



U. S. Department of Justice

Civil Rights Division

Deputy Assistant Attorney General

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Washington, D.C. 20530

July 15, 2008

Dear Department of Corrections Commissioner/Director/Secretary:

As you may know, Title VI of the Civil Rights Act of 1964 and the Omnibus Crime Control and Safe Streets Act prohibit discrimination on the basis of race, color, and national origin in programs that receive federal financial assistance from the Department of Justice. One type of national origin discrimination is discrimination based on a person's inability to speak, read, write, or understand English. Executive Order 13166 reaffirmed the requirement that all recipients, including departments of correction, must take reasonable steps to ensure meaningful access to their programs and activities by limited English proficient (LEP) individuals.

This issue is of great concern due to an ever-growing population of persons who are unable to speak or understand English, causing an increasing number of contacts between LEP persons and corrections staff. It has become evident that serious institutional security and staff safety issues, as well as barriers to implementation of proper health, discipline, education, and rehabilitation programs, may result if the challenges associated with inadequate communications with LEP inmates are not addressed. In addition, an increasing number of administrative complaints alleging failure to provide meaningful access to LEP persons are being filed against departments of corrections.

To assist your department in developing (or continuing to develop) its LEP Policy and Implementation Plan, I am enclosing a planning tool issued by the Department of Justice entitled *Considerations for Creation of a Language Assistance Policy and Implementation Plan for Addressing Limited English Proficiency in Corrections*. It provides specific guidance on how to create and implement a plan to address common situations involving LEP individuals in the corrections setting, and it can easily be adapted to fit the needs of your particular department.

I am also enclosing our DVD entitled *Breaking Down the Language Barrier: Translating LEP Policy into Practice*, which illustrates the requirements to provide LEP access, as well as a LEP brochure that we recently published. A list of additional LEP materials and how to access them is also enclosed.

I hope you will find this information useful. If you or your staff have any questions or wish to obtain additional materials, please visit our website, www.lep.gov, or contact Brooks Singer at (202) 307-1079 or via email at brooks.singer@usdoj.gov. Together, we can make the promise of Executive Order 13166 a reality for all LEP individuals.

Sincerely,

A handwritten signature in black ink that reads "Loretta King". The signature is written in a cursive style with a large, prominent "L" and "K".

Loretta King

Deputy Assistant Attorney General

Enclosures

Resources List (Departments of Corrections)

The following is a list of limited English proficiency (LEP) resources from the Coordination and Review Section (COR) of the Civil Rights Division of the U.S. Department of Justice:

- The LEP website: <http://www.lep.gov> - Contains planning tools, letters, and policy statements from the Civil Rights Division, and guidance documents from other agencies regarding LEP, as well as other helpful links and resources.
- The COR website: <http://www.usdoj.gov/crt/cor> - Contains information on Title VI of the Civil Rights Act of 1964 and implementing regulations.
- The Corrections Planning Tool: *Considerations for Creation of a Language Assistance Policy and Implementation Plan for Addressing Limited English Proficiency in Corrections* Is available at http://www.lep.gov/LEP_Corrections_Planning_Tool.doc.
- Executive Order 13166: *Improving Access to Services for Persons with Limited English Proficiency* - Is available at <http://www.usdoj.gov/crt/cor/Pubs/eolep.htm>.
- The Department of Justice LEP Recipient Guidance Document: *Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons* - Provides information specific to departments of corrections on pages 41469-41470, and is available at <http://www.usdoj.gov/crt/cor/lep/DOJFinLEPFRJun182002.htm>.
- General Tips and Tools Resource Document: *Executive Order 13166 Limited English Proficiency Resource Document: Tips and Tools from the Field* - Chapter 1 focuses on promising practices in serving the needs of LEP persons generally, and is available at http://www.lep.gov/tips_tools_92104.htm.
- Video/DVD: *Breaking Down the Language Barrier: Translating LEP Policy into Practice* - Provides illustrations for officers of encounters with LEP persons by law enforcement and guidance for departments on handling these situations. Copies can be ordered by calling COR at (202) 307-2222.
- Brochure for Federal Agencies and Recipients: *Limited English Proficiency: What Federal Agencies and Federally Assisted Programs Should Know About Providing Services to LEP Individuals* - Is available at http://www.lep.gov/lep_aug2005.pdf.
- Language Identification Tool: *"I Speak" Language Identification Flashcard* - Created by the Ohio Office of Criminal Justice Services and used to identify the language spoken by an individual who is a non-English speaker or LEP; is available at http://www.lep.gov/ocjs_languagecard.pdf.

For further information, contact COR at (202) 307-2222.