



Corrections Caselaw Training

Reality-Based Corrections Training to Limit Legal Exposure



Our Website

www.policelegalsciences.com



AGENDA

HISTORY OF PLS

OVERVIEW OF
JAIL PRO



JAIL PRO
POLICE LEGAL SCIENCES

LET'S TAKE A LESSON!

PACKAGES & PRICING

NEXT STEPS

Introduction

About Police Legal Sciences



Legal Update

Reality-based training for law enforcement officers in Iowa & Missouri



Dispatch Pro

Reality-based training for dispatchers nationwide



Jail Pro

Reality-based legal training for correctional officers nationwide

[Click here to learn more about PLS](#)





POLICE LEGAL SCIENCES

ONLINE TRAINING FOR POLICE, DISPATCHERS AND JAILERS

**What makes
PLS training
different?**

1

**Reality-
Based
Training**

2

**New
Lessons
Monthly**



[Click here to learn more about PLS](#)

What is our mission?



Our mission is to help public safety professionals make good decisions.



Law Enforcement



Dispatch



Corrections



JAIL PRO
POLICE LEGAL SCIENCES

- Overview
- Taking a lesson
- Packages & pricing
- Next steps

[Click here to learn more about Jail Pro](#)



What is a good decision?



1

Is effective in resolving a conflict or potential conflict

2

Correctly follows the applicable statutory and caselaw of jurisdiction

3

Is ethical

4

Promotes respect for the law and for jail officials

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SCOPE OF SERVICE



Strengthen officer decision-making skills



Online, flexible training



Reduce the number of lawsuits and size of settlements against counties and officers



Lesson plan & certificate for each lesson



Strengthen critical thinking skills



Professional & technical development training



Provides monthly updates on current and relevant court rulings



Lessons available up to 12 months



Prepares officers for common situations that often lead to legal exposure



New lessons created & released monthly

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JAIL PRO
POLICE LEGAL SCIENCES

LESSON TYPES

the majority will be legal lessons



INTERPERSONAL



LEGAL



TECHNICAL



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RECENT LESSON TOPICS

Use of Force & ADA, **Visitor Searches**, Inmate Suicide
Health & Safety, Inmate Assault, **Commercial Mail**
Excessive Force, **Restraint Chairs**, Unnecessary Exposure
Conditions of Confinement, County Liability, **Deliberate Indifference**
Religious Rights, **Transgender Inmate Rights**, Grievances
Secondhand Smoke, Mental Health, **Discipline**
Privacy & Retaliation, **Voting**, Deliberate Indifference
Medication, Mail Regulation, **Wrongful Imprisonment**
Sexual Contact, **Excessive Force**, Serious Medical Need
Email, Supervision & Training, **Medical Emergencies**
Immediate Aid, **Hunger Strikes**, Meals
Duty to Intervene, Privacy, **Strip Searches**
Jail Punishment, **Medical Professionals**, Immigration
DUI Arrestees, Inmate Property, **Equal Protection**

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JAIL PRO
POLICE LEGAL SCIENCES



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PLS Jail Pro
2024 Lesson 6
Religious Rights, Transgender Inmates, Grievances



JAIL PRO
POLICE LEGAL SCIENCES

- 1-hour lessons
- Pause & resume
- Individual user accounts
- Available online 24/7
- New lessons every month

SECTIONS

Each section is focused on answering a specific corrections caselaw question



JAIL PRO
POLICE LEGAL SCIENCES

1

Question

When does jail policy substantially burden an inmate's religious rights?

2

Question

Can an inmate sue jail officials under the ADA for failing to accommodate the inmate's gender dysphoria by housing the inmate with inmates of the opposite gender?

3

Question

Why must jails have accessible grievance procedures for inmates to follow?

TARGET CASES

Each question corresponds to a target case



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POLICE LEGAL SCIENCES

1

Target Case

*Lozano v. Collier,
No. 22-40116,
2024 U.S. App.
LEXIS 8802 (5th
Cir. Apr. 11, 2024*

2

Target Case

*Williams v.
Kincaid, 45 f, 4th
759 (4th Cir. 2022)*

3

Target Case

*Carr v. El Paso
Cty. Jail, No. 23-
1104, 2023 U.S.
App. LEXIS 23491
(10th Cir. Sep. 5,
2023)*

OBJECTIVES

At the end of this lesson, officers will be able to:



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1

Identify when jail policy substantially burdens an inmate's religious rights

2

Explain the circumstances under which a transgender inmate with gender dysphoria may sue jail officials after being housed with inmates of the opposite gender

3

Understand why jails need accessible grievance procedures for inmates to follow

Section 1

Lozano v. Collier

Target Case

This case was selected as a Target Case this month because:

1. Although this case occurred in a prison, the same principles apply to county jails.
2. It involves a claim that prison policy substantially burdens an inmate's ability to practice his religion.
3. It discusses the rights that inmates have to the free exercise of their religious practice and the extent to which jail policy can lawfully limit that practice.
4. The better officers understand the legal aspects of the target case, the better decisions they can make to avoid becoming defendants in similar lawsuits; this would apply for individuals, their supervisors, and/or the political subdivision (county, city, etc.) by whom they are employed.

Addresses the questions:

- Why is this important?
- How is this relevant to me?

Section 1

Lozano v. Collier

Primary Case Facts

Inmate Eric Lozano was a Sunni Muslim. As part of his faith, Lozano engaged in "Jumah," a weekly prayer service that begins with an obligation to cleanse oneself physically and spiritually. According to Lozano's faith, he is required to shower in silent prayer. Prison policy specifically addresses Jumah, stating that officers must allow Muslim inmates to shower before their Jumah service.

Lozano's housing unit allowed Muslim inmates to shower before Jumah according to this policy. However, non-Muslim inmates were permitted to shower at the same time. This resulted in Muslim inmates being required to perform their religious showers while other inmates around them are masturbating, cussing, and making small talk. Separately, inmate janitors, porters, and kitchen staff were allowed to shower as a group by themselves.

In addition, Lozano's faith obliged him to pray five times per day. As part of this prayer, he must stand, bow, and prostrate, and if anyone invades his space during this prayer, it is void. Lozano claimed he had insufficient space to pray in his housing unit. Specifically, he said he was assigned to a cell with cellmates hostile to Islam who threatened him whenever he tried to pray in the cell, and

Overview of the case addressing the who, what, when, where, and why surrounding the incident that lead to a lawsuit

Section 1

Lozano v. Collier

Defense Arguments

The prison officials moved for summary judgment. They argued prison policy properly allowed Lozano sufficient time to shower before his prayer and that allowing Lozano to shower with other inmates was the least restrictive means of permitting him access to the shower because officers could not take him into the shower separately. They also argued Lozano could pray within the common area of the unit, even though he had been regularly assigned to different cells that did not have sufficient space for the prayer. Prison officials also argued they were not responsible for the threats that other inmates made towards Lozano whenever he attempted to pray in his cell. Finally, they argued the only reason Lozano could not attend a Taleem service is that there were no Muslim volunteers to run the service, and requiring an outside volunteer is the only way the service can be provided due to limited space and resources.

What was the case from the correctional officers and the correctional facility?

Based on the law and the facts, which do you think is correct?

- ☐ 1. A reasonable jury could **not** find Prison officials substantially burdened Lozano`s free exercise of religion.
- ☐ 2. A reasonable jury could find prison officials substantially burdened Lozano`s free exercise of religion.

Submit

There are learning checkpoints throughout the lessons

Section 1

Lozano v. Collier

Legal Principles

An explanation of the following legal principles will assist in understanding how the court of appeals reached its decision:

A. The First Amendment protects against any law "prohibiting the free exercise" of religion.
U.S. Const. amend. I.

B. Congress enacted the Religious Land Use and Institutionalized Persons Act (RLUIPA). RLUIPA provides greater religious protection than the First Amendment, stating in part:

No government shall impose a substantial burden on the religious exercise of a person residing in or confined to an institution, . . . unless the government demonstrates that imposition of the burden on that person —

(1) is in furtherance of a compelling government interest; and

(2) is the least restrictive means of furthering that compelling government interest.

42 U.S. § 2000cc(a)(1); *Cutter v. Wilkinson*, 544 U.S. 709 (2005).

C. To prove a RLUIPA violation, an inmate must show that a rule, regulation, practice, or policy **substantially burdens** his or her exercise of religion. When a jail's practice substantially burdens an inmate's ability to practice his or her religion, the jail must show that the practice serves an important purpose and is the least restrictive means it has to achieve that purpose. If there are less restrictive alternatives available, then jail officials must choose the alternatives.

Ramirez v. Collier, 142 S. Ct. 1264 (2022); *Holt v. Hobbs*, 574 U.S. 352 (2015).

D. A substantial burden is "more than an inconvenience." Rather, it is significant pressure that directly

What is the relevant caselaw surrounding the target case?

Section 1

Lozano v. Collier

Court Reasoning

In reaching its decision, the court reasoned as follows:

1. The Jumah Shower Policy.

- a. According to Lozano, his Islamic faith requires him to physically and spiritually cleanse himself for Jumah, but showering with non-Muslim inmates who engage in certain behavior prevents him from doing so.
- b. Because Lozano is prevented from properly cleansing himself before Jumah, his free exercise of religion has been substantially burdened. By requiring him to shower with non-Muslim inmates, prison officials effectively required Lozano to abandon his pre-Jumah cleansing ritual.
- c. Lozano alleged prison officials could allow Lozano to shower for a short time with other Muslim inmates. Other specific inmate groups, such as janitors, porters, and kitchen staff, were allowed to shower together. Therefore, prison officials possibly had a less restrictive means of managing showering inmates.

2. Adequate Prayer Space.

- . Lozano must pray five times a day according to his faith. By denying him adequate space to pray, prison policy substantially burden's Lozano's religious exercise because it makes it impossible for him to pray according to his faith's requirements.
- b. Lozano does not have enough space to pray on his bunk, and he is threatened by other inmates whenever he attempts to pray inside his cell.
- c. Although prison officials argue Lozano has enough space to pray in common areas, Lozano disputes

What was the court's reasoning pertaining to the target case?

An inmate housed in the maximum-security area of a jail requests to attend group religious services. Jail officials deny the inmate's requests but offer to send a chaplain to meet with the inmate. The inmate refuses the private visits with the chaplain and insists on group services.

Could the jail officials have violated the inmate's right to free exercise of his religion by denying his request for group religious services?

- ☐ 1. Yes, because by banning group religious services, the jail officials placed a substantial burden on the inmate's exercise of his religion.
- ☐ 2. No, because the inmate could still practice his religion in private or alone with a chaplain.
- ☐ 3. No, because an inmate never has a right to attend group religious services.



Testing your comprehension of the law, how would you handle this religious rights issue?

Section 1

Lozano v. Collier

Summary

1. Officers may not impose a substantial burden on the religious exercise of a person residing in or confined to an institution, unless the burden: 1) is in furtherance of a compelling government interest, and 2) is the least restrictive means of furthering that compelling government interest.
2. A substantial burden is more than an inconvenience.
3. When deciding whether an inmate's religious exercise has been burdened, it does not matter when the inmate adopted his or her religious belief. In addition, if an inmate considers a certain activity a sincere component of his or her religious practice, it does not matter whether the religion as a whole considers the activity central to its belief.

Summary points
before moving on to
the next target case or
the final exam

FINAL EXAM

- 10 multiple choice questions
- Default passing score set to 70
- Customizable passing score
- Unlimited exam attempts
- Downloadable certificates

Certificate of Completion

Police Legal Sciences, Inc.

Verifies that

KCurles Jail-Trial

has successfully completed the following ONE (1) hour lesson:

**PLS Jail Pro – 2021 Lesson 12 – Family Visitors,
Mobility Aids, and Shackling at Birth**

Date of completion:

April 15, 2022

Score: 100%

Verification ID: 4ab91432-7a1e-410b-ad01-233b37334666



National Voice for Local Corrections

PLS is a recognized educational partner of the American Jail Association and offers discounts for AJA Members and their agencies



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PACKAGES & PRICING

6

LESSONS

- 1 lesson every other month
- Released over the course of 12 months

\$80

per officer/ year

12

LESSONS

- 1 lesson every month
- Released over the course of 12 months

\$120

per officer / year



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FREE

PLS offers free training for any part time, reserve, or per diem officers



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For Your Attention and Cooperation



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the next
step?



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