



## *Policies and Benefits*

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### **Offender grooming policy change effective August 1**

In response to a recent decision by the U.S. Supreme Court, offenders housed in TDCJ facilities will be allowed to grow a beard for religious purposes.

Historically, TDCJ's offender grooming policy required offenders remain beardless to allow for quick and accurate visual identification, to prevent them from quickly and easily changing their appearance by shaving and to provide one less place to conceal contraband. However, the Court's decision in *Holt v. Hobbs* indicates that prohibiting an offender to grow a one-half inch beard would violate the offender's religious rights under the Religious Land Use and Institutionalized Persons Act. The RLUIPA, enacted by Congress in 2000, prohibits the imposition of burdens on the ability of prisoners to worship as they please, and defines the term "religious exercise" to include "any exercise of religion, whether or not compelled by, or central to, a system of religious belief."

The agency has composed a new offender grooming policy designed to preserve operational security while complying with the law. The new policy became effective August 1.



"Obviously we believe there were valid security reasons for the agency's prohibition on beards," said Robert Eason, deputy director of Prison and Jail Operations for TDCJ's Correctional Institutions Division. "However, we also believe that we have devised a policy that appropriately balances the right to wear beards for religious reasons with the necessity of maintaining security in the correctional setting."

Offenders may submit a request to grow a one-half inch beard. Approximately 30 days after the request has been approved, a new

identification photograph will be taken. In addition, offenders will be required to shave annually for a clean-shaven identification photograph.

Offenders with a history of escape attempts may not be eligible to grow a religious beard, and offenders who attempt to conceal contraband in their beards may lose their eligibility. Offenders who refuse to comply with grooming standards will remain subject to disciplinary action.

Any costs associated with implementing the changes to the grooming policy will be paid through revenues received from the offender commissaries. ●