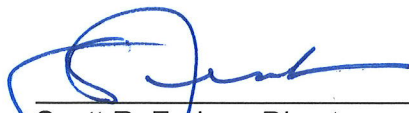
 Good Life. Great Mission. DEPT OF CORRECTIONAL SERVICES	POLICY		
	INMATE MARRIAGE POLICY		
	REVIEW DATE December 31, 2018	NUMBER 205.04	PAGE 1 of 3
STATEMENT OF AVAILABILITY This Policy is to be made available in law libraries or other inmate resource centers			

EFFECTIVE: June 30, 2016
 REVIEWED: July 31, 2017
 REVISED: December 31, 2018


SUMMARY of REVISION/REVIEW

Changed wedding to marriage ceremony throughout. Minor grammatical changes to Procedure I.J.
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APPROVED:



Scott R. Frakes, Director
 Nebraska Department of Correctional Services

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PURPOSE

The purpose of this Policy is to establish rules and standards for accommodating inmate marriages.

GENERAL


The Nebraska Department of Correctional Services (NDCS) shall accommodate inmate marriage ceremonies provided the marriage does not conflict with any legal restriction or process, any NDCS policy or procedure, or compromise the security or good order of any NDCS facility.

Each institution, consistent with its function and the nature of its inmate population and programs, shall develop its own version of this Policy within the limits and guidelines which follow.

PROCEDURE

I. Marriage

- A. If all legal and NDCS requirements are met, inmates will be allowed to marry unless the Warden finds that the marriage or marriage ceremony presents a threat to security or the good order of the institution.
- B. Confirmation of a marriage license is required before an inmate may submit a Marriage Intention form (Attachment A).
- C. Inmates planning to marry must submit an Inmate Marriage Intention Form (Attachment A) to their Unit Manager. If there is no current security check on file for the spouse-to-be, external witness(s) (if necessary) or the officiant, the Inmate Marriage Intention Form must be submitted early enough to ensure that security checks can be completed no fewer than 10 working days prior to the intended marriage date. Processing time for security checks varies. The inmate and/or spouse-to-be is responsible for obtaining the marriage license and contacting an officiant from the community to perform the ceremony. Religious Coordinators, Full-time Volunteer Clergy and Religious Volunteers are prohibited from performing marriage ceremonies.
- D. Facilities will arrange space and time for marriage ceremonies, except that ceremonies will not be arranged for inmates assigned to restrictive housing. Inmates assigned to community custody facilities may be allowed furloughs to marry in the community. NDCS will not transport inmates from one institution to another for the marriage ceremony. Inmates will normally not be permitted to marry other inmates due to potential risks to the safety, security or good order of the facility. If an inmate wants to marry another inmate, he or she may file a grievance of a sensitive nature to the Director outlining special circumstances which may warrant an exception. The director reserves the right to approve inmate-to-inmate marriages in the case of special circumstances.
- E. Only the inmate, prospective spouse, two witnesses and the marriage officiant are allowed to attend the marriage ceremony. Only approved visitors and general population inmates may serve as witnesses. All participants must comply with the institution's policies regarding dress code. Correctional staff will supervise marriage ceremonies.

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- F. The inmate, the prospective spouse and non-inmate witnesses may visit before or after the marriage ceremony as long as they are approved to visit and regular visits are taking place. Inmate witnesses must return to their living units immediately after the ceremony.
- G. In institutions with photo projects, the inmate getting married may purchase up to five photo tickets for pictures to be taken after the ceremony. No private photographers or cameras will be allowed at the ceremony.
- H. If the inmate receives a wedding ring, staff shall register the ring to the inmate's property by completing the Inmate's Registration of Personal Property form (Attachment B) and the Limits of Liability – Inmate Jewelry Form (Attachment C or D).
- I. If the Prospective spouse is not on the inmate's visiting list, a one-time visit may be allowed for the marriage ceremony.
- J. If approved by the facility Warden, a community custody inmate may be married while in the community on an approved pass or furlough. The specific location of the ceremony must be approved and listed on the itinerary. Such locations must be in compliance with policies and procedures governing passes and furloughs.

REFERENCE

- I. NEBRASKA STATE STATUTES, Section 42-101 et. seq.
- II. ATTACHMENTS
 - A. Inmate Marriage Intention Form
 - B. Inmate's Registration of Personal Property
 - C. Limits of Liability – Inmate Jewelry Form (Secure Institution)
 - D. Limits of Liability – Inmate Jewelry Form (Community Corrections Facility)
- IV. AMERICAN CORRECTIONAL ASSOCIATION STANDARDS – None noted.