

NH DEPARTMENT OF CORRECTIONS POLICY AND PROCEDURE DIRECTIVE	CHAPTER <u>Resident Programming</u> STATEMENT NUMBER <u>7.13</u>
SUBJECT: <b>INMATE MARRIAGE REQUEST PROCEDURES</b>  PROPONENT: <u>Kimberly MacKay, Director</u> <i>Name/Title</i> <u>Division of</u> <u>Community Corrections</u> <u>271-1924</u> <i>Office Phone #</i>	EFFECTIVE DATE <u>10/012016</u> REVIEW DATE <u>10/01/2018</u> SUPERSEDES PPD# <u>7.13</u> DATED <u>08/30/2013</u>
ISSUING OFFICER:  <hr/> <i>William Wrenn, Commissioner</i>	DIRECTOR'S INITIALS _____ DATE _____ APPENDIX ATTACHED: YES _____ NO _____
REFERENCE NO: See reference section on last page of PPD.	

I. PURPOSE:

To establish a policy concerning inmate marriages while confined.

II. APPLICATION:

To all staff involved in establishing marriages for inmates, i.e. chaplain, mental health, correctional counselors/case managers.

III. POLICY:

It is the policy of the Department of Corrections (NHDOC) that inmates desiring to marry while incarcerated in a departmental facility must have the approval of the Warden or Division Director responsible for that housing unit to do so.

IV. PROCEDURE:

- A. The NHDOC will provide two opportunities for inmate marriages per year; in January and July.
- B. The cut-off date for applying for inmate marriages is the first day of the third full month prior to the marriage date. For example, October first for a January date, and April first for a July date. Any inmate requesting marriage after the cut-off date must wait until the next cycle.
- C. An inmate desiring to marry will make an appointment with the facility's chaplain to obtain the latest guidance as to the steps necessary to complete an inmate marriage.
- D. The NHDOC process information packet and the inmate marriage tracking sheet can be found as Attachments 1, 2, and 3.
- E. The chaplain will inform the Warden or Division Director of the inmate's request. The Chaplain will inform the inmate of the Warden's or Division Director's decision. (Attachment 2).
- F. Marriage requests may be denied for the following reasons:
  1. If both persons are incarcerated and it is a threat the security of the prisons

2. If the non-inmate is not allowed to visit the inmate per PPD 7.09 Visiting Policy
  3. If the non-inmate is a convicted felon, currently under supervision, or who would create a security risk for the prison
  4. If it is believed that the marriage is one of convenience for purposes other than building a life together
- G. Recommendations by the chaplain and actions taken by the Warden or Division Director will be in writing and made a part of the inmate's file.
- H. Costs associated with getting the marriage license (including reimbursements to local officials for coming to the prison) are the responsibility of the inmate and/or her/his fiancé.

REFERENCES:

Standards for the Administration of Correctional Agencies  
Second Edition Standards

Standards for Adult Correctional Institutions  
Fourth Edition Standards

Standards for Adult Community Residential Services  
Fourth Edition Standards

Standards for Adult Probation and Parole Field Services  
Third Edition Standards

Aliviado v. Kimoto, No. 12-00259 SOM-BMK, 2012 U.S. Dist. LEXIS 108118.

Other

MACKAY/jc

Attachments

## NHDOC MARRIAGE PROCESS

This packet outlines the steps required in order to marry while incarcerated at any NHDOC facility. The checklist is to aid the inmate in accomplishing the steps necessary, in the right order, to complete the marriage process and is a guide only. The chaplain uses the tracking sheet that is the official record of steps accomplished.

### GENERAL INFORMATION

Inmate marriages are performed at predetermined intervals. Check with staff for the times at your facility.

Staff will set one date and marriages will be scheduled at 30-minute intervals with no extra visit time allowed.

The Marriage will take place in the visiting room or the chapel.

The marriage will consist of: inmate, prospective spouse, up to four witnesses (must be immediate family on the inmate's approved visiting list) and approved official performing the ceremony. Departmental chaplains do not perform inmate marriages.

Inmates wear prison issue greens for the marriage

No cake, flowers, punch, music, or decorations allowed. The prospective spouse may bring in one disposable camera or a digital camera (not a cell phone), with approval from Security staff.

Prospective spouse brings the official paperwork (no ceremony will be conducted without a proper legal license). Prospective spouse may also bring rings.

### PROCEDURE

Inmates desiring marriage must initiate the process with an Inmate Request Slip. Check facilities for timeframes.

The chaplain gives the inmate this packet and initiates the tracking sheet.

All items on the tracking sheet/inmate checklist must be accomplished in the order given.

The facility Chaplain will submit Attachment 2, Inmate Request for Marriage, to the Warden or Director.

The Warden/Director approves/denies the request for marriage.

After the Warden's approval, the prospective spouse initiates appropriate license with the designated NH Town Clerk. The chaplain will provide current contact information to the prospective spouse. Since NHDOC will not transport inmates to any town hall to accomplish marriage licenses, a Town Clerk from a designated community will meet all approved inmates at the appropriate facility to process paperwork.  
Meetings

will be conducted sometime after the prospective spouse has completed their paperwork at the Town Office of the designated community.

Prospective spouses will need to have the following information with them for both parties when they go to the town hall:

1. License fee (includes marriage certificate)
2. Full name, address, birthplace and dates of birth
3. Prior marriages if any and a certified copy of a divorce decree of the last marriage and/or a certified copy of the death certificate of a previous spouse
4. Father's name and place of birth
5. Mother's name, maiden name and place of birth
6. Social Security Numbers



New Hampshire  
Department of Corrections  
Division of Community Corrections

# Request for Inmate Marriage

Name: \_\_\_\_\_

ID Number: \_\_\_\_\_

Date of Birth: \_\_\_/\_\_\_/\_\_\_\_\_

Current Location:  NHSPM  NHSPW  NCF  SPU/RTU  THU

Minimum Release Date: \_\_\_/\_\_\_/\_\_\_\_\_

Maximum Release Date: \_\_\_/\_\_\_/\_\_\_\_\_

### Prospective Spouse Information:

Prospective Spouse Name: \_\_\_\_\_

Phone #: \_\_\_\_\_

Address: \_\_\_\_\_

In accordance with PPD 7.13, Chaplain \_\_\_\_\_ explained the marriage  
(Chaplain's name)  
procedure to the above inmate on \_\_\_\_\_.  
(Date)

Forwarded to Warden/Director \_\_\_\_\_ on \_\_\_\_\_ for  
(Warden/ Director's Name) (Date)  
approval.

\_\_\_\_\_  
Chaplain's Signature

### Warden/Director approval/denial

Approved       Denied

This request is denied for the following reasons:

- Both parties are incarcerated and it would create a security risk to the prisons.
- Non-inmate is not allowed to visit inmate pursuant to PPD 7.09 Visiting Policy
- If the non-inmate is a convicted felon, who is currently under supervision, or who would create a security risk for the prison.
- This marriage is believed to be one of convenience rather for the purpose of building a life together.

\_\_\_\_\_  
Warden/Director's Signature

\_\_\_\_\_  
Date



New Hampshire  
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Division of Community Corrections

## Inmate Marriage Tracking Sheet

**Inmate Name:** Click here to enter text.  
**Inmate ID:** Click here to enter text.  
**Spouse name:** Click here to enter text.  
**Spouse Address:** Click here to enter text.  
**Spouse Phone:** Click here to enter text.  
**Start Date:** Click here to enter text.

**Location:**

NHSPM  NHSPW  NCF  SPU/RTU  THU

Target month for marriage \_\_\_\_\_.

Checklist	Date	Initials
1. Chaplain receives request slip from inmate desiring marriage.		
2. Chaplain provides DOC marriage procedures to inmate.		
3. Verification that prospective spouse is on inmate's visiting list and that no other obviously disqualifying conditions exist.		
4. Chaplain informs the Warden of inmates request.		
5. Request approved/denied by Warden or Director		
6. Approval/denial form sent to offender records		
If approved continue below:		
7. Prospective spouse has initiated license with a designated Town Clerk between following dates: _____		
8. Verification of license accomplishment by a designated Town Clerk .		
9. Marriage official _____ is approved.		
10. Guests: _____ _____		
(Verify they are immediate family on inmates visit list before initialing)		
11. Date and time of marriage will be: _____ (This to be set by DOC staff)		
12. Marriage completed.		