

SANKORE'



Institute of Islamic - African Studies

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ وَالصَّلَاةُ وَالسَّلَامُ عَلَى سَيِّدِنَا مُحَمَّدٍ وَآلِهِ وَصَحْبِهِ وَسَلَّمَ

PO Box 2833

Fairfield, Ca. 94533

e-mail: sankore1@computronix.net

Department of Corrections  
Regulation and Policy Management Branch  
P.O.Box 942883  
Sacramento, Ca. 94283-0001

Wendy Still  
/ Chief Regulation and Policy Management Branch

Our institution was requested by the International Human Rights Association of American Minorities (an NGO of the United Nations), many leaders of the Muslim communities of California as well as many incarcerated Muslims in the CDC to research into the legal rulings of the wearing of beards in accordance with the fundamental sources of Islamic law: The *Qur'an*; the *Sunna* and the Consensus (*ijma*) of the *sunni* scholars. This request was in response to the new Notice of Adoption of Emergency Regulations produced by the California Department of Corrections on October 3, 1997.

Our institution took the responsibility of carefully examining the proposed new changes in California Code of Regulations: Title 15 with particular reference to Sections 3000, 3062, 3075, 3287, 3324, 3314 and 3315 concerning inmate grooming standards. After thoughtful analysis of the proposed changes and keeping in mind the overall compelling state interest of security and discipline - the following memorandum has been initiated.

The objective of this memorandum is to: [1] sensitize the Regulation and Policy Management Branch of the California Department of Corrections about the religious obligation of wearing beards in Islam. To accomplish this end extensive proofs from the authoritative sources of Islam have been cited. [2] This memorandum demonstrates that the overall objective and stated reasons for the proposed changes in inmate grooming standards are congruent with the grooming standards in Islam. [3] The changes of Subsection 3062 (h) (1) (2) imposes a substantial burden upon the Muslims' exercise of their religion. [4] There is an alternative to Subsection 3062 (h) (1) (2) which is less restrictive but fulfills the stated objectives of the new changes.

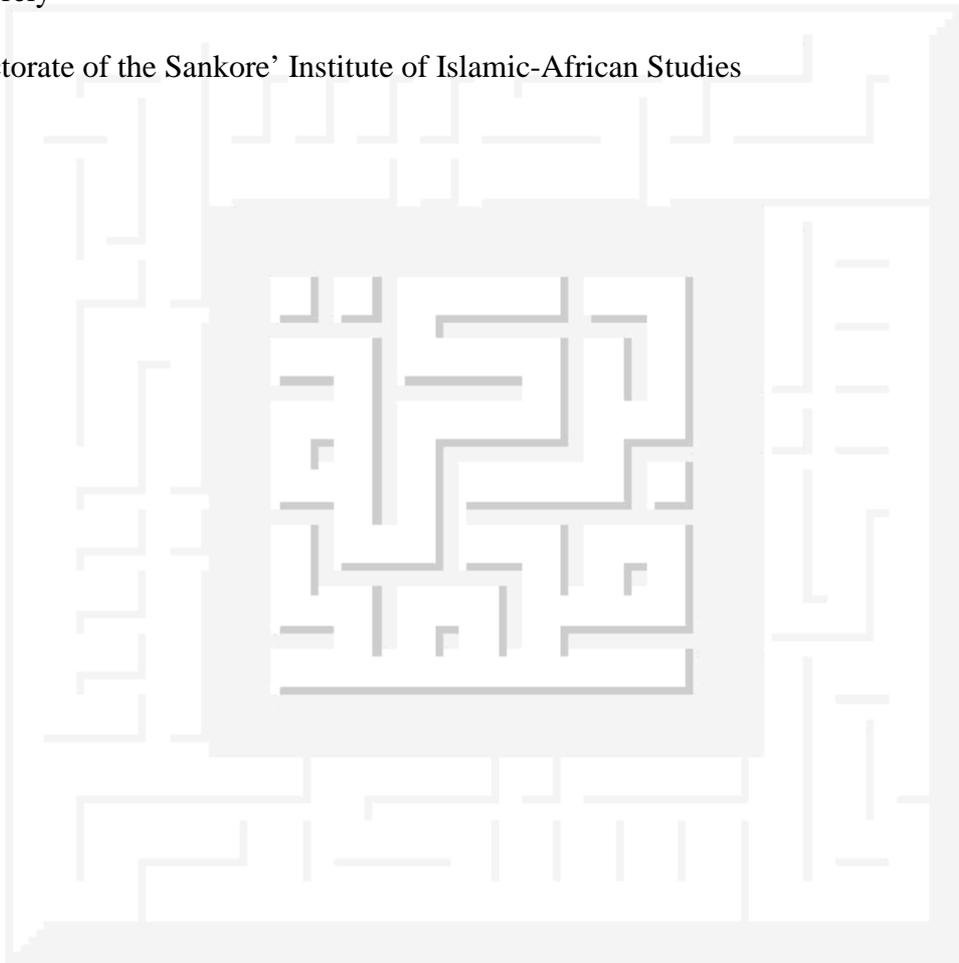
This memorandum as well as any subsequent response from the California Department of Correction is/will be forwarded to the headquarters of the International Human Rights Associations of American Minorities at the United Nations in New York - who will then forward these to jurist in the Islamic Human Rights Commissions and the Urgency Section of the United Nation's Human Rights Commission.

The Muslim community, feels that the CDC will see an alternative to imposing a substantial burden upon the Muslim inmate population and will make the necessary amendments to the new proposed changes in the inmate grooming standards. It is clear that whatever is done within the borders of the United States, which include what is done within the walls of the state as well as federal correctional institutions creates a positive or adverse precedence for the remainder of the world. In order for the United States to continue to profess to have the leadership role in implementing international accepted standards of human rights, it is important for the treatment of the inmate population to conform with internationally accepted standards for which the United States is an endorser.

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Sincerely

Directorate of the Sankore' Institute of Islamic-African Studies



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