



Ramadan Rights: Prisoners' Right to Worship While Incarcerated

- The law protects your right to practice your religion while you are incarcerated, though there may be some limits. This right extends to observing Ramadan, if you desire to do so.
 - If you are in a state facility, the Religious Land Use and Institutionalized Persons Act (“RLUIPA”) applies. If you are in a federal facility, your rights are protected by the Religious Freedom Restoration Act (“RFRA”).^{1, 2}
 - Under both of these laws, the government may not substantially burden inmates’ right to practice their religion unless the burden is in furtherance of a compelling government interest, and there is no less restrictive means for accomplishing that interest. This means, for example, a prison could require that you sign up ahead of time in order to be allowed to fast, but that a court would likely not allow the prison to ban fasting altogether.
- Common accommodations made by some prisons during Ramadan include:
 - Adjusting meals to allow Muslim inmates to fast
 - Adjusting work schedules and assignments
 - Facilitating late-night prayers (taraweeh)
- If you have had issues fasting in the past or experience them this Ramadan, consider taking these steps:
 - Meet with a chaplain and/or prison staff **before Ramadan** to inquire whether there is a sign-up process. Many prisons require inmates to sign up 30 or more days before Ramadan. Be aware of deadlines and make sure to meet them if this is the case.
 - If you are not being allowed to fast, are not being fed on time, or are not being given enough water or food, file grievances and take any other administrative remedies **as soon as possible**. Because of the transient nature of Ramadan, it is imperative that you act quickly. Once Ramadan is over, there may not be any remedy for problems related to fasting because it is not redressable (meaning any court intervention cannot make a change at that point that would have solved the problem).
 - If you have exhausted your administrative remedies and the problems are still occurring, consider filing a lawsuit pro se, reaching out to a legal aid organization, or contacting a private attorney if you can afford one.

If you have any questions or would like any clarification, please contact CLCMA at (972) 914-2507. This handout **should not be construed as legal advice** and is for **informational and educational purposes only**. Please feel free to circulate to anyone you feel may benefit from this handout.



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1. 42 U.S.C. §§ 2000cc, et seq.
2. 42 U.S.C. § 2000bb-1.