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March 31, 2006

Governor Jeb Bush
The Capitol
400 South Monroe Street
Tallahassee, FL 32399

Re: Petition (http://www.sikhcoalition.org/petition_florida.asp)

Dear Governor Bush:

We are writing to you because we are concerned that a Sikh prisoner may soon have to submit to procedures in the Florida state prison system that will result in the forcible cutting of his hair and removal of his turban, the gravest violations of Sikh faith and praxis. The prisoner, Satnam Singh, is scheduled to be transferred from the Federal Bureau of Prisons system to a Florida state prison after April 9, 2006.

Since time is of the essence, we request your immediate attention to this matter so that Mr. Singh's religious faith is not violated and the prison system's conduct does not violate Mr. Singh's most significant religious beliefs. Any cutting of Mr. Singh's hair or removal of his turban will likely cause great anguish within the 25 million members of the Sikh community worldwide and 500,000 Sikhs in the United States.

As you may be aware, maintaining unshorn hair (including facial hair) and wearing a turban are central tenets of the Sikh faith. Sikhs wear an external uniform to unify and bind themselves to the beliefs of their religion and to remind themselves of their commitment to Sikh teachings at all times. Unlike some faiths where only the clergy are in uniform, all Sikhs are required to wear external articles of faith, such as uncut hair (*kesh*) and a turban (*dastār*) to cover their hair. These articles of faith have deep spiritual significance.

Maintaining uncut hair and wearing a turban are an especially important part of the Sikh way of life. The Sikh Code of Conduct, called the *Rahit Maryādā*, outlines the requirements for practicing the Sikh way of life. All Sikhs must follow the guidelines set forth in this document. The *Rahit Maryādā* explicitly instructs that if you are a Sikh, you must "have, on your person, all the time...the *keshas* (unshorn hair)." It also states that "[f]or a Sikh, there is no restriction or requirement as to dress except that he must wear... [a] turban." This document prohibits the removal of hair from the body as one of four major taboos; the other taboos on this list include adultery. The fact that cutting one's hair is a moral transgression just as serious as committing adultery speaks to the immense significance of uncut hair in Sikhism.

Historically, uncut hair has been the most central feature of the Sikh identity. For example, in the 18th century, when Sikhs in South Asia were persecuted and forced to convert from their religion; the method of forcing conversions was cutting off a Sikh's hair. As a result, the forcible cutting of the hair is perceived as the most humiliating and hurtful physical injury that can be inflicted upon a Sikh. Everyday during prayers, Sikhs remember those martyrs of faith who sacrificed their lives rather than giving up their uncut hair and turbans. Mr. Singh's need to keep his hair unshorn must be understood in this context.

We are distressed to learn that Florida state prison regulations, unlike the regulations of other states, requires prisoners to cut their hair, and allows prison officials to forcibly cut their hair if they refuse to do so. Chapter 33-602.101(4) of the Florida Administrative Code states that “[m]ale inmates shall have their hair cut short to medium uniform length at all times....” The section also states that “[a]ll inmates shall be clean shaven, provided, however that an exemption from this requirement shall be granted on the basis of a medial diagnosis....” If an inmate refuses to adhere to these grooming standards, even for faith-based reasons, the officer in charge “shall direct staff to shave the inmate or cut the inmate’s hair” according to the Chapter 602.101(5).

At present the New York State prison system allows prisoners to maintain long hair, wear religiously-mandated beards, and wear religious head garb. In a letter dated May 25, 2005 from the New York State Department of Corrections to a Sikh organization, a New York State prison makes clear that prisoners in New York State may keep their hair unshorn and wear turbans. If the safety of prisons in New York can be maintained while allowing Sikhs to practice their faith, we are at a loss to understand how the safety of prisons in Florida would be compromised by the same practices. We would imagine that the safety interests in both states’ prison settings are the same or similar.

In addition, in California, the Ninth Circuit Court of Appeals recently held that the state prison system could not force a Native American inmate to cut his hair without violating the federal Religious Land Use and Institutionalized Persons Act (RLUIPA). In Warsoldier v. Woodford, Case No.: 04-55879, DC No. CV-04-02233-RSWL (July 2005), the court held that California’s Department of Corrections had “utterly failed to demonstrate that the disputed grooming policy” was “the least restrictive means necessary to ensure prison safety and security.” As a result of the Warsoldier decision and other similar cases, the California Department of Corrections has issued proposed regulations that would allow prisoners to maintain their hair long for religious reasons.

We would like to request that you ensure that Satnam Singh does not suffer the utter humiliation of having his hair forcibly cut. It would be grave blow to religious faith and practice in the United States. Having one’s hair forcibly cut is worse than death for a Sikh. We ask that you direct the Department of Corrections to review this matter immediately and revise its policy so Mr. Singh’s hair is not cut.

We thank you for your immediate consideration of this matter.

Sincerely,

The Sikh Coalition, undersigned co-sponsors¹ and concerned citizens² worldwide

Cc:

James McDonough, Secretary Department of Corrections
Dr. Laura Bedard, Deputy Secretary of Corrections

¹ For the latest list of co-sponsors, see http://www.sikhcoalition.org/petition_florida_details.asp#org

² For the most recent list of individual citizens, see

http://www.sikhcoalition.org/petition_florida_sign.asp?mainaction=LIST