

Menu Planning

2304.1 FOOD PLANNING/PREPARATION

The Food Service Supervisor will plan and post a menu one month in advance. The menu will provide for a variety of foods in order to prevent repetitive meals for staff and inmates of each Jail Operations facility.

- (a) The nutritive quantity and quality of food served to the staff and inmate population will equal/exceed the average daily nutritional requirements as stated in the Recommended Dietary Allowances, National Academy of Sciences.
- (b) The minimum diet quantities and types of food are prescribed in MS 1241, California State Code Title 15. The supervisor/Registered Dietician will use the prescribed minimum food groups in constructing and certifying the menu. Menus will be planned at least thirty (30) days in advance.
- (c) Any changes made to the planned menu will be properly documented and will be of equal nutritive value.
- (d) Food Service Supervisory Staff shall conduct quarterly menu evaluations to ensure compliance with the established basic daily serving requirements.
- (e) All food will be prepared and served in a manner which will maximize safety, quality control, and will:
 - 1. Preserve the nutritive quality/content.
 - 2. Enhance appearance and overall palatability.
 - 3. Preserve flavor, color and texture.
 - 4. Fulfill the appropriate temperature requirements for hot/cold food.
- (f) Meals for both staff and inmates will be cooked in the facility kitchen. The same meal will be served to all inmates housed in the facility.

2304.2 SPECIAL DIETS

- (a) Special diets, as determined by HCA staff, will provide dietary modifications for medical/therapeutic needs to maintain the health and well-being of the individual. OCSD shall comply with any diet for medical/therapeutic needs prescribed by HCA staff. Inmates who have been prescribed a medical diet will not be required to supplement that diet with food purchased from the Commissary.
- (b) Therapeutic diets will be provided to inmates upon written instructions from the HCA Doctor or Nurse. The current special diet list will be kept on file in the kitchen. Each meal will be specifically identified with the inmate's name, to ensure accurate delivery of the meal. The kitchen will advise the Module Deputy/CSA of the inmates in their module who will receive a special diet tray.

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- (c) Special nutritional counseling/education, when required to implement special dietary adjustments, will be provided by a technically trained certified nutritionist or registered dietician.

2304.3 RELIGIOUS DIETS

- (a) Purpose

1. To provide policy and procedures for Orange County Sheriff's Department personnel to consider an inmate's request for a religious diet while in custody. The religious diet accommodations are provided by the Orange County Sheriff's Department for inmates expressing sincerely held religious beliefs, the exercise of which would be significantly burdened if the requested meal accommodation is denied in the absence of a compelling governmental interest.
2. Orange County Sheriff's Department offers multiple diets to accommodate inmates sincerely held religious beliefs: Kosher, Halal, and vegan. If an inmate requests a dietary accommodation based on a sincerely held religious belief that cannot be met by the Kosher, Halal, or vegan meal plans, the request will be evaluated on a case-by-case basis in accordance with the requirements of the Religious Land Use and Institutionalized Persons Act ("RLUIPA"), the First Amendment of the U.S. Constitution, and the California Constitution.

NOTE: The mainline diet, which is defined as the standard diet provided to all inmates who are not on a religious or medical diet, is pork-free.

- (c) To provide procedure for contacting County Counsel to set aside a court ordered religious diet if an inmate fails to follow his or her court ordered diet. No court ordered diet may be discontinued without County Counsel first obtaining permission from the court.
- (d) Religious diet grievances will be handled in accordance with [CCOM Section 1600.5 - Inmate Grievance Procedure](#).
- (b) Procedures: Religious Diet Requests

1. Religious diet requests may be initiated by an inmate via an inmate message slip. The inmate shall be provided and complete the Application (Form 1) and the Agreement and Waiver (Form 2), for participation in the Religious Diet Program.
2. If an inmate has transferred directly from State Prison and has an approved CDCR card designating a specific religious diet, the card will be honored. A copy of the card should be obtained with the inmate's name and booking number printed on the copy.
3. When an inmate's request for a religious diet is approved as being based on a sincerely held religious belief, the Application (Form 1) and the Agreement and Waiver (Form 2), shall be routed by or forwarded by the Religious Diet Coordinator as follows:
 - i. Copies to: (Forms 1 and 2)

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- A. Inmate Records (inmate file) and kept on file for three years, from the date of release.
 - ii. Copies to: (Forms 1)
 - A. Inmate and Chief Cook
 - iii. Copies to: (Forms 1, and 2)
 - A. Religious Diet Coordinator
 - iv. The Religious Diet Coordinator will notify appropriate kitchen staff via email to provide the religious diet.
 - v. The Sr. Head Cook will check JMS or call Inmate Records to find out when the inmate's next court appearance date is scheduled and calendar that date to ensure the inmate receives their religious meal at court and upon their return from court.
- 4. If an inmate is determined to have a sincerely held religious belief to participate in the Religious Diet Program, staff shall check to determine if the inmate is on a medically prescribed diet.
 - 5. The Food Services Dietitian or their designee shall review the medically prescribed diet and the religious diet and accommodate, to the extent possible, both dietary requirements by, for example, making appropriate substitutions for items on the different meal plans.
 - 6. If the Food Services Dietitian or their designee is unable to provide a substitute item that meets the medical and religious diet needs of the inmate, the inmate's medical dietary needs will take priority.
 - 7. Requests to participate in the Religious Diet Program should be processed in accordance with the following timelines:
 - i. A request to participate in the religious diet program will be approved or denied no later than 30 days following the date on the request.
 - ii. Notice of the approval or denial will be provided to the inmate no later than 7 days from the date of approval or denial.
 - iii. An inmate approved for a religious diet will begin receiving the diet no later than 15 days from the date of the approval.
 - 8. A request will be denied if it is determined that the inmate has not established a sincerely held religious belief.
 - i. Food Services shall not provide the religious diet.
 - ii. The inmate may reapply for a religious diet no sooner than 120 days from the date of denial.
 - iii. Denying an inmate's request for a religious diet is subject to the Inmate Grievance Policy.
 - 9. The forms relating to the denial of a religious diet (Form 1) shall be routed by or forwarded by the Religious Diet coordinator as follows:

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- i. Copies kept in the inmate's records file for 3 years proceeding their release.
 - ii. A copy will be retained by the Religious Diet Coordinator for as long as needed for administrative purposes.
- (c) Religious Diet Content
 - 1. The person responsible for determining the content and presentation of all religious diets is the Food Services Manager and the Food Services Dietitian (per The Minimum Standards for Adult Local Detention Facilities, Board of Corrections, and Title XV of the California Code of Regulations).
 - i. Kosher Diets
 - A. Entrees will be purchased through a vendor, pre-packaged and ready to eat.
 - B. All meals will conform to Kosher standards for content, preparation, and presentation.
 - C. Kosher meal services conform to the requirements of Judaic law, regardless of the specific beliefs expressed by an inmate as the basis for a kosher diet, including the following observances:
 - 1. Passover
 - 2. Kashrut/Sabbath
 - ii. Halal Diet
 - A. The Halal diet consists of the pork-free regular inmate menu with an appropriate substitute for non-halal entrée, where applicable. Fish, and eggs certified by the USDA are considered appropriate for Halal consumption when in a non-Islamic Country (Wakeen, B. 2008. Halal and Kosher. ACFSA Insider, Spring, 10-12).
 - B. Halal meal services conform to Islamic Laws, regardless of the specific beliefs expressed by an inmate as the basis for a Halal diet.
 - 2. During Ramadan, inmates will be served a hot breakfast before sunrise and be provided two cold bag meals at the dinner hour. It will be the inmate's responsibility to eat those meals after sundown and before sunrise if the inmate is observing the fast of Ramadan.
- (d) Delivery of Religious Meals
 - 1. The on-duty Senior Head Cook or Chief Cook will generate an OCSD Food Services - Religious Meal Signature Form and document that a religious meal has been prepared for a specific inmate. The Senior Head Cook or Chief Cook shall provide, upon completion of meal preparation, the form to the OCSD staff member collecting and delivering the religious meal to the inmate.
 - i. The Staff member shall deliver the religious meal directly to the inmate.

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3. If an inmate fails to pick up five (5) vegetarian meals within a 30-day period, the inmate will be removed from the vegetarian diet. The inmate will not be eligible to request the personal preference vegetarian diet until 120 days from date of removal. The inmate will receive written communication, such as an Inmate Message Slip, indicating they have been removed from the vegetarian diet because they failed to pick up five (5) vegetarian meals within a 30-day period and they may request the vegetarian diet again in 120 days. A copy of the written communication to the inmate regarding removal from the vegetarian diet will be provided to inmate records for placement in the inmate file.
- (c) Once approved, the inmate will receive their Inmate Message Slip stating their message has been received and the date of approval.
- (d) If an inmate requests a Lacto-ovo Vegetarian Diet for religious reasons but is denied due to religious insincerity, the inmate will default to the personal preference diet.
 1. The inmate will receive a notice of disapproval on Form 1 from the OCSD Religious Diet Program Application.
 2. The inmate will also receive written communication, such as an Inmate Message Slip, indicating they are being placed on a personal preference Lacto-ovo Vegetarian Diet.

2304.5 COMPLIANCE REMOVAL AND DISCONTINUATION

- (a) These procedures apply exclusively to religious diets that are granted in accordance with this policy. If an inmate has a court order to receive a religious diet, the order must be set aside before the diet may be terminated.
 1. Any staff member may report an incident of an alleged Religious Diet Program Agreement compliance violation, as described on the agreement form (e.g., if the inmate is found to have eaten food that is inconsistent with their asserted religious belief). A copy of the Incident Report shall be forwarded to the Religious Diet Coordinator. The Religious Diet Coordinator will investigate the allegations and confer with County Counsel if further actions are required.
 2. The inmate will be given the opportunity to respond to allegations of Religious Diet Program Agreement compliance violations, prior to any determination of continuing eligibility.
 3. If the allegation is substantiated by the Religious Diet Coordinator:
 - i. The inmate will receive a Warning of Non-Compliance (Form 3) for the first violation but will be allowed to continue to participate in the Religious Diet Program.
 - ii. If a second violation is substantiated within 120 days from the date of the first violation, the inmate may be removed from the Religious Diet Program for a period of 120 days from the date of the second violation. A Notice of Removal-Involuntary (Form 4) will be completed by the Religious Diet Coordinator and provided to the inmate.

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- iii. Reinstatement after a period of removal requires a new request. Evidence of commissary purchases during any period of removal from a religious diet, of food that is not compliant with the inmate's claimed religious dietary needs, may be deemed evidence of a lack of sincere belief and a basis to deny a new application.
- 4. The inmate has the right to appeal any dietary suspension or termination by utilizing the Jail's grievance procedure.
- 5. If an inmate's request for a religious diet is denied, the inmate may re-apply for a religious diet after 120 days from the date of the denial.
- 6. If an inmate requests to discontinue an approved religious diet, the inmate's request will be honored.
 - i. The inmate's request must be submitted in writing. The request shall be forwarded to the Religious Diet Coordinator, along with a signed Notice of Removal-Voluntary (form 4). A copy will be forwarded to the inmate's records.
 - ii. The inmate must wait for a period of 120 days before requesting to be reinstated in the Religious Diet Program.
 - iii. Evidence that an inmate vacillates between a religious diet and a regular meal may be indicative of the inmate's lack of sincerity but is not dispositive.

2304.6 COURT ORDERED DIET MEALS

- (a) When a court order for a religious diet is received, the on-duty Watch Commander will immediately forward a copy to the Food Services Manager. The Food Services Manager will notify the Religious Diet Coordinator. The Religious Diet Coordinator will follow the same process as listed above and if it is determined that the inmate has not demonstrated a sincere religious belief and violates the rules of the policy, County Counsel will be notified to request the Court to set aside the court order.
- (b) If it is determined that the inmate has demonstrated a sincere religious belief, the court order will be implemented as soon as is reasonably possible.
- (c) The procedure to provide Application (Form 1) and Agreement & Waiver (Form 2) to inmates with court orders shall be initiated as soon as is reasonably possible. Inmates with court orders for religious diets shall receive priority in the interview procedure over other inmates' requests for religious diets but will still fall within the timeline outlined in b 7 above.
- (d) If the inmate has a court order for a particular diet that has already been implemented but is consuming food other than the diet stated on the court order, or has skipped or refused a religious meal, the court order must be set aside prior to discontinuing the court ordered diet.
- (e) If the inmate receives a court order for a religious diet and IS ALSO on the medical diet list, continue the medical diet in accordance with the religious diet, if possible.

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County Counsel will be informed and will be notified as stated in section number four. (Refer to b 4, 5 & 6 above)

- (f) If the inmate receives a court order for a religious diet and requests in writing to be removed from that diet, the inmate must return to court to request the judge to remove him or her from the diet. The Religious Diet Coordinator will notify County Counsel if this is initiated. County Counsel will request to discontinue.
- (g) Contact County Counsel [REDACTED] to move to set aside the court order prior to discontinuing any court ordered diet.
- (h) Court ordered diet meals will not be discontinued without County Counsel first obtaining approval from the court to do so.
- (i) The Religious Diet Coordinator will contact County Counsel if an inmate is consuming food other than the court ordered diet and provide them with documentation including the court order for the diet, the number of meals missed to date, any commissary reports documenting non-compliant purchases and a completed Warning of Non-Compliance Form, signed by the inmate.
- (j) County Counsel will notify the Food Services Manager if the court discontinues a court ordered diet meal.