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,

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.


- 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.


- 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.