - Rabi Al-Akhar 1443 |  |  | December 2021 |  |  | Rabi Al-Akhar 1443 - Jumada Al-Awwal 1443 |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| Day | Fajr | Sunrise | Dhuhr | Asr | Maghrib | Isha | Day | Fajr | Sunrise | Dhuhr | Asr | Maghrib | Isha |
| 1 | 05:59 AM | 07:16 AM | 12:28 PM | 03:14 PM | 05:39 PM | 06:57 PM | 1 | 05:32 AM | 06:54 AM | 11:34 AM | 01:54 PM | 04:13 PM | 05:36 PM |
| 2 | 06:01 AM | 07:18 AM | 12:28 PM | 03:13 PM | 05:38 PM | 06:56 PM | 2 | 05:33 AM | 06:55 AM | 11:34 AM | 01:54 PM | 04:13 PM | 05:36 PM |
| 3 | 06:02 AM | 07:19 AM | 12:28 PM | 03:12 PM | 05:37 PM | 06:55 PM | 3 | 05:34 AM | 06:56 AM | 11:35 AM | 01:54 PM | 04:13 PM | 05:36 PM |
| 4 | 06:03 AM | 07:20 AM | 12:28 PM | 03:11 PM | 05:35 PM | 06:54 PM | 4 | 05:34 AM | 06:57 AM | 11:35 AM | 01:54 PM | 04:13 PM | 05:36 PM |
| 5 | 06:04 AM | 07:21 AM | 12:28 PM | 03:10 PM | 05:34 PM | 06:53 PM | 5 | 05:35 AM | 06:58 AM | 11:36 AM | 01:54 PM | 04:12 PM | 05:36 PM |
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| 8 | 05:08 AM | 06:26 AM | 11:29 AM | 02:07 PM | 04:30 PM | 05:49 PM | 8 | 05:38 AM | 07:01 AM | 11:37 AM | 01:54 PM | 04:12 PM | 05:36 PM |
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| 28 | 05:29 AM | 06:50 AM | 11:33 AM | 01:55 PM | 04:14 PM | 05:37 PM | 28 | 05:49 AM | 07:12 AM | 11:47 AM | 02:02 PM | 04:20 PM | 05:44 PM |
| 29 | 05:30 AM | 06:51 AM | 11:33 AM | 01:55 PM | 04:14 PM | 05:37 PM | 29 | 05:49 AM | 07:13 AM | 11:47 AM | 02:03 PM | 04:21 PM | 05:45 PM |
| 30 | 05:31 AM | 06:53 AM | 11:34 AM | 01:55 PM | 04:13 PM | 05:36 PM | 30 | 05:49 AM | 07:13 AM | 11:48 AM | 02:04 PM | 04:21 PM | 05:46 PM |
|  |  |  |  |  |  |  | 31 | 05:50 AM | 07:13 AM | 11:48 AM | 02:04 PM | 04:22 PM | 05:47 PM |

## Miami Prayer Times 2021

IslamicFinder

| January 2021 |  | Jumada Al-Awwal 1442 - Jumada Al-Akhirah 1442 |  |  |  |  | February 2021 |  |  |  | Jumada Al-Akhirah 1442 - Rajab 1442 |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| Day | Fajr | Sunrise | Dhuhr | Asr | Maghrib | Isha | Day | Fajr | Sunrise | Dhuhr | Asr | Maghrib | Isha |
| 1 | 06:00 AM | 07:07 AM | 12:25 PM | 03:23 PM | 05:42 PM | 06:50 PM | 1 | 05:59 AM | 07:04 AM | 12:35 PM | 03:43 PM | 06:05 PM | 07:11 PM |
| 2 | 06:01 AM | 07:07 AM | 12:26 PM | 03:23 PM | 05:43 PM | 06:51 PM | 2 | 05:59 AM | 07:03 AM | 12:35 PM | 03:44 PM | 06:06 PM | 07:11 PM |
| 3 | 06:01 AM | 07:08 AM | 12:26 PM | 03:24 PM | 05:44 PM | 06:51 PM | 3 | 05:58 AM | 07:03 AM | 12:35 PM | 03:44 PM | 06:07 PM | 07:12 PM |
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| 10 | 06:02 AM | 07:09 AM | 12:29 PM | 03:29 PM | 05:49 PM | 06:56 PM | 10 | 05:55 AM | 06:59 AM | 12:35 PM | 03:48 PM | 06:12 PM | 07:16 PM |
| 11 | 06:02 AM | 07:09 AM | 12:29 PM | 03:29 PM | 05:49 PM | 06:56 PM | 11 | 05:54 AM | 06:58 AM | 12:35 PM | 03:48 PM | 06:12 PM | 07:17 PM |
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| 17 | 06:03 AM | 07:08 AM | 12:32 PM | 03:33 PM | 05:54 PM | 07:01 PM | 17 | 05:50 AM | 06:54 AM | 12:35 PM | 03:51 PM | 06:16 PM | 07:20 PM |
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| 28 | 06:01 AM | 07:06 AM | 12:34 PM | 03:41 PM | 06:02 PM | 07:08 PM | 28 | 05:41 AM | 06:44 AM | 12:34 PM | 03:54 PM | 06:23 PM | 07:26 PM |
| 29 | 06:00 AM | 07:05 AM | 12:34 PM | 03:41 PM | 06:03 PM | 07:09 PM |  |  |  |  |  |  |  |
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| 31 | 06:00 AM | 07:04 AM | 12:35 PM | 03:42 PM | 06:05 PM | 07:10 PM |  |  |  |  |  |  |  |


| March 2021 |  |  |  |  | Rajab 1442 - Shaban 1442 |  | April 2021 |  |  |  |  | Shaban 1442 - Ramadan 1442 |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| Day | Fajr | Sunrise | Dhuhr | Asr | Maghrib | Isha | Day | Fajr | Sunrise | Dhuhr | Asr | Maghrib | Isha |
| 1 | 05:40 AM | 06:43 AM | 12:34 PM | 03:54 PM | 06:23 PM | 07:27 PM | 1 | 06:09 AM | 07:12 AM | 01:25 PM | 04:54 PM | 07:38 PM | 08:42 PM |
| 2 | 05:40 AM | 06:42 AM | 12:33 PM | 03:54 PM | 06:24 PM | 07:27 PM | 2 | 06:08 AM | 07:11 AM | 01:25 PM | 04:54 PM | 07:38 PM | 08:42 PM |
| 3 | 05:39 AM | 06:41 AM | 12:33 PM | 03:54 PM | 06:24 PM | 07:28 PM | 3 | 06:07 AM | 07:10 AM | 01:25 PM | 04:54 PM | 07:39 PM | 08:43 PM |
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| 5 | 05:37 AM | 06:39 AM | 12:33 PM | 03:55 PM | 06:25 PM | 07:29 PM | 5 | 06:04 AM | 07:08 AM | 01:24 PM | 04:54 PM | 07:40 PM | 08:44 PM |
| 6 | 05:36 AM | 06:38 AM | 12:32 PM | 03:55 PM | 06:26 PM | 07:29 PM | 6 | 06:03 AM | 07:07 AM | 01:24 PM | 04:53 PM | 07:40 PM | 08:44 PM |
| 7 | 05:35 AM | 06:37 AM | 12:32 PM | 03:55 PM | 06:26 PM | 07:30 PM | 7 | 06:02 AM | 07:06 AM | 01:24 PM | 04:53 PM | 07:40 PM | 08:45 PM |
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| 31 | 06:10 AM | 07:13 AM | 01:26 PM | 04:54 PM | 07:37 PM | 08:41 PM |  |  |  |  |  |  |  |


| May 2021 Ramadan 1442-Shawwal 1442 |  |  |  |  |  |  | June 2021 |  |  |  | Shawwal 1442 - Dhul Qadah 1442 |  |  |
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| Day | Fajr | Sunrise | Dhuhr | Asr | Maghrib | Isha | Day | Fajr | Sunrise | Dhuhr | Asr | Maghrib | Isha |
| 1 | 05:37 AM | 06:44 AM | 01:18 PM | 04:48 PM | 07:52 PM | 09:00 PM | 1 | 05:17 AM | 06:29 AM | 01:19 PM | 04:44 PM | 08:08 PM | 09:21 PM |
| 2 | 05:36 AM | 06:43 AM | 01:18 PM | 04:48 PM | 07:53 PM | 09:01 PM | 2 | 05:17 AM | 06:29 AM | 01:19 PM | 04:44 PM | 08:09 PM | 09:21 PM |
| 3 | 05:35 AM | 06:43 AM | 01:18 PM | 04:48 PM | 07:53 PM | 09:01 PM | 3 | 05:17 AM | 06:29 AM | 01:19 PM | 04:45 PM | 08:09 PM | 09:22 PM |
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| July 2021 Dhul Qadah 1442 - Dhul Hijjah 1442 |  |  |  |  |  |  | August 2021 |  |  |  | Dhul Hijjah 1442 - Muharram 1443 |  |  |
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## Dallas Prayer Times 2021

IslamicFinder

| January 2021 |  |  | Jumada Al-Awwal 1442 - Jumada Al-Akhirah 1442 |  |  |  | February 2021 |  |  |  | Jumada Al-Akhirah 1442 - Rajab 1442 |  |  |
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| 1 | 06:18 AM | 07:30 AM | 12:32 PM | 03:14 PM | 05:32 PM | 06:46 PM | 1 | 06:12 AM | 07:22 AM | 12:41 PM | 03:39 PM | 06:00 PM | 07:11 PM |
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| March 2021 |  |  |  |  | Rajab 1442 - Shaban 1442 |  | April 2021 |  |  |  | Shaban 1442 - Ramadan 1442 |  |  |
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| 31 | 06:07 AM | 07:15 AM | 01:32 PM | 05:05 PM | 07:47 PM | 08:57 PM |  |  |  |  |  |  |  |


| May 2021 Ramadan 1442-Shawwal 1442 |  |  |  |  |  |  | June 2021 |  |  |  | Shawwal 1442 - Dhul Qadah 1442 |  |  |
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| Day | Fajr | Sunrise | Dhuhr | Asr | Maghrib | Isha | Day | Fajr | Sunrise | Dhuhr | Asr | Maghrib | Isha |
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| July 2021 Dhul Qadah 1442 - Dhul Hijjah 1442 |  |  |  |  |  |  | August 2021 |  |  |  | Dhul Hijjah 1442 - Muharram 1443 |  |  |
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| September 2021 |  | Muharram 1443 - Safar 1443 |  |  |  |  | October 2021 |  |  |  | Safar 1443 - Rabi ul Awal 1443 |  |  |
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| Day | Fajr | Sunrise | Dhuhr | Asr | Maghrib | Isha | Day | Fajr | Sunrise | Dhuhr | Asr | Maghrib | Isha |
| 1 | 05:53 AM | 07:01 AM | 01:28 PM | 05:04 PM | 07:52 PM | 09:02 PM | 1 | 06:15 AM | 07:21 AM | 01:17 PM | 04:39 PM | 07:12 PM | 08:19 PM |
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| November 2021 |  |  |  | Rabi ul Awal 1443 - Rabi Al-Akhar 1443 |  |  | Dece | ber 2021 | Rabi Al-Akhar 1443 - Jumada Al-Awwal 1443 |  |  |  |  |
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| 13 | 05:47 AM | 06:56 AM | 12:12 PM | 03:06 PM | 05:27 PM | 06:37 PM | 13 | 06:09 AM | 07:21 AM | 12:22 PM | 03:04 PM | 05:22 PM | 06:35 PM |
| 14 | 05:47 AM | 06:57 AM | 12:12 PM | 03:06 PM | 05:26 PM | 06:37 PM | 14 | 06:10 AM | 07:22 AM | 12:23 PM | 03:04 PM | 05:22 PM | 06:36 PM |
| 15 | 05:48 AM | 06:58 AM | 12:12 PM | 03:05 PM | 05:26 PM | 06:37 PM | 15 | 06:10 AM | 07:22 AM | 12:23 PM | 03:05 PM | 05:23 PM | 06:36 PM |
| 16 | 05:49 AM | 06:58 AM | 12:13 PM | 03:05 PM | 05:25 PM | 06:36 PM | 16 | 06:11 AM | 07:23 AM | 12:24 PM | 03:05 PM | 05:23 PM | 06:36 PM |
| 17 | 05:50 AM | 06:59 AM | 12:13 PM | 03:05 PM | 05:25 PM | 06:36 PM | 17 | 06:11 AM | 07:23 AM | 12:24 PM | 03:05 PM | 05:23 PM | 06:36 PM |
| 18 | 05:51 AM | 07:00 AM | 12:13 PM | 03:04 PM | 05:24 PM | 06:35 PM | 18 | 06:12 AM | 07:24 AM | 12:25 PM | 03:06 PM | 05:24 PM | 06:37 PM |
| 19 | 05:51 AM | 07:01 AM | 12:13 PM | 03:04 PM | 05:24 PM | 06:35 PM | 19 | 06:12 AM | 07:25 AM | 12:25 PM | 03:06 PM | 05:24 PM | 06:38 PM |
| 20 | 05:52 AM | 07:02 AM | 12:13 PM | 03:04 PM | 05:23 PM | 06:35 PM | 20 | 06:13 AM | 07:25 AM | 12:26 PM | 03:07 PM | 05:25 PM | 06:38 PM |
| 21 | 05:53 AM | 07:03 AM | 12:14 PM | 03:03 PM | 05:23 PM | 06:34 PM | 21 | 06:13 AM | 07:26 AM | 12:26 PM | 03:07 PM | 05:25 PM | 06:39 PM |
| 22 | 05:54 AM | 07:04 AM | 12:14 PM | 03:03 PM | 05:23 PM | 06:34 PM | 22 | 06:14 AM | 07:26 AM | 12:27 PM | 03:08 PM | 05:26 PM | 06:39 PM |
| 23 | 05:55 AM | 07:05 AM | 12:14 PM | 03:03 PM | 05:22 PM | 06:34 PM | 23 | 06:14 AM | 07:27 AM | 12:27 PM | 03:08 PM | 05:26 PM | 06:40 PM |
| 24 | 05:55 AM | 07:06 AM | 12:15 PM | 03:03 PM | 05:22 PM | 06:34 PM | 24 | 06:15 AM | 07:27 AM | 12:27 PM | 03:09 PM | 05:27 PM | 06:40 PM |
| 25 | 05:56 AM | 07:07 AM | 12:15 PM | 03:02 PM | 05:22 PM | 06:34 PM | 25 | 06:15 AM | 07:28 AM | 12:28 PM | 03:09 PM | 05:27 PM | 06:41 PM |
| 26 | 05:57 AM | 07:07 AM | 12:15 PM | 03:02 PM | 05:22 PM | 06:33 PM | 26 | 06:16 AM | 07:28 AM | 12:28 PM | 03:10 PM | 05:28 PM | 06:41 PM |
| 27 | 05:58 AM | 07:08 AM | 12:15 PM | 03:02 PM | 05:21 PM | 06:33 PM | 27 | 06:16 AM | 07:28 AM | 12:29 PM | 03:11 PM | 05:29 PM | 06:42 PM |
| 28 | 05:58 AM | 07:09 AM | 12:16 PM | 03:02 PM | 05:21 PM | 06:33 PM | 28 | 06:16 AM | 07:29 AM | 12:29 PM | 03:11 PM | 05:29 PM | 06:43 PM |
| 29 | 05:59 AM | 07:10 AM | 12:16 PM | 03:02 PM | 05:21 PM | 06:33 PM | 29 | 06:17 AM | 07:29 AM | 12:30 PM | 03:12 PM | 05:30 PM | 06:43 PM |
| 30 | 06:00 AM | 07:11 AM | 12:17 PM | 03:02 PM | 05:21 PM | 06:33 PM | 30 | 06:17 AM | 07:29 AM | 12:30 PM | 03:13 PM | 05:31 PM | 06:44 PM |
|  |  |  |  |  |  |  | 31 | 06:17 AM | 07:29 AM | 12:31 PM | 03:13 PM | 05:31 PM | 06:45 PM |


| Accommodation Requested | Quranic Support (if any)* | Suggested Accommodation | Examples of How Prisons Have Accommodated |
| :---: | :---: | :---: | :---: |
| Halal (zabiha) food | $\begin{gathered} \text { Quran 2:173; } \\ 5: 3 ; 6: 145 ; \\ 16: 115 \end{gathered}$ | Further inquiry should be conducted as to the inmate's interpretation because a nonpork vegan, kosher, or other pre-existing diet may exist. Otherwise, institutions must take efforts to identify suppliers which offer halal meals. | Several states, such as Washington, have thorough policies regarding halal food. Washington's handbook explains that Muslims may not eat meat that is not slaughtered according to Islamic rules and therefore halal is a meal plan option. |
| Kosher food | Quran 5:5 | For inmates who are content with kosher meals, we suggest allowing inmates to partake in any existing kosher meals. However, inmates must not be punished for buying or otherwise eating non-kosher foods because what may not be kosher may be halal. | Many prison systems, such as the IDOC, allow Muslim inmates to join the kosher meal plan by filling out forms and explaining why this is part of their sincerely held beliefs. |
| Hijab | $\begin{gathered} \text { Quran 24:30; } \\ 24: 31 ; 33: 58- \\ 59 \end{gathered}$ | Prisons should allow inmates to wear hijab in any place. Efforts may be taken to control the color, size (though the size should be reasonably large to cover the chest), searches for safety, etc. | Some states such as Virginia have placed color and size restrictions but allow inmates to wear religious headwear except for in industrial workplaces and in out-of-prison travel. Inmates should be able to purchase or receive such headwear |
| Kufis |  | Like hijab, kufis should be accommodated. Prisons can take limited precautions like being subjected to searches as non-secular headwear would be. | See above. |
| Beards | Sahih <br> Bukhari, <br> Book 72, <br> Hadith 781 | Per the Supreme Court, a total ban on facial hair is not allowed. Prisons may, however, take precautions such as limiting beard length, encouraging neat and cleanly beards, and taking a photo with and without a beard (but not releasing the beardless photo). | Many institutions allow inmates to grow beards for religious reasons (or for any reason). Often, these prisons take an ID picture with and without a beard to use in the case of an escape attempt or other genuine necessity but do not otherwise release the beardless picture. |
| Fasting | Quran 2:183 | Inmates must be allowed to fast in order to meet their basic religious needs. | Many prisons such as the Indiana Department of Corrections requires inmates to "sign up" to be included on the list of inmates who are partaking in Ramadan. |
| Prayer | $\begin{gathered} \text { Quran 2:35; } \\ \text { 29:45; 15:98- } \\ 99 ; 20: 14 \end{gathered}$ | Inmates must be allowed to pray in order to meet their basic religious needs. Prisons can make reasonable policies to | Many facilities allow inmates to pray in their cells, in congregation where any other group activity (e.g., playing cards) occurs given that it is not interrupting others, and allow inmates to pray Jummah in congregation in designated spaces. |
| Prayer mats** |  | If requested, inmates should be able to obtain or purchase prayer mats. Ideally, they will be available at no cost. | Many prisons offer prayer mats for purchase through commissary or to be donated by non-profit organizations. |
| Quran |  | Inmates must have access to a Quran if desired. | Many states make Qurans available in libraries or for purchase. Several organizations such as the Furqaan Project provide Qurans for free to inmates. |

* For the sake of brevity, the full text of these verses is not included. The full text of the verses can be found by searching Quran x:x on any search engine. Of course, the text can also be found in a Quran. The first number refers to the number of the surah and the number following the colon refers to the verse within that surah. Further, we urge administrators to keep in mind that under current U.S. law, a sincerely held belief does not need to be accurate but merely sincerely held by that individual. Therefore, these sources are for reference and further understanding only.
** Many online shops sell reusable, plastic-like prayer rugs at a minimal cost. One such business is Vision Print \& Packaging which sells 500 mats for $\$ 325$ with the cost decreasing for higher quantities. This company offers multiple colors so if limiting color is an interest, color can be controlled for. Note that pricing and availability is accurate as of November 2020.


[^0]:    ${ }^{1}$ Fulfilling the Promise of Free Exercise for All: Muslim Prisoner Accommodation in State Prisons, Muslim Advocates (July 2019), https://muslimadvocates.org/wp-content/uploads/2019/07/FULFILLING-THE-PROMISE-OF-FREE-EXERCISE-FOR-ALL-Muslim-Prisoner-Accommodation-In-State-Prisons-for-distribution-7_23-1.pdf.
    ${ }^{2}$ The Future of World Religions: Population Growth Projections, 2010-2050, Pew Research Center (April 2, 2015), https://www.pewforum.org/2015/04/02/religious-projections-2010-2050/.
    ${ }^{3}$ As of the publication of this handbook, at least an average of nine percent of state prisoners are Muslim, with some states having as high as a $20 \%$ Muslim population prison population. Fulfilling the Promise of Free Exercise for All: Muslim Prisoner Accommodation in State Prisons, Muslim Advocates (July 2019), https://muslimadvocates.org/wp-content/uploads/2019/07/FULFILLING-THE-PROMISE-OF-FREE-EXERCISE-FOR-ALL-Muslim-Prisoner-Accommodation-In-State-Prisons-for-distribution-7_23-1.pdf.

[^1]:    ${ }^{4}$ This principle has often been referred to as the Ballard Rule. In United States v. Ballard, the Supreme Court stated that under the First Amendment the government cannot punish a person based on the supposed inaccuracy of their religious belief. 322 U.S. 78 (1944). As articulated by the Court,"[Man] was granted the right to worship as he pleased and to answer to no man for the verity of his religious views...if those doctrines are subject to trial before a jury charged with finding their truth or falsity, then the same can be done with the religious beliefs of any sect. When the triers of fact undertake that task, they enter a forbidden domain." Id., at 87 . While religious freedom and the underscoring principles and guidelines have been in flux post-Burwell, to date, the core understanding that the accuracy of a belief is not for the government to determine remains intact.

[^2]:    ${ }^{5}$ The Changing Global Religious Landscape, Pew Research Center (April 5, 2017), https://www.pewforum.org/2017/04/05/the-changing-global-religious-landscape/.
    ${ }^{6}$ Note that while the vast majority believe he was the last prophet, some minority sects believe otherwise.
    ${ }^{7}$ Online Etymology Dictionary, https://www.etymonline.com/word/Muslim.

[^3]:    ${ }^{8}$ Sunnis and Shia in the Middle East, BBC (Dec. 19, 2013), https://www.bbc.com/news/world-middle-east25434060.
    ${ }^{9}$ It is very common, and to some mandatory, to follow the names of important Islamic figures with blessings. The most common example is when referring to the Prophet Muhammad. Many Muslims choose to follow the reference with 'peace be upon him' often abbreviated as 'pbuh' in English, or 'salla-lahu-wa-alyahi-wa-sallam' which is the transliterated phrase in Arabic. Support for this comes from the Quran which says "Indeed, Allah showers His blessings upon the Prophet, and His angels pray for him. Oh believers! Invoke Allah's blessings upon him, and salute him worth greetings of peace." Quran 33:56.
    ${ }^{10}$ Muslims believe that each person's fate is preordained but that the individual has complete free will for the choices they make. While this may seem to be a complicated idea at odds with itself, Islamic jurors do not see it that way. That is, Muslims believe that people have the ability to make whatever choice they see fit but God already knows what that choice will be. To take an everyday example, God is not surprised if a person chooses to buy a

[^4]:    Mercedes instead of a Honda because though that person made the purchase out of their own volition; God is allknowing and has knowledge of all things past, present, and future.
    ${ }^{11}$ This only applies to a Muslim who knowingly commits shirk. If a person converts to Islam, all of his or her previous misdoings before becoming Muslim are erased in the eyes of God, because in the view of Islam, a person cannot be liable for a sin that they did not know was a sin. This is also true of a Muslim person who is unaware that something is a sin.
    ${ }^{12}$ As mentioned previously, nearly all Muslims believe this but some sects believe there were prophetic figures who succeeded Muhammad (peace be upon him). This is a very controversial belief and often subjects the believer to severe persecution.
    ${ }^{13}$ While it is contested, some scholars throughout Islam's history believe certain women like Mary (mother of Jesus) and Sara (mother of Isaac) reached prophethood.
    ${ }^{14}$ Surah Yunus, 10:47.

[^5]:    ${ }^{15}$ Mapping the Global Muslim Population, Pew Research Foundation (Oct. 7, 2009), https://www.pewforum.org/2009/10/07/mapping-the-global-muslim-population/.
    ${ }^{16}$ Id.
    ${ }^{17}$ Adherents of the Shia school of thought are generally referred to as Shias or Shiites. This handbook will use the former term.
    ${ }^{18}$ Sunni and Shia, BBC (Aug. 19, 2009),
    https://www.bbc.co.uk/religion/religions/islam/subdivisions/sunnishia_1.shtml.

[^6]:    ${ }^{19}$ Alternatively, Sunnis fast and commemorate this day for another reason-it is believed to be the day that Moses and the Israelites were saved from the tyrannical rule of Pharaoh.

[^7]:    ${ }^{20}$ Tynetta Muhammad, Brief History on Origin of the Nation of Islam, Nation of Islam (March 29, 1996), https://www.noi.org/noi-history/.
    ${ }^{21}$ Nation of Islam, Southern Poverty Law Center, https://www.splcenter.org/fighting-hate/extremist-files/group/nation-islam; Tynetta Muhammad, Nation of Islam in America: A Nation of Beauty \& Peace, Nation of Islam (March 28, 1996), https://www.noi.org/noi-history/.
    ${ }^{22}$ Julius Bailey, Down in the Valley: An Introduction to African American Religious History (1st ed. 2016).

[^8]:    ${ }^{23}$ Nation of Islam, Southern Poverty Law Center, https://www.splcenter.org/fighting-hate/extremist-files/group/nation-islam.
    ${ }^{24}$ Louis Farrakhan, Minister of the Nation of Islam, Power at Last Forever (Oct. 1985)
    ${ }^{25}$ Elijah Muhammad, How to Eat to Live (1967).

[^9]:    ${ }^{26}$ Support for this position comes from the Quran. Specifically, the verse says "[t]his day [all] good foods have been made lawful, and the food of those who were given the Scripture is lawful for you and your food is lawful for them." Quran 5:5. Note however though that kosher is far more restrictive than halal so foods that may not be kosher can be halal-like shellfish.
    ${ }^{27}$ However, many will only eat kosher and zabiha meat and not meat slaughtered by Christians as most Christians have abandoned any Biblical dietary and slaughtering rules.
    ${ }^{28}$ Note that there are varying opinions on whether the slaughterer must be Muslim or just a "person of the book." Meat slaughtered according to Quranic rules is referred to as zabiha meat. It is unclear whether there is Quranic precedence for that word or if it is was a word that gained usage as Islam spread beyond the Arabian Peninsula. ${ }^{29}$ This conclusion seems to be drawn from the fact that God has made meat lawful to Muslims and because there are several verses dictating what types of animals are edible and how they should be slaughtered. In some people who hold this opinion's view, if meat was not fundamental to a Muslim's diet, these verses and instruction would be redundant.

[^10]:    ${ }^{30}$ In recent years, even zabiha slaughter has often been done by machine generally accompanied by a recording of a person saying "bismillah." There is some debate about whether this is permissible or whether the animal must be slaughtered by hand.
    ${ }^{31}$ Particularly among South Asian Muslims, there is a common misunderstanding that red meat must be cooked well-done. This is because many people assume the pinkish myoglobin that leaks from red meat which is not cooked well-done is in fact blood.
    32 "Prohibited to you are dead animals, blood, the flesh of swine, and that which has been dedicated to other than Allah, and [those animals] killed by strangling or by a violent blow or by a head-long fall or by the goring of horns, and those from which a wild animal has eaten, except what you [are able to] slaughter [before its death], and those which are sacrificed on stone altars. . . ." Quran 5:3.
    ${ }^{33}$ The only exception to the rule prohibiting eating bugs is locust. "Two kinds of dead meat and two kinds of blood have been permitted to us. The two kinds of dead meat are fish and locust, and the two kinds of blood are the liver and spleen." Sunan Ibn Majah, Vol. 4, Book 29, No. 3314. There are other hadiths which discuss the permissibility of locust, but these hadiths are omitted for succinctness and relevance.

[^11]:    ${ }^{34}$ There are some sects that abstain from bottom feeders such as catfish, but the overwhelming view is that all fish is permissible.
    ${ }^{35}$ Naveed Ahmad, Syria's Religious Leaders Authorize Eating Cats and Dogs to Survive, The Atlantic (Oct. 17, 2013), https://www.theatlantic.com/international/archive/2013/10/syrias-religious-leaders-authorize-eating-cats-and-dogs-to-survive/280666/.

[^12]:    ${ }^{36}$ Particularly in the West, there is an assumption that all Muslim women who wear hijab are doing so against their will. However, that is not true. Of course, and unfortunately, there are women who are forced to wear hijab against their will. However, many believe that Islam does not look favorably upon this as there is a verse in the Quran that states "there is no compulsion in religion." Quran 2:256. Even more, just as there are women forced to wear hijab against their will, there are women forced not to wear hijab against their will.

[^13]:    ${ }^{37}$ Sahih Bukhari, Vol. 7, Book 72, No. 781.
    ${ }^{38}$ The analogy sometimes used when teaching young children about Quran and sunnah is that Quran is like homework and sunnah is like extra credit. That is, there is generally no penalty for not doing something in the sunnah.
    ${ }^{39} 574$ U.S. 352 (2015).

[^14]:    ${ }^{40}$ One useful source is the website www.islamicfinder.org.
    ${ }^{41}$ One such app is "Qibla" and is available for free on the App Store.
    ${ }^{42}$ Note that some Shias, and perhaps other Muslims, take this somewhat literally and believe that they must touch the Earth with their forehead during prayer. As such, a Shia Muslim practitioner may request a turbah which is essentially a small clay or earthen tablet.
    ${ }^{43}$ One such organization is the Islamic Circle of North America Council for Social Justice.

[^15]:    ${ }^{44}$ One source of support for this proposition comes from Surah an-Nisa; "And remember Allah standing, sitting, or [lying] on your sides." Quran 4:103
    ${ }^{45}$ Menstruating women are also exempt from fasting. This is not a punishment. It is an exemption in light of the need for proper nutrition and the tiredness a woman may experience during her period. It is also because a menstruating woman cannot remain in a state of wudu due to constant bleeding.
    ${ }^{46}$ There may be differences of opinion on the importance of jummah, but Sunnis believe it to be of utmost importance. More likely than not, a Muslim inmate will desire to pray jummah.
    ${ }^{47}$ The length is likely influenced by the fact that this prayer occurs in the middle of the workday. The prayer is generally kept a reasonable length to accommodate work schedules and so as not to be overly cumbersome.

[^16]:    ${ }^{48}$ Note that not required does not mean not allowed.

[^17]:    ${ }^{49}$ The Eid prayer is generally prayed in congregation.

[^18]:    ${ }^{50}$ In fact, that is the most common saying or offering of grief when told someone has passed.
    ${ }^{51}$ This is the most common burial dress but the fabric and color may vary slightly by region and belief. Nonetheless, simplicity of the shroud is important.
    52 "From the earth We created you, and into it We will return you, and from it We will extract you another time." Quran 20:55
    ${ }^{53}$ E.g., Who was his Lord, what was his religion, and what were his beliefs about Prophet Muhammad (peace be upon him).

[^19]:    ${ }^{54}$ Peter Manseau, the Smithsonian Museum's curator of religious history said " $[t]$ he place of religion in America has always been complex, and it's always been a matter of negotiation." Of course, the early colonizers were horrifically violent to the Native Americans who practiced a life intertwined with religion. Similarly, enslavers forcibly converted enslaved Africans to Christians. Nonetheless, though in practice religious tolerance and freedom has not always been practiced, it remains an ideal that the Framers of the Constitution understood the importance of. Meilan Solly, Why Religious Freedom and Diversity Flourished in Early America, Smithsonian Mag. (July 14, 2017), https://www.smithsonianmag.com/smithsonian-institution/why-religious-freedom-diversity-flourished-early-america-180964060/.
    ${ }^{55}$ Islam qualifies as a religion under the first amendment. Indeed, less traditional or well-known belief systems can also qualify as religions (though oftentimes with less success). For example, Rastafari and Native American religions have widely been recognized but beliefs like Satanism have gone unprotected. When asking whether something is a religion for First Amendment purposes, courts have looked into whether the beliefs address "fundamental and ultimate questions," are "comprehensive in nature," and present "certain formal and external signs." Africa v. Com. of Pa., 662 F.2d 1025, 1032 (3rd Cir. 1981).
    ${ }^{56}$ U.S. Const. amend I.
    ${ }^{57}$ Nicole Porter, Voting in Jails, The Sentencing Project (May 7, 2020), https://www.sentencingproject.org/publications/voting-in-jails/.
    ${ }^{58}$ In City of Boerne v. Flores, the Supreme Court has previously found RFRA unconstitutional as applied to state government and local actors. 521 U.S 507 (1997). Specifically, the Supreme Court held that Congress did not have the constitutional authority to use RFRA to limit state and local laws; RFRA continues to apply to all federal laws, however. As a result, many states have enacted abbreviated state-specific versions of RFRA. For brevity, the language of state specific RFRAs is not included here. Moreover, RLUIPA was enacted three years after the City of Boerne decision and applies to state actors.
    See generally, Martin S. Lederman, Reconstructing RFRA: The Contested Legacy of Religious Freedom Restoration, 125 Yale L.J. F. 416 (2016), http://www.yalelawjournal.org/forum/reconstructing-rfra-the-contested-legacy-of-religious-freedom-restoration.
    ${ }^{59}$ The applicable portion of the Religious Land Use and Institutionalized Persons Act states that "[n]o government shall impose a substantial burden on the religious exercise of a person residing in or confined to an institution, as defined in section 1997 of this title, even if the burden results from a rule of general applicability, unless the government demonstrates that imposition of the burden on that person (1) is in the furtherance of a compelling governmental interest and (2) is the least restrictive means of furthering that compelling government interest." 42 U.S.C. § 2000cc-1(a). Similarly, the applicable portion of the Religious Freedom Restoration Act states that the "[g]overnment shall not substantially burden a person's exercise of religion even if the burden results from a rule of general applicability" except where the government "demonstrates that the application of the burden to the person

[^20]:    ${ }^{61} 42$ U.S.C. § 2000cc-1(a).
    ${ }^{62}$ The language of the Act states that " $[\mathrm{n}]$ o government shall impose a substantial burden on the religious exercise of a person residing in or confined to an institution..." 42 U.S.C. § 2000cc-1(a). The definition of "institution" referred to by RLUIPA is "any facility or institution which is owned, operated, or managed by, or provides services on behalf of any State or political subdivision of a State" and which is, among others, "a jail, prison, or other correctional facility." 42 U.S.C. § 1997(1).
    ${ }^{63} 42$ U.S.C. § 2000bb-1(a).
    ${ }^{64} 42$ U.S.C. § 2000bb-1 (b).
    ${ }^{65}$ Hobbie v. Unemployment Appeals Comm'n of Fla., 480 U.S. 136, 141 (1987).

[^21]:    ${ }^{66}$ See e.g., Warsoldier v. Woodford, 418 F.3d 989 (9th Cir. 2005) (holding that failure to allow a Native American inmate to have long hair created a substantial burden on his religious exercise).
    ${ }^{67}$ See, e.g., Holt v. Hobbs, 574 U.S. 352 (2015). In dicta, the Supreme Court acknowledged that "prisons have a compelling interest in the quick and reliable identification of prisoners;" however, the Court found that the policy at issue ultimately failed the strict scrutiny test due to a lack of narrow tailoring. Id. at 365-370.
    ${ }^{68}$ This can also be referred to as narrow tailoring.
    ${ }^{69}$ See e.g., United States v. Playboy Ent. Grp., Inc., 529 U.S. 803, 815 (2000) (stating "if a less restrictive means is available for the Government to achieve its goals, the Government must use it"); Holt v. Hobbs, 574 U.S. 352, 365371 (2015) (holding that an outright ban on facial hair is not narrowly tailored to a compelling government interest); Burwell v. Hobby Lobby Stores, Inc., 573 U.S. 682 (2014) (holding that even if the regulation at issue, which required corporations to provide health insurance coverage for contraception, was a compelling government interest, the regulation was not the least restrictive means of accomplishing the interest).

[^22]:    ${ }^{70}$ Id. at 1149.
    ${ }^{71}$ Burwell v. Hobby Lobby Stores, Inc., 573 U.S. 682 (2014).
    ${ }^{72}$ Jones, 915 F.3d at 1150.
    ${ }^{73} \mathrm{Id}$. at 791 .
    ${ }^{74} \mathrm{Id}$. at 791-92.

[^23]:    ${ }^{75}$ Note, eliminating the halal/kosher diet and replacing it with a vegan diet will likely cause issues because many Muslim inmates sincerely believe that they must eat a diet that regularly contains meat.

[^24]:    ${ }^{76}$ Note however that this meal type is often problematic because many Muslims sincerely believe that they must regularly eat halal meat. Jones v. Carter, discussed earlier, arose out of this reason. For this reason, we advise against having this meal plan as a blanket religious meal plan.
    ${ }^{77}$ Halal and Kosher School Lunch Pilot Proposal, Bureaus of Policy and Research, Budget, and Public Affairs (May 2018), https://comptroller.nyc.gov/wp-content/uploads/documents/Halal_Kosher_Pilot_Proposal.pdf.
    ${ }^{78}$ See e.g., United States v. Sec'y Fla. Dep't of Corr., 828 F.3d 1341 (11th Cir. 2016) (holding that cost containment was not a compelling government interest and failing to provide kosher meals was not the least restrictive means of furthering cost containment).

[^25]:    ${ }^{79}$ See https://www.bop.gov/locations/institutions/com/COM_camp_aohandbook.pdf.
    ${ }^{80}$ Note that the Supreme Court in Holt v. Hobbs proposed dual photographs of Muslim men with beards as a less restrictive means than what the institution was doing to accomplish its interests. However, this does not automatically mean that the dual photograph method is the least restrictive means. In other words, if safety interests can be accomplished by less burdensome means, then that course of action should be taken.

[^26]:    ${ }^{81}$ Of course, if volunteers are available and the prison has protocols for such volunteers, they can be used. However, the ability to pray jummah should not be contingent on the availability of a volunteer.

[^27]:    ${ }^{82}$ Maryam Saleh, ICE Detention Center Is Creating Obstacles To Ramadan Observance For Muslim Detainees, Lawyers Say, The Intercept (June 7, 2018), https://theintercept.com/2018/06/07/ice-immigration-detention-ramadan-religious-accomodation/; Steve Horn, Florida ICE Detention Center Restricts Detainees’ Observance of Ramadan, Prison Legal News (Oct. 12, 2018), https://www.prisonlegalnews.org/news/2018/oct/12/florida-ice-detention-center-restricts-detainees-observance-ramadan/.

[^28]:    ${ }^{83}$ Some organizations will coordinate with prisons or inmates to handle end of life procedures for Muslims. One such organization is Muslim Chaplain Services of Virginia which serves the Richmond, Virginia area. Per its website, inmates can designate a survivor and upon the survivor's permission, the organization will handle (but not pay) the funeral and burial arrangements.
    See http://www.hijrah-
    house.org/pdfs/WILL\%20Information\%20\&\%20instructions\%20for\%20Incarcerated\%20Muslims.pdf.

