

U.S. Department of Justice
Office of Justice Programs

Language Access Plan

October 2024



Comments, feedback, questions, or complaints about this Language Access Plan may be directed to the Office of Justice Programs, Office for Civil Rights, at askocr@usdoj.gov.

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I. Policy Statement

The Office of Justice Programs (OJP) staff are required to plan for, and take reasonable steps to provide, timely, accurate, and meaningful access to all programs or activities conducted both by the Department of Justice (DOJ) and by entities receiving federal financial assistance from DOJ for individuals who have limited English proficiency (LEP).

It is the responsibility of OJP, not an individual with LEP, to take reasonable steps to ensure meaningful access to all OJP federally conducted programs and activities and to foster equity for individuals with LEP who interact, or may interact, with OJP over the phone, in writing, in person, or via electronic methods, including social media. Ensuring the quality and accuracy of language assistance services is critical to providing individuals with LEP meaningful access to OJP's programs and activities.

Where applicable, OJP staff shall take reasonable steps to effectively inform the public, in a language they understand, of the availability of language accessible programs, services, and activities, and that qualified language assistance services will be provided by OJP at no cost to a person with LEP.

II. Purpose and Scope

OJP is updating its Language Access Plan (Plan) and Policy based on the 2023 [Department of Justice \(DOJ\) Language Access Plan](#); the [DOJ Equity Action Plan](#); [Executive Order 14031](#) on Advancing Equity, Justice, and Opportunity for Asian Americans, Native Hawaiians, and Pacific Islanders (AAs and NHPIs); and other governing authorities. This process will reassess the level of language assistance services that OJP currently provides and will need to provide to individuals who have LEP in OJP's federally conducted programs and activities.

The Department of Justice (DOJ or Department) issued a new Language Access Plan on August 15, 2023, requiring every DOJ component, including OJP, to submit a component-specific language access plan within six months. Language access is one of the five priorities of the DOJ Equity Action Plan. Executive Order 14031 also establishes initiatives to promote equity of AAs and NHPIs. Among these initiatives is a call to remove language barriers to federally conducted programs and services. OJP is committed to advancing equity for all, including historically underserved individuals with LEP, through meaningful language access to benefits, information, and services in accordance with Executive Orders 13166, 13985, 14031, and 14091.

The Plan is an administrative blueprint to ensure that OJP offices and staff take reasonable steps to provide, timely, accurate, and meaningful access to all programs and activities conducted both by OJP and by entities receiving federal financial assistance from OJP. This updated Plan shall implement quality assurance and control measures to ensure accuracy and completeness and to assess its fidelity and performance. After this Plan is issued, OJP will develop a Language Access Policy and related procedures to implement the Plan.

Section 504 of the Rehabilitation Act of 1973 (Section 504) requires OJP to take appropriate steps to ensure that its communications with individuals who are deaf or hard of hearing (D/HOH), are blind, or have speech disabilities are as effective as its communications with

others. Pursuant to Section 504 and the DOJ Language Access Plan, this Plan includes a discussion of language access for individuals who are D/HOH because many individuals who are D/HOH use American Sign Language (ASL), a language separate and distinct from the English language, while other individuals who are D/HOH use other sign languages. OJP staff must ensure effective communication for individuals who are D/HOH who use ASL, other sign language interpreting, or other auxiliary aids and services consistent with the requirements of Sections 501 and 504 of the Rehabilitation Act of 1973.

III. Authorities

Pursuant to Executive Order 13166, each federal agency must “examine the services it provides and develop and implement a system by which LEP persons can meaningfully access those services consistent with, and without unduly burdening, the fundamental mission of the agency.” Each agency must “prepare a plan to improve access to its federally conducted programs and activities ... includ[ing] the steps the agency will take to ensure that eligible LEP persons can meaningfully access the agency’s program and activities.” As required by Executive Order 13166, the contents of the Plan “shall be consistent with the standard set forth in the [DOJ Title VI] LEP Guidance...”

This Plan establishes guidelines and standards in accordance with the following authorities:

Statutes:

- Title VI of the Civil Rights Act of 1964; and
- Sections 501, 504, and 508 of the Rehabilitation Act of 1973.

Executive Orders:

- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, 65 Fed. Reg. 159, 50121 (Aug. 11, 2000);
- Executive Order 13985, Advancing Racial Equity and Support for Underserved Communities Through the Federal Government, 86 Fed. Reg. 14, 7009 (Jan. 20, 2021); and
- Executive Order 14091, Further Advancing Racial Equity and Support for Underserved Communities Through the Federal Government, 88 Fed. Reg. 35, 10825 (Feb. 16, 2023).

DOJ Attorney General directives and policies:

- United States Attorney General’s Memorandum to Heads of Department Components Regarding Language Access Obligations Under Executive Order 13166 (June 28, 2010);
- United States Attorney General’s Memorandum to Heads of Federal Agencies, General Counsels, and Civil Rights Heads Regarding Federal Government’s Renewed Commitment to Language Access Obligations Under Executive Order 13166 (Feb. 17, 2011);
- United States Attorney General’s Memorandum for Department of Justice Employees on Improving the Department’s Efforts to Combat Hate Crimes and Hate Incidents (May 27, 2021);
- United States Attorney General’s Memorandum for Heads of Federal Agencies, Heads of Civil Rights Offices and General Counsels Regarding Strengthening the Federal Government’s Commitment to Language Access (Nov. 21, 2022);
- DOJ Strategic Plan for Fiscal Years 2022-2026 (Oct. 2022); and

- DOJ Equity Action Plan (2022).

Other Relevant DOJ Guidance:

- DOJ LEP Guidance, Enforcement of Title VI of the Civil Rights Act of 1964 — National Origin Discrimination Against Persons with Limited English Proficiency, 65 Fed. Reg. 50, 123 (Aug. 16, 2000); and
- DOJ LEP Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 67 Fed. Reg. 41,455 (June 18, 2002).

IV. Definitions

The OJP Plan definitions are based on the definitions in the DOJ Language Access Plan:¹

Certified Deaf Interpreter (CDI): An individual who is deaf or hard of hearing (D/HOH) and has been certified by the Registry of Interpreters for the Deaf as an interpreter.

Communication Access Real-Time Translation (CART): The instant translation of the spoken word into English text using a stenotype machine, notebook computer and real-time software. The text produced by the CART service can be displayed on an individual’s computer monitor, projected onto a screen, combined with a video presentation to appear as captions, or otherwise made available using other transmission and display systems.

Deaf/deaf (D/d): Uppercase Deaf denotes a particular group of people who are deaf and share a language and a culture; lowercase deaf refers to the audiological condition of not hearing. An individual who is deaf or hard of hearing (D/HOH) may also have limited proficiency in spoken or written English and may not be proficient in ASL or any other recognized sign language.

Deaf Interpreter: A specialist who provides cultural and linguistic expertise. A Deaf Interpreter provides interpreting, translation, and transliteration service in sign languages (or written language) and other visual and tactual communication forms used by individuals who are Deaf, Deaf-Blind, Deaf-Disabled, Hard of Hearing, or Late-Deafened.

Direct “In-Language” Communication: Monolingual communication in a language other than English between a multilingual staff and a person with LEP (e.g., Korean to Korean).

Effective Communication: For communication disabilities, it refers to aids and services to ensure that communication with people with disabilities, such as people who are D/HOH, is as effective as communication as for people without disabilities.²

Equity: The consistent and systematic fair, just, and impartial treatment of all individuals, including individuals who belong to underserved communities that have been denied such

¹ DOJ Language Action Plan, App. A: Definitions, <https://www.justice.gov/atj/departments-justice-language-access-plan#appendix-a> (Aug. 2023).

² DOJ, Civil Rights Division, *ADA Requirements: Effective Communication*, <https://www.ada.gov/resources/effective-communication>.

treatment, such as Black, Latino, and Indigenous and Native American persons, Asian Americans and Pacific Islanders and other persons of color; members of religious minorities; lesbian, gay, bisexual, transgender, and queer (LGBTQ+) persons; persons with disabilities; persons who live in rural areas; and persons otherwise adversely affected by persistent poverty or inequality.³

Federally Assisted Program or Activity: All the operations of a recipient, either a primary recipient or subrecipient, of federal financial assistance from OJP.

Federally Conducted Program or Activity: Means (1) all ongoing OJP operations that involve contact with the general public, or (2) OJP's direct administration of a service or benefit that involves persons who are beneficiaries or participants.

Hard of Hearing (HOH): Someone experiencing hearing loss ranging from mild to profound. An individual who is deaf or hard of hearing (D/HOH) may also have limited proficiency in spoken or written English and may not be proficient in ASL or any other recognized sign language.

Interpretation: The act of listening, understanding, analyzing, and processing a spoken communication in one language (source language) and then faithfully orally rendering it into another spoken language (target language) while retaining the same meaning. For individuals who are D/HOH, this can include understanding, analyzing, and processing a spoken or signed communication in the source language and faithfully conveying that information into a spoken or signed target language while retaining the same meaning.

Limited English Proficiency (LEP): Describes individuals who (1) do not speak English as their primary language; and (2) have a limited ability to read, write, speak, or understand English. Individuals with LEP may be competent in English for certain types of communication (e.g., speaking or understanding), but have limited proficiency in English in other areas (e.g., reading or writing). LEP designations are also context-specific; an individual may possess sufficient English language skills to function in one setting (e.g., conversing in English with coworkers), but these skills may be insufficient in other settings (e.g., addressing court proceedings). An individual who is D/HOH may also have limited proficiency in spoken or written English and may not be proficient in ASL or any other recognized sign language.

Language Assistance Services: Oral and written language services used to provide individuals with LEP and/or those who are D/HOH meaningful access to, and an equal opportunity to participate fully in, the services, activities, and other programs administered by OJP.

Meaningful Access: Language assistance that results in accurate, timely, and effective communication at no cost to the individual with LEP needing assistance. Meaningful access denotes access that is not significantly restricted, delayed, or inferior as compared to programs or activities provided to English-proficient individuals.

³ Executive Order 13985, Advancing Racial Equity and Support for Underserved Communities Through the Federal Government, 86 Fed. Reg. 14, 7009.

Primary Language: The language in which an individual most effectively communicates when interacting with OJP, including sign language or tactile sign language. An individual’s primary language may be a language variant.

Program or Activity: The term “program or activity” and the term “program” mean all the operations of a recipient or of OJP.

Qualified Multilingual Staff: An employee who has proficiency in English and the ability to read, write, or speak in at least one other language at the proficiency level required by OJP and as demonstrated through a validated language test.

Qualified Translator: An in-house or contracted translator who has been professionally trained and/or demonstrated competence to translate through national certification or comparable testing and is authorized to do so by contract with OJP or by approval from OJP. Qualified translators must also demonstrate knowledge of professional standards, and adherence to the corresponding professional code of ethics, as well as familiarity with OJP terminology to be established by OJP.

Qualified Interpreter: An in-house or contracted interpreter who has been professionally trained and/or demonstrated competence to interpret through court certification, the State Department, or comparable testing and is authorized to do so by contract with the Department or by approval of a component. Qualified interpreters must also demonstrate knowledge of professional standards, and adherence to the corresponding professional code of ethics, as well as familiarity with OJP terminology to be established by OJP.

Quality Assurance: The process to ensure accuracy, consistency, quality, and reliability of language assistance services.

Recipient: A non-federal entity receiving federal financial assistance from OJP.

Sign Language: Method of communication for people who are D/HOH in which hand movements, gestures, and facial expressions convey grammatical structure and meaning. There is no universal sign language. Different sign languages are used in different countries or regions. For example, British Sign Language (BSL) is a different language from ASL, and Americans who know ASL may not understand BSL.

Sight Translation: Oral or signed rendering of written text into spoken or signed language by an interpreter without change in meaning based on a visual review of the original text or document.

Tagline: For purposes of this Plan, this term means a short notice in multiple non-English languages informing the general public that a document (e.g., notices of language assistance services, notices of rights, forms, correspondence, etc.) or electronic media (e.g., website, announcement via email, etc.) contains vital information and explaining how to request the document or electronic media provided in other languages.⁴

⁴ DOJ, Civil Rights Division, *Translation: Federal Agency Translated Taglines*, www.lep.gov/translation.

Translation: The process of converting written text from a source language into an equivalent written text in a target language as fully and accurately as possible while maintaining the style, tone, and intent of the text, while in light of differences of culture and dialect.

Vital Document: Paper or electronic written material or digital content that contains information that is critical for accessing a component’s programs or activities or is required by law.

V. Identification of Communities and Individuals with LEP or Who are D/HOH

Effectively providing meaningful access to individuals with LEP and/or who are D/HOH, requires: (1) identifying the top languages used by the communities served by OJP’s federally conducted programs and activities, and (2) determining the most common means through which communities with LEP and/or who are D/HOH interact with OJP.

OJP’s programs, services, and activities primarily target a nationwide audience. According to the U.S. Census Bureau’s American Community Survey (ACS) 5-year estimates, the top five languages spoken in the United States by individuals with LEP are Spanish, Chinese (including the spoken languages of Mandarin and Cantonese and the written languages of Simplified and Traditional Chinese), Vietnamese, Korean, and Tagalog (including Filipino).⁵ These five non-English languages represent 78% of all individuals who are LEP. According to an analysis of the ACS, an estimated 3.6% of the U.S. population are D/HOH.⁶

To inform the development of the Plan, OJP conducted a component-wide survey of its federally conducted programs and activities as well as publicly facing offices to review the mechanisms OJP utilizes to communicate with the public, inventory available language access resources, and identify LEP needs. Below is a summary of the response from the OJP offices:

(1) Bureau of Justice Assistance (BJA)

BJA administers the Public Safety Officers’ Benefits (PSOB) Program. BJA’s PSOB Office interacts with survivors of public safety officers who have limited English proficiency, most frequently with Spanish-speakers. In these circumstances, PSOB federal and contract staff fluent in the language indicated speak with survivors and injured officers or translate informal written communication, such as an email, into the appropriate foreign language, or from those languages into English. Translated documents related to claim determinations as well as records and information related to the PSOB program are provided to individuals who need language assistance, most often in Spanish. Additionally, qualified bilingual interpreters are available to communicate with survivors about their benefit claims and occasionally to interpret during appeal hearings.

BJA uses qualified, trained, and tested professional translation and interpretation services to ensure accuracy and cultural relevance. An additional review of materials may be conducted by staff who are native or proficient speakers of a given language. BJA currently has some “vital

⁵ U.S. Census Bureau, ACS, B16001, *Language Spoken at Home by Ability to Speak English for the Population 5 Years and Over*, (2022), <https://perma.cc/CQ54-M892>.

⁶ Cornell University, Yang Tan Institute on Employment and Disability, *2022 Disability Status Report: United States*, (2024), <https://perma.cc/5Y8K-FEU5>.

documents”⁷ available in Spanish and Chinese and is working on providing an updated list of translated documents.

(2) Bureau of Justice Statistics (BJS)

As the primary statistical agency of the Department of Justice, BJS collects data from criminal justice agencies such as correctional departments and law enforcement agencies, as well as the general population and incarcerated populations. In surveys administered to criminal justice agencies, BJS includes questions about bilingual or multilingual staff and whether populations served have limited English proficiency.

Several BJS surveys that are administered to incarcerated populations provide questionnaires in both English and Spanish: Survey of Prison Inmates, National Survey of Youth in Custody, Survey of Inmates in Local Jails, and the National Inmate Survey.

BJS’ largest survey is the National Crime Victimization Survey (NCVS). This annual data collection is carried out by the U.S. Census Bureau and administered to the general population. This survey is available in both English and Spanish. Additionally, bilingual field representatives from the U.S. Census Bureau can provide assistance in other languages. To increase access for NCVS participants, BJS offers participant materials in several languages, including Spanish, Arabic, Chinese, Korean, and Vietnamese. BJS also offers informational videos for NCVS participants in both English and Spanish.

For all person-level surveys, BJS tracks data of its engagement with persons with LEP through survey administration metadata, which records the language in which the survey was conducted. During 2016–2020, 5.8% of NCVS respondents completed the survey in languages other than English.

(3) National Institute of Justice (NIJ)

The National Missing and Unidentified Persons System (NamUs) is the primary way in which NIJ engages with persons who have LEP. NIJ provides a Spanish language version of the NamUs website and databases. NIJ.ojp.gov is the primary point of access for information from NIJ. Specific to queries on NIJ solicitations, few or no queries are received in a language other than English.

(4) Office of Audit, Assessment, and Management (OAAM)

OAAM provides public training resources related to applying for and managing DOJ grant funding. This includes videos, reference guides, infographics, and checklists. The training resources are available on OJP.gov and the [JustGrants Training and Resources website](#). All content aligns with OJP’s standard website guidelines.

OAAM also offers [weekly webinars](#) that provide topic-specific content for applicants and grant recipients seeking more in-depth support during the grants management lifecycle from

application to award management. In the interest of supporting language access, OAAM will identify ways to ask for language access needs at the point of registration so that any language assistance needs can be addressed early on. In 2021, OAAM used its training contract to provide a one-time, Spanish version of a training to grant recipients in Puerto Rico, Guam, and the U.S. Virgin Islands. OAAM does not maintain or use language technologies for interpretation or translation.

As the business owner of JustGrants, OAAM works with OCIO to address any issues found in our assessment to ensure that JustGrants meets the DOJ WCAG 2.2 guidelines with a minimum conformance score of 90%. This will guarantee that JustGrants is fully compliant with DOJ accessibility guidelines.

(5) Office of the Chief Financial Officer (OCFO)

OCFO engages with individuals with LEP in a number of different ways. For example, OCFO oversees the Territories Financial Support Center (TFSC) which engages with Spanish-speaking grantees from Puerto Rico. Last quarter, the TFSC had approximately 600 contacts through listservs, webinars, and onsite visits with individuals whose preferred language is Spanish. Similarly, OCFO conducts virtual and onsite monitoring of grantees, including those with LEP. Currently, OCFO has ten staff members who can provide language assistance in American Sign Language, Arabic, Cantonese, Hindi, Korean, Spanish, and Vietnamese. The TFSC uses bilingual staff whose native language is Spanish and works with a translation vendor as needed to review its language access materials. TFSC conducts needs assessments and evaluations from grantees who access its language assistance services.

Thirty-one percent of the grantees the TFSC serve are Spanish speakers from Puerto Rico. The TFSC is tasked with ensuring OJP awards made to Puerto Rico are adequately supported by providing grantees no-cost training and technical assistance. The TFSC tracks the number of contacts and provision of services on a monthly and quarterly basis.

The OJP financial management virtual seminar is available in Spanish online through the TFSC website. The TFSC offers recipients training and technical assistance support that meets the needs of grantees and their local cultural and organizational contexts. Some OCFO contract staff are bilingual Spanish speakers.

(6) Office for Civil Rights (OCR)

The OCR ensures that recipients of financial assistance from OJP, the Office on Violence Against Women (OVW), and the Office of Community Oriented Policing Services (COPS Office) comply with Federal laws prohibiting discrimination in employment and delivery of services or benefits based on race, color, national origin, sex, religion, age, and disability. It investigates complaints from individuals or groups who believe that they have experienced discrimination from an entity that receives funding from OJP, COPS Office, or OVW. The OCR can also investigate entities that receive DOJ funding from state and local government agencies. Further, the OCR provides training and technical assistance to OJP, COPS Office, and OVW grantees on federal civil rights requirements, including language assistance.

The OCR provides language assistance at no cost to individuals with LEP. This includes an online complaint portal in Spanish, Chinese (both Traditional and Simplified), Vietnamese, Korean, and Tagalog. The OCR also utilizes telephonic interpreters and translation services to interact with complainants and other individuals with LEP.

(7) Office of Communications (OCOM)

The Office of Communications manages OJP website content related to its programs and resources, to include grant funding opportunities, topical information, news releases, multimedia content, tools, resources, and announcements. The National Criminal Justice Reference Service Virtual Library is also maintained on the website. In addition to content published on the OJP website, OCOM manages the main OJP social media accounts and email news bulletins.

OCOM manages the OJP Response Center, which responds to external queries OJP receives via phone, email, mail. The Response Center provides information related to the criminal and juvenile justice systems, victim services, OJP's mission and operations, and specific OJP resources and funding opportunities. The Response Center also responds to funding-related inquiries and requests for solicitation-specific assistance from prospective applicants on behalf of BJA, NIJ, Office of Juvenile Justice and Delinquency Prevention (OJJDP), and Office for Victims of Crime (OVC). The Response Center also provides regular feedback and insights to OAAM, OCOM and program offices about grant applicants' inquiries on a weekly, monthly, and annual basis. Response Center staff participate in solicitation briefings with program office SMEs, receive response guidance and forward solicitation inquiry escalations. As appropriate, inquiries are referred to the JustGrants Service Desk or the OJP Research and Information Center (ORIC) librarians.

The capacity to fully anticipate LEP persons requests for language-assistance services will require an investment in a content audit and user-needs assessment. OCOM products such as press releases, blogs, and other written content, where practicable, will be able to be translated into relevant languages.

(8) Office of Juvenile Justice and Delinquency Prevention (OJJDP):

OJJDP provides select materials translated into Spanish. OJJDP currently does not have mechanisms or protocols in place to capture what portion of individuals accessing OJJDP programs or services are persons with LEP. OJJDP is receiving training and technical assistance on the topic of language access in order establish the necessary language access tools and protocols, and to improve its outreach to LEP individuals. OJJDP utilizes the OJP Response Center to handle public inquiries regarding its programs.

(9) Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking (SMART)

The SMART Office administers the National Sex Offender Public Website (NSOPW.gov), a public safety resource that provides the public with access to sex offender data nationwide. NSOPW.gov is accessible in Spanish, which has been highlighted on its social media channels.

(10) Office for Victims of Crime (OVC)

OVC receives the most requests for language assistance in Spanish and ASL. On average, OVC's Response Center receives one Spanish language inquiry per month. The OVC Training and Technical Assistance Center received 12 Spanish language contacts over a two-year period. OVC reviews usage data from interpretation vendors and frequency of telephone calls in different languages. Out of 29,414 calls handled by the National Elder Fraud Hotline during a two-year period, an estimated 1.8% (540) were from callers who needed a Spanish interpreter. OVC's interpretation and translation services are completed by contractors or vendors. In addition, currently, OVC has bilingual Spanish speakers on staff. The National Elder Fraud Hotline offers telephonic interpreters through bilingual, Spanish-speaking staff and a telephonic interpreter provider. The OVC Response Center employs two bilingual Spanish speaking staff.

OVC provides certain written products in different languages. For example, sections of the National Crime Victims' Rights Week Resource Guide⁸ are available in Spanish and select Child Victims and Witnesses Support Materials are available in Arabic, African French, Chinese (simplified), Haitian Creole, Spanish, and Vietnamese. OVC's Help for Victims section of the site (<https://ovc.ojp.gov/help-for-victims/overview>) is provided in Arabic, Chinese, and Spanish. OVC also translates resources for victims of mass violence into other languages when needed. For example, in response to the attacks in Half Moon Bay, California, materials were translated into Spanish and Chinese.

OVC reaches out to LEP communities through their regular marketing channels including the OVC website, OVC listserv, and social media platforms, as well as to organizations that regularly engage LEP communities. OVC hosted a webinar on navigating OVC resources in Spanish to disseminate information about its grant programs. Through its Enhancing Access grant program, OVC has funded 33 awards since FY 2018, totaling approximately \$10 million, to improve and expand the availability of accessible victim-centered, culturally relevant, and trauma-informed services for crime victims who are LEP, D/HOH, blind, or who have a disability or visual impairment. In 2024, the OVC-funded Human Trafficking Collective (HTC) held 17 webinars with live Spanish interpretation, and two more were translated after the event. HTC also translated seven supplemental training documents and three coursebooks into Spanish and provided live Spanish interpretation for three of the twelve monthly offices sessions for OVC recipients in 2024.

OVC has also engaged community stakeholders on translated products. For example, the Child Victims and Witnesses Support Materials were produced by a grantee.⁹ OVC also maintains a *Recursos en Español* webpage that collates all OVC resources in Spanish in one section on the website (<https://ovc.ojp.gov/library/recursos-en-espanol>).

OVC works with its training and technical assistance (TTA) provider to provide language assistance services for its projects including the Victim Services Training and Technical Assistance (VSTTA) and Technical Assistance Collective (TAC) projects. Through these efforts, OVC works to provide language assistance to users with LEP or who are D/HOH.

⁸ OVC, *National Crime Victims' Rights Week Resource Guide*, <https://ovc.ojp.gov/ncvrw2023/overview>.

⁹ OVC, *Child Victims and Witnesses Support Materials*, <https://ovc.ojp.gov/child-victims-and-witnesses-support>.

VI. Identification of Individuals with LEP and/or who are D/HOH and their Primary Language or Method of Communication

OJP staff, upon the first point of first contact with an individual with LEP and/or who is D/HOH, shall make reasonable efforts to conduct or arrange for an initial assessment of that individual's need for language assistance services.

OJP staff can determine whether a person needs language assistance in several ways:

- Use of an “I Speak” language identification card or poster. U.S. Dep’t. of J., Civil Rights Division, Federal Coordination and Compliance Section, *Translation: Language Identification and I Speak Cards*, available at www.lep.gov/translation.
- Engagement by a qualified multilingual staff or a qualified in-person or remote interpreter to identify an individual's primary language.
- Voluntary self-identification by the individual or their companion.
- Affirmative inquiry regarding the primary language of the individual if they have self-identified as needing language assistance services.

In determining an individual's primary language or preferred method of communication, it is important to allow the individual to convey the language in which they most effectively communicate, particularly in consideration of any potential sensitivity or trauma relating to a situation or subject matter discussed, the context in which the interaction is taking place, and the method of communicating (i.e., oral/signed versus written), among other factors. OJP staff should not make assumptions about an individual's primary language or preferred method of communication based on race, color, national origin, or because they appear to be or are D/HOH.

Additional considerations when identifying language include asking the individual about their region, municipality, village, or specific community of origin, to ensure the correct identification of language;¹⁰ and recognizing that individuals who are D/HOH may not communicate using ASL and may have limited proficiency in written and spoken English. D/HOH individuals also may require support in sign language from another region or country, the procurement of assistive aid, and/or the procurement of a deaf or Certified Deaf Interpreter (CDI).

VII. Outreach and Engagement with Communities with LEP and/or who are D/HOH

Effective outreach and engagement with LEP and D/HOH communities, and entities that represent their interests, play a critical role in language access planning efforts—both to increase

¹⁰ For example, individuals with LEP from Latin American countries may speak an Indigenous or non-Spanish language as their primary language. Asking the specific region, municipality, village, or community they belong to can provide information about the language or language variant they use. When in doubt, OJP staff should consult with the OJP or DOJ Language Access Coordinator who may consult organizations and civic groups representing the communities to obtain support with language identification as well as to request referrals for language assistance services that support these communities. OJP staff may reference the following “I Speak” Indigenous Language Identification Resources: U.S. Department of Homeland Security, Office for Civil Rights and Civil Liberties, *I Speak...Indigenous Language Identification Poster* (2016), https://www.dhs.gov/sites/default/files/publications/Habla%20Poster_12-9-16.pdf. See also U.S. Department of Homeland Security, Office for Civil Rights and Civil Liberties, *Indigenous Language Identification Sticker/Insert* (2016), <https://www.dhs.gov/sites/default/files/publications/Indigent%20Languages%20Sticker.pdf>.

access to OJP programs and activities for these communities, and to receive regular feedback on the implementation of the Plan or language assistance services.

OJP and its offices will conduct the following outreach where appropriate:

- Establish and maintain relationships with a variety of entities representing the interests of individuals with LEP and/or those who are D/HOH, and communities who have traditionally been marginalized based on language.
- Encourage participation of these communities in OJP consultations, focus groups, and/or listening sessions, with the goal of learning about their concerns, needs, and perspectives.
- Communicate clearly through written, digital, video, and/or audio means about the nature, scope, and availability of language assistance services and how to request them.
- Create and maintain lists of non-English press, and ensure translation of press releases, where relevant and feasible, to disseminate information about OJP programs and activities.
- Establish a formal mechanism to receive feedback about the quality of OJP's language assistance services. This includes the means to provide feedback on OJP's website, conducting routine check-ins with stakeholders, scheduling periodic listening sessions to receive live feedback virtually, and conducting a short survey after the utilization of language assistance services.
- Coordinate with the OJP Office of the Assistant Attorney General (OAAG) and conduct stakeholder engagement activities in accordance with Executive Order 13985, Executive Order 14091, and the DOJ Equity Action Plan.

VIII. OJP Language Access Coordinators and Plan Advisory Group

Direct involvement by each of OJP's offices to facilitate effective engagement with the public is vital to the development and implementation of the OJP Plan and Policy. Each OJP office has its own unique needs, but there are also commonalities across OJP offices that require coordination to ensure consistency in the way language access is addressed. Each office will require its own point-person to address those needs and assist OJP in developing and implementing the Plan and final Policy.

The OAAG shall establish a Language Access Plan Advisory Group (Advisory Group), to be led by the Office for Civil Rights (OCR), and shall require each of the following Offices to appoint members to participate in the Advisory Group:

- Office of the Assistant Attorney General (OAAG)
- Office of Administration (OA)
- Office of Audit, Assessment, and Management (OAAM)
- Office of the Chief Financial Officer (OCFO)
- Office of the Chief Information Officer (OCIO)
- Office of Communications (OCOM)
- Bureau of Justice Assistance (BJA)
- Bureau of Justice Statistics (BJS)
- National Institute of Justice (NIJ)

- Office of Juvenile Justice and Delinquency Prevention (OJJDP)
- Office for Victims of Crime (OVC)
- Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking (SMART)

OJP's Section 508 Coordinator shall also participate in the Advisory Group.

The Advisory Group shall serve as stewards of the Plan, by communicating its existence to OJP staff, ensuring staff are informed about and receive training on the content, and understand the obligations identified within the Plan. The Advisory Group will also identify emerging issues, address gaps in the Plan and make suggestions for improvement. After the Plan is approved, the Advisory Group shall meet bimonthly and communicate routinely until the Plan is implemented through the development of the OJP Language Access Policy and its related procedures. Upon approval of an OJP Language Access Policy, the Advisory Group will meet quarterly to ensure consistent understanding and implementation of the Policy across OJP offices.

The OJP Language Access Coordinator is responsible for developing, leading, and promoting uniformity of policies and best practices relating to language access within OJP, implementing and regular review of the OJP Plan, providing guidance and technical assistance to OJP offices on their ongoing language access needs, and leading the Advisory Group. The following is the contact information for the primary OJP Language Access Coordinator:

Bryan Lee, Attorney
Office of Justice Programs, Office for Civil Rights
Bryan.Lee@usdoj.gov

Each OJP office shall also designate its own respective Language Assistance Coordinators responsible for implementing the Plan as well as its resulting policies and procedures.

IX. Notification of the Availability of Language Assistance Services

OJP, including each of its offices, shall take reasonable steps to provide public notice of how to obtain free language assistance services in its public-facing materials and events open to the public, including conferences. This information shall be offered in different mediums including signage, printed and electronic materials, correspondence or mailing of vital documents, social media, etc. in consultation with program, outreach, and public affairs personnel as well as grantees and impacted communities.

Notice shall be offered in the language(s) spoken by individuals with LEP based on the program objective, the OJP office's constituency, and/or geographic area. Generally, this shall include the top five language identified in Section V of this Plan for programs, service, or activities available to the public.

In public-facing materials and digital content, OJP and its offices are encouraged to include multilingual taglines and language selectors to allow individuals, including those who do not speak the top identified languages, to be informed about the availability of language assistance services and how to request any vital documents that are currently available.

Where the language used by individuals with LEP is oral with no written form or where the individual with LEP being served demonstrates low literacy in the language they speak, OJP shall utilize video or audio recordings to provide notice of the availability of language assistance services. Video recordings may also benefit individuals who are D/HOH through the use of sign language. This notification may also be provided using existing tools and platforms, such as translated website documents, Quick Response (QR) codes, and interpreter-mediated stakeholder outreach.

Public notices shall include a specific point of contact for each office's respective Language Access Coordinator to request language assistance services. OJP will post the Plan and Policy on OJP's website in the top five language identified in Section V of this Plan.

X. Provision of Language Assistance Services

OJP will develop a centralized set of procedures to obtain language assistance services that all OJP offices can utilize. Some OJP offices currently have their own set of procedures to provide language assistance services. Any office-specific procedures that continue to exist shall be memorialized in the OJP Language Access Policy.

Absent exigent circumstances, OJP staff will avoid using the following individuals to provide language assistance services:

- Family members (including children)
- Neighbors
- Friends
- Acquaintances or bystanders
- Opposing parties
- Adverse witnesses or victims

If any of these individuals are used to provide language access services because no competent translator or interpreter is available, once the exigent circumstances are over, OJP staff will use a competent translator or interpreter to confirm or supplement the information communicated to the person with LEP or who is D/HOH.

a. Translation

OJP will prioritize the translation of vital documents and information. Classification of a document or information as "vital" depends upon the importance of the program, information, encounter, or service involved, and the consequence to the individual with LEP if the information in question is not provided accurately or in a timely manner.

There are two distinct types of vital documents or information: (1) those that are meant for the public or a broad audience, and (2) those that are specific communications regarding a case or matter between an individual and OJP.

(1) Vital documents or information intended for the public, or a broad audience may include, but are not limited to:

- Public outreach or educational materials.
- Claim or application forms including their instructions.
- Forms or written materials related to individual rights.
- Notices of outreach or community meetings or trainings.
- Press releases announcing activities or matters that affect communities with LEP.
- Notices regarding the availability of language assistance services provided by OJP at no cost to individuals with LEP, where applicable in light of mission and operations.

(2) Vital documents or information specific to a case or matter between an individual and OJP may include, but are not limited to:

- Notices related to community outreach.
- Administrative complaints, release, or waiver forms.
- Letters of findings.
- Letters or notices pertaining to statutes of limitations, referrals to other federal agencies, a decision to decline to investigate a case or matter, or closure of an investigation, case or matter.
- Written notices of rights, denial, loss, or decreases in benefits or services, parole, and other outcomes and status.

Under most circumstances, materials primarily directed to courts, including court filings associated with civil or criminal cases, attorneys, court advocates, architects, police, or other professionals will not be considered “vital” for the purpose of this Plan.

OJP will ensure that all translations are completed by qualified translators. OJP will avoid using translation applications or web resources alone without a review by a human translator and the use of other quality control measures. In particular, machine translation is discouraged when information communicated is vital to a person’s rights or benefits; when accuracy is essential; or when the source materials use non-literal language (such as slang or metaphors), have unclear grammar or structure, contain abbreviations or acronyms, or are complicated, technical, or wordy.

Individuals with LEP and/or who are D/HOH who want to access OJP services may not be literate in their country of origin’s prevalent written language, or their languages might not have a written form such that translated material will not be an effective way of communicating with them. For individuals with LEP, OJP will consider sight translation, interpretation, or audio/video communication, where practicable. For individuals who are D/HOH, OJP will inquire about the preferred method to deliver information that is typically available in written form.

Recognizing that translating vital documents can be costly and time intensive, OJP and its offices are encouraged to seek stakeholder input in determining which documents should be prioritized for translation. OJP and its offices should also contract with translation vendors that use

translation memory and other tools that reduce costs and ensure the consistent use of words or phrases across different documents, information, or electronic content.¹¹

Currently, the OCR has a reimbursable agreement with the DOJ Criminal Division (CRM) for translation services. If another OJP office wishes to use CRM's translation services, the office would need to transfer funds to the OCR for the project cost. BJA and OVC currently have their own translation services accounts, so staff from those offices can utilize their office-specific translation services.

The Advisory Group and Language Access Policy shall establish standards to translate vital documents in the top five languages. Each office shall be responsible for tracking and updating its vital documents. Offices are encouraged to translate vital documents or information for the public into the identified top languages, as needed, and to consider translating into other languages as appropriate based on the program objective, constituency, and/or geographic region.

b. Interpreting

Where appropriate, OJP and its offices should plan and be prepared to provide qualified interpreters, free of charge, either in-person, over-the-phone, or through video remote technology to communicate with individuals with LEP. Some situations when OJP, its office, and staff would need to provide interpreter services include:

- OJP staff are planning an in-person monitoring visit of a grantee and the grantee staff they need to communicate with include individuals with LEP and/or who are D/HOH.
- An OJP office is hosting a webinar about a new grant program and potential grant applicants who completed the registration form for the webinar requested an interpreter.
- OJP staff need to speak to an individual with LEP and/or who is D/HOH who filed a complaint alleging they could not access a program that receives an OJP grant.
- An OJP office is hosting a listening session to get public input on a grant program and several current grantees requested a foreign language interpreter to participate. OJP staff are planning an in-person conference, and grantees attending the conference will include individuals with LEP and/or who are D/HOH.

Absent exigent circumstances, OJP staff are strongly discouraged from allowing employees who have not been formally assessed for their multilingual skills to provide direct services in-language. Unqualified staff could provide incorrect information, introduce conflicts of interest or other ethical concerns, or experience other potentially negative consequences for OJP and/or the individual with LEP.

While individuals with LEP and/or those who are D/HOH have the right to refuse language assistance services, OJP staff are encouraged in these situations to reiterate the OJP's policy to ensure meaningful access and provide services at no cost. Any refusal to comply with the policy must be formally documented.

¹¹ See U.S. General Services Administration, *Foreign Language Services Ordering Guide* (Revised May 2023), at 15, <https://perma.cc/5ATM-UD6Q>.

When arranging or requesting interpretation services, OJP staff should make every effort to ascertain if the interpreter provided matches the language and/or language variant that the individual(s) with LEP use(s) and that they can understand each other fully.

OJP staff must also give primary consideration to the method of communication preferred by an individual who is D/HOH. Consistent with that approach, there may be a need to utilize a deaf interpreter, CDI, Communication Access Real-Time Translation, or another auxiliary aid or service requested by the individual.

DOJ has existing contracts with vendors to provide interpretation in multiple languages and OJP may also consult with the DOJ Language Access Coordinator regarding these services.

However, OJP will establish its own procedures to identify and use qualified interpretation services. For OJP events and programs, OJP will develop a list of vendors/contractors who can provide video-remote-interpreting to be used when a live, in-person interpreter is unavailable or if an interpreter is necessary for a virtual OJP event. OJP will also develop standards and procedures for OJP staff to provide qualified interpretation for virtual events where appropriate.

Currently, a telephone interpreter service is available for all OJP staff. Training for OJP staff on accessing and using this service will be provided.

XI. Multilingual and Accessible Digital Content

OJP will take reasonable steps to ensure meaningful access for individuals with LEP to digital content produced by OJP. For instance, multilingual and accessible content on public websites and electronic documents will contain information about:

- OJP's and each office's jurisdiction and mission;
- Contact information, including accessing information for victims of crime, or to report and identify missing persons;
- Publicly available services, databases, and resources housed under OJP;
- The OCR complaint process;
- Press releases and announcements impacting LEP communities; and
- Education materials for individuals or communities may be translated where feasible.

The languages in which the digital content is offered may differ depending on the situation or program objective.

OJP shall comply with Section 508 when developing any digital content, which requires federal agencies to ensure that their electronic and information technology, including websites, electronic documents, and software applications, are accessible to individuals with disabilities. OJP offices will work with OCIO to ensure that translated digital content meets Section 508 requirements.

XII. Staff Training

For policies and procedures implementing this Plan to be effective, OJP shall ensure that new and existing staff members periodically receive language access and effective communication

training. After the Plan and Policy is finalized and the Advisory Group has developed procedures to implement the Plan and Policy, all existing OJP staff will receive a language access training based on the Plan, Policy, and procedures. OJP shall ensure that all new OJP staff receive a language access training relevant to their job duties during onboarding or within two months of their first day of work. Existing OJP staff will receive a refresher language access training every two years based on the current Plan, Policy, and procedures. OJP offices shall consider language access training needs when assessing professional development requirements for all new and existing staff.

XIII. Hiring Practices and Access to Multilingual Staff

The Advisory Group will work with the Office of Administration (OA) to determine whether any OJP staff job description include or should include the provision of direct in-language communication or language assistance. The Advisory Group, in consultation with OA, shall determine if standards are needed in the OJP Language Access Policy regarding hiring, assessing, training, and utilizing multilingual staff. These standards could consider the following:

- Assess the extent to which non-English language proficiency in a particular language is necessary or desired for particular positions or programs to fulfill the office's mission.
- Consider modifying job descriptions, postings, and pay rates for roles that interact with individuals with LEP to include language proficiency as a position requirement informed by assessment of OJP office or program language needs.
- Ensure hiring practices are meaningfully inclusive of individuals who are D/HOH, including by ensuring compliance with Section 501 of the Rehabilitation Act of 1973, and recognizing that these individuals may offer valuable insights regarding effective communication with individuals who are D/HOH.
- Identify, assess, and develop the language skills of qualified multilingual employees, as appropriate.
- Offer technical training to qualified multilingual staff (e.g., interpreter ethics, translation training, interpreting training, etc.) to maintain and improve their language assistance skills, as appropriate.
- Ensure that supervisors consider the amount of time an employee has spent providing language assistance services when assessing workload and productivity.

OJP should be mindful of the professional responsibility and ethical implications of relying on multilingual internal staff to provide language assistance services in select cases. Multilingual staff who volunteer to provide such services must receive the aforementioned technical training before being utilized for language assistance. The OCR will consult with the DOJ Language Access Coordinator and the FBI Language Testing and Assessment Unit to discuss language testing, the language assessment processes, and with the Advisory Group and OA to establish qualification and assessment requirements that are specific to OJP. [Page 16 of the DOJ Language Access Plan](#) has additional guidance on hiring and utilizing multilingual staff.

XIV. Quality Assurance and Control

OJP's Language Access Policy will include procedures for quality assurance and control measures, with each office responsible for tracking the following:

- Conducting reviews for new and existing vital documents,
- Tracking and reporting the use of language assistance services, and
- Reviewing public website analytics for language assistance materials and services.

Every two years, OJP shall reassess and, where appropriate, update the Plan and Policy to ensure that the scope and nature of language assistance services provided under the Plan reflect updated information on relevant LEP populations, office language assistance needs, changes in technology, and office experience under the Plan.

OJP seeks to provide meaningful access to individuals with LEP and/or who are D/HOH in all its federally conducted programs and activities. OJP shall develop procedures so that any program beneficiary, program participant, or member of the public who believes that OJP, including any individual office, has provided inadequate language assistance may file a written or online complaint with the OCR. If the complaint involves the OCR, procedures will be established for the OCR to refer the complaint to the OAAG for appropriate review and disposition.

Comments, feedback, questions, or complaints about this Language Access Plan may be directed to the Office of Justice Programs, Office for Civil Rights, at askocr@usdoj.gov.