

California to serve kosher meals to Jewish inmates

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VACAVILLE, Calif. — California prison officials have agreed to serve kosher meals to Jewish inmates, settling a federal First Amendment lawsuit brought by a man serving a 60-year sentence for child molestation.

The settlement arrived at this week requires the Department of Corrections to make kosher meals available at California State Prison Solano by Jan. 11. The prison is where Victor Wayne Cooper, an inmate and Orthodox Jew who brought the lawsuit, has been incarcerated since 1989.

As part of the agreement, the state also must make good-faith efforts to make kosher food available at its other prisons by 2006.

Cooper sued in federal court in San Francisco last year after prison officials repeatedly refused his requests for a kosher diet, according to his attorney, Heather Nolan.

The reason, said state prison spokesman Russ Heimerich, is the department's rules forbade providing special meals that cost more than regular meals. The prisons could provide substitute dishes for Muslim inmates without extra spending, but kosher menus cost more, he said.

But according to Nolan, federal courts have long required prisons to offer inmates diets that are consistent with their religious beliefs. In one such ruling, the 9th U.S. Circuit Court of Appeals in San Francisco ruled in 1997 that an Arizona prison had to make kosher food available to a Jewish inmate.

Nolan said that in California, the response until now had been for prisons "to offer another helping of mashed potatoes" instead of a balanced diet to an inmate whose religion does not permit eating pork.

"It's too bad it took this kind of effort to get (the state) to comply with existing (legal) authority," she said.

The state's 160,000 prisoners include about 300 identified as Jewish, and perhaps 40 observant Jews who would want a kosher diet, said Nolan.