



U.S. DEPARTMENT OF JUSTICE

Office of Justice Programs

Office for Civil Rights

OCR Ends Investigation of the New York State Department of Corrections and Community Supervision's Provision of Language-Access Services

On February 24, 2016, the OCR issued a [letter](#) notifying the New York State Department of Corrections and Community Supervision (DOCCS) that it is closing its investigation of the DOCCS' provision of language assistance to limited English proficient (LEP) individuals. The OCR took this action after the DOCCS adopted a comprehensive language-access [policy](#) aimed at ensuring that LEP individuals have meaningful access to its services, programs, and benefits in accordance with the nondiscrimination provisions of Title VI of the Civil Rights Act of 1964 (Title VI) and the Omnibus Crime Control and Safe Streets Act (Safe Streets Act). The policy, which the DOCCS developed in consultation with the OCR, applies to all of the DOCCS' corrections and community supervision operations. The DOCCS also issued a language-access [plan](#) that provides additional information on how it will implement the policy.

The policy and plan emphasize the importance of providing free language-assistance services to not only LEP inmates, but to visitors to its facilities as well. They also provide guidance to personnel on how to ensure that LEP persons have meaningful access to the DOCCS' services, programs, and benefits, and provide for an internal oversight process through which the DOCCS will monitor and update its language-access system.

Additionally, the DOCCS implemented the following language-access measures:

- updated its inmate tracking database so that it can identify LEP inmates' primary languages;
- implemented a process at each facility to place an inmate's primary language on the inmate's identification card;
- developed a program to provide training on language-access issues to new employees, as well as to incumbent civilian and uniform staff, through annual in-service training;
- developed a process to receive and resolve complaints about any alleged failure to provide appropriate language-assistance services to LEP persons;
- developed a system to review the extent to which employees utilize internal and external language-assistance resources, such as qualified interpreter staff and vendors that provide interpretation and translation services.

The OCR initiated this investigation after it received a complaint alleging that the DOCCS failed to provide appropriate language assistance to LEP inmates at one of its prisons. On September 17, 2012, the OCR issued a [letter of findings](#) to the DOCCS concluding that the DOCCS did not

fully comply with its language-access obligations under Title VI and the Safe Streets Act. In its letter, the OCR made several recommendations for improving language access that, as the OCR discusses above, the DOCCS has now implemented.

The OCR's successful resolution of this matter is another example of its ongoing collaborative efforts to ensure that recipients of financial assistance from the Office of Justice Programs, the Office on Violence Against Women, and the Office of Community Oriented Policing Services provide appropriate language-access services to LEP persons. Information about OCR and instructions on how to receive updates are available on our [website](#).