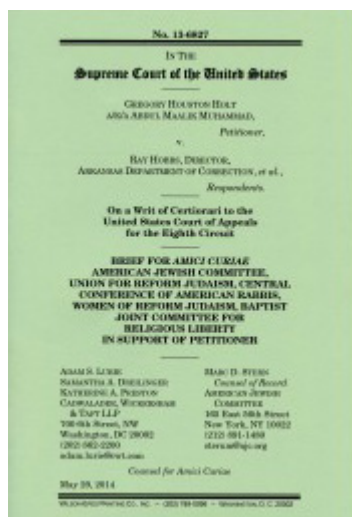


Baptist group defends Muslim prisoner's right to grow beard

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WASHINGTON—A prisoner has the right to exercise his religious belief by adhering to religious grooming standards, according to a brief filed at the U.S. Supreme Court and signed by the [Baptist Joint Committee for Religious Liberty](#).

The BJC joined the American Jewish Committee and other organizations in a friend-of-the-court brief defending the religious rights of Gregory H. Holt, also known as Abdul Maalik Muhammad, a practicing Muslim serving a life sentence in Arkansas.



[Click to read the brief.](#) Holt asserts he has a religious obligation to maintain a beard, but the Arkansas Department of Corrections' policy prohibits facial hair other than neatly trimmed mustaches. It also allows one-quarter-inch beards for inmates with a diagnosed dermatological medical condition.

Holt maintains the [Religious Land Use and Institutionalized Persons Act](#) protects his right to have a religiously mandated beard while incarcerated.

The act, which became federal law in 2000, was designed to protect the religious freedom of prisoners and other people in government custody, as well as protect religious freedom in the context of zoning and other land use laws. The law stipulates government may substantially burden the

exercise of religion only if it demonstrates it has used the least-restrictive means to further a compelling interest.

The BJC led a diverse coalition of religious and civil liberties groups in supporting the Religious Land Use and Institutionalized Persons Act, and a unanimous Congress enacted the measure.

'Security issues'

While prison officials have a compelling interest in maintaining security, the question is whether their refusal to allow a religious exception for Holt's requested beard is the least-restrictive means of furthering that interest. The Arkansas Department of Corrections denied Holt's request to grow a one-half-inch beard, saying an exemption to its policy could create security issues.

Holly Hollman, general counsel for the Baptist Joint Committee, noted the law protects the right of people of all faiths to follow their religious beliefs.

"The government has a responsibility to ensure incarcerated individuals can freely exercise their religion if there is no contrary compelling governmental interest at stake," Hollman said. "This case demonstrates the need for RLUIPA to make sure religious rights are protected and taken seriously."

When the Arkansas Department of Corrections denied Holt's request, it only presented hypothetical security concerns and did not show an exception for Holt would undermine security, even though he has been allowed to maintain a one-half-inch beard since winning a preliminary injunction in October 2011.

The brief explains the correctional department's medical exemption demonstrates a less-restrictive facial hair policy is feasible within the prison's facilities.

Religious rights

“Part of RLUIPA’s purpose is to elevate religious needs to a similar level as other considerations,” the brief states. “In light of the high degree of protection that RLUIPA gives to inmates’ religious rights, it is illogical for the same institution to provide an almost identical accommodation for medical reasons, while denying that same accommodation for religious purposes.”

The Supreme Court in 2005 recognized RLUIPA as a permissible accommodation of religion in *Cutter v. Wilkinson* that provides “heightened protection” for religious exercise, allowing prisoners to seek religious accommodations under the same standard as the Religious Freedom Restoration Act.