
Introduced by Senator Galgiani

August 27, 2015

Senate Concurrent Resolution No. 89—Relative to chaplains in state service.

LEGISLATIVE COUNSEL'S DIGEST

SCR 89, as introduced, Galgiani. Chaplains in state service.

This measure would commend the Associated Chaplains in California State Service for its continued efforts over the years to bring the various faith communities together in a common purpose to maintain and upgrade the professional chaplaincy and to assist the state departments in their various missions to effect rehabilitation, guidance, and service to those entrusted to their care.

Fiscal committee: no.

- 1 WHEREAS, The First Amendment to the Constitution of the
2 United States guarantees the exercise of religious freedom; and
3 WHEREAS, The Fourteenth Amendment to the Constitution
4 of the United States guarantees the exercise of religious civil rights
5 and freedom of religion; and
6 WHEREAS, The Religious Land Use and Institutionalized
7 Persons Act prohibits the imposition of burdens on the ability of
8 prisoners' religious practices; and
9 WHEREAS, Recent United States Supreme Court decisions
10 have affirmed the right of institutionalized persons to practice the
11 religion of their choice; and
12 WHEREAS, The California Constitution guarantees the exercise
13 and enjoyment of religious freedom without discrimination or
14 preference; and

1 WHEREAS, Section 5009 of the Penal Code provides that all
2 prisoners shall be afforded reasonable opportunities to exercise
3 religious freedom; and

4 WHEREAS, Section 3210 of Title 15 of the California Code of
5 Regulations establishes that the State of California shall make
6 every reasonable effort to provide for the religious and spiritual
7 welfare of inmates; and

8 WHEREAS, Inmates, patients, and wards within state
9 institutions, due to the nature of their confinement, present a unique
10 challenge to those who undertake ministry in an effort to satisfy
11 their residents' constitutional guarantee to freely exercise the
12 religion of their choice; and

13 WHEREAS, Chaplains provide many vital services within a
14 challenging environment behind prison walls; and

15 WHEREAS, The professional care supplied to the correctional
16 community by chaplains addresses many specific needs of a diverse
17 population and aids in the orderly operation of the facilities; and

18 WHEREAS, Chaplains help diffuse emotional and potentially
19 volatile situations, as well as provide counseling in the areas of
20 spiritual development, grief management, and relationship
21 enhancements; and

22 WHEREAS, Pastoral services provided by chaplains provide
23 incarcerated persons the opportunity to participate in religious
24 expression; and

25 WHEREAS, Chaplains supervise volunteers that enrich the
26 religious services and rehabilitative efforts of each facility, giving
27 administrative guidance in matters pertaining to religious
28 expression for a large number of faiths; and

29 WHEREAS, Chaplains are the spiritual advisers for those who
30 live and work within the closed sociological system of inmates,
31 patients, wards, and institutional staff; and

32 WHEREAS, Chaplains are fully qualified and ecclesiastically
33 endorsed by their denominational faith group in order to be
34 considered an imam, minister, priest, rabbi, or Native American
35 spiritual leader in the institutional setting; and

36 WHEREAS, A chaplain must demonstrate a strong, intellectual,
37 moral, and spiritual character; and

38 WHEREAS, Chaplains have a specialized training relating to
39 the religious needs of inmates, patients, or wards who often have

1 complex physical or mental disorders, or developmental, moral,
2 or character impairments; and

3 WHEREAS, Anger, grief, confusion, suffering, and ignorance
4 are a common reality among the inmates, patients, and wards in
5 our institutions; and

6 WHEREAS, Suicide, homicide, and drugs have taken too many
7 lives among inmates, wards, and residents in the institutional
8 setting; and

9 WHEREAS, Chaplains, through spiritual counseling, crisis
10 management, and practical advice, offer encouragement and
11 assistance in dealing with these problems; and

12 WHEREAS, Inmates, patients, and wards within state
13 institutions have a need for competent and trusted full-time
14 chaplains to turn to in time of loss, crisis, and confusion; and

15 WHEREAS, Experts have found that religion is a crucial part
16 of effective treatment and behavior modification; and

17 WHEREAS, The Columbia University Center for Addiction
18 and Substance Abuse reports that the best predictor and
19 motivational factor for recovery is whether a person practices a
20 religion; and

21 WHEREAS, Since 1957, the State of California has seen fit to
22 employ on a full-time basis professional chaplains reflecting a
23 variety and diversity of faith groups represented throughout our
24 great State of California; now, therefore, be it

25 *Resolved by the Senate of the State of California, the Assembly*
26 *thereof concurring*, That the Legislature hereby commends the
27 over 60 years of work and effort by California State Chaplains
28 who labor faithfully within the Department of Corrections and
29 Rehabilitation, the State Department of Developmental Services,
30 the State Department of State Hospitals, and the Department of
31 Veterans Affairs; and be it further

32 *Resolved*, That the Legislature commends the professional
33 association created in 1967 called the Associated Chaplains in
34 California State Service for its continued efforts over the years to
35 bring the various faith communities together in a common purpose
36 to maintain and upgrade the professional chaplaincy, to help their
37 brothers and sisters, and to assist the state departments in their
38 various missions to effect rehabilitation, guidance, and service to
39 those entrusted to their care; and be it further

- 1 *Resolved*, That the Secretary of the Senate transmit copies of
- 2 this resolution to the author for appropriate distribution.

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