

[site map](#) | [search](#) | [contact](#) | [press room](#)

Defending Our Most Basic Freedoms

[HOME](#) [ISSUES](#) [TAKE ACTION](#) [LEGAL](#) [LEGISLATION](#) [SUPPORT THE ACLU](#) [EVENTS](#)[JOIN NOW!](#)[Home](#) > [Legal](#) > [Closed Case Archive](#) > Muhammad, et al. v. Terhune, et al.

MUHAMMAD, ET AL. V. TERHUNE, ET AL.

U.S. District Court/Direct

Ed Barocas/ACLU-NJ

After East Jersey State Prison stopped allowing inmates to receive outside food packages from friends or loved ones, a number of Muslim inmates requested that the prison provide them with Halal meals. The prison stated that they would give them vegetarian food made within the prison that meets Halal standards. However, the inmates believe that their religion requires them not only to eat Halal food but to affirmatively eat Halal meats and, as such, the vegetarian meals alone do not meet the religious requirement. Because the prison does not carry Halal food in the commissary and no longer permits food packages to be sent to the prison, the provision of Halal meats would require the State to go to outside sources to obtain such food - and the prison would not agree to do so. East Jersey does go to an outside food vendor for Kosher meals, since food made in the prison kitchens would not be Kosher, but the outside Kosher meals are all vegetarian. The inmates sued, based on free exercise and equal protection grounds. The district court granted summary judgment to the State because it held that mainstream Islam does not require that Halal meats be eaten and, therefore, providing vegetarian Halal meals was sufficient accommodation of their religious practice. The Third Circuit reversed the ruling, holding that so long as the beliefs are "sincerely held," the court should not assess whether others in the religion believe the same way. The case was sent back to the District Court and the State again moved for summary judgment. The court assigned ACLUNJ Legal Director Ed Barocas to represent the inmates. Through negotiation the prison agreed to make Halal meats available for purchase by inmates through the prison commissary. The inmates' case is continuing, as they further contend that the state must pay for the Halal meats. In January 2003, Barocas was removed as counsel based upon a conflict that arose. This case was closed in 2003.

LEGAL DOCUMENTS

[Privacy Policy](#) | [Copyright](#) | [Use Agreement](#)