



**Office of Community Programs
And Outreach Services
Level I
Internal Management Procedures**

**Internal Management
Procedure
PCS.001.LEP.01**

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Internal Management Procedure Title: Limited English Proficient (LEP) Language Assistance: Office of Community Programs		
Effective Date: February 1, 2013	Revised: November 1, 2018	Authority: PCS.001.000
Promulgating Office: Division of Programs and Community Services Office of Community Programs		Professional Association Standard cited: N/A
Applicability: This internal management procedure applies to all designated staff members of the New Jersey Department of Corrections.		
Supersedes: N/A		
Review Schedule: This document is scheduled for annual review on or about October 3, 2019.		

This document was reviewed and approved by:

**Darcella Patterson Sessomes, Assistant Commissioner, Division of Programs
and Community Services on November 5, 2018**

and

**Christopher Ilg, Assistant Superintendent, Office of Community Programs
on November 5, 2018.**

Documentation of the reviews/approvals are maintained by the Office of Policy & Planning, APPM Unit.

I. PURPOSE

The purpose of this Internal Management Procedure (IMP) is to establish and maintain guidelines for the Office of Community Programs staff for providing assistance for limited English Proficient (LEP) inmates within the NJDOC, as well as those LEP individuals who may otherwise encounter individuals at NJDOC correctional facilities, programs and activities through the use of the language line services, bilingual staff, material printed in languages other than English.

II. DEFINITIONS

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The following terms, when used in this procedure, shall have the following meanings, unless the context clearly indicates otherwise:

Adult County Correctional Facility means any place, under the jurisdiction of a county, where adult persons convicted or accused of a crime are confined.

Commissioner means the Commissioner of the New Jersey Department of Corrections, who is the Chief Executive Officer of the NJ DOC.

ESL (English as a Second Language) means the course which prepares students whose native language is not English to function in a predominately English-speaking country.

Inmate means a person who has been convicted of a crime and sentenced to a correctional facility under the jurisdiction of the Commissioner of the New Jersey Department of Corrections

Interpretation means the act of listening to a communication in one language and orally converting it into another language, while maintaining the same meaning.

Language Line Services means an over-the-phone telephone interpretation system that permits the oral transmission of a message from one language into another language for those inmates who are LEP. Language Line Service interpreters listen to the limited English proficient (LEP) customer, analyze the message and accurately convey its original meaning to the NJDOC staff member.

Limited English Proficient (LEP) means the limited ability to read, write, speak, or understand English.

LEP inmate means an inmate who has a limited ability to read, write, speak, or understand English.

Municipal Detention Facility means a holding or lockup facility, usually located in and operated by a municipal police department, which receives and temporarily detains for no more than 24 hours, excluding holidays and weekends, persons who have been arrested who are awaiting release or transfer to other authorities.

New Jersey Department of Corrections or NJDOC means the agency of the Executive Branch of the New Jersey State Government whose functions are to protect the public and provide for the custody, care, discipline, training and treatment of persons committed to the State correctional facilities.

Office of Chaplaincy Services means the office within the Division of Programs and Community Services which oversees ministry to inmates, custody, and staff with Chaplaincy staff providing consultation, support, and coordination to all NJDOC correctional facilities and satellites regarding chaplaincy services and religious activities.

Office of Community Programs means the unit within the Office of Community Programs responsible for overseeing Residential Community Release Programs, such as assessment and

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treatment centers, halfway houses, and substance use disorder treatment programs which provide rehabilitative and treatment services for inmates prior to their release.

Office of County Services – ensures that officials of the adult county correctional facilities and municipal detention facilities provide safe, secure and efficiently operated facilities within the guidelines specified in N.J.A.C. 10A:31 and N.J.A.C. 10A:34-2.

Organizational Unit means a division, correctional facility or other work unit within the New Jersey Department of Corrections.

Prison Rape Elimination Act - means the Federal Prison Rape Elimination Act of 2003. This act was established to provide for the analysis of the incidence and effects of prison rape in Federal, State, and local institutions and provide information, resources, and recommendations and funding to protect individuals from prison rape.

Residential Community Release Programs (RCRP) – means assessment and treatment centers, half-way houses, or substance use disorder treatment programs under contract with the New Jersey Department of Corrections.

Translation means the act of converting a written document from one language to another while ensuring the integrity of the document remains unchanged.

Volunteer – means a person who provides services which supplement the functions and activities of employees of the NJDOC without receiving monetary remuneration or material gain.

III. POLICY

In accordance with Title VI of the Civil Rights Act of 1964 and its implementing regulations, it is the policy of the NJDOC to take reasonable steps to provide meaningful access to non-English speakers and limited English proficient (LEP) individuals incarcerated, detained, or otherwise encountering NJDOC correctional facilities, programs, and activities. These steps help to ensure that language shall not prevent staff from communicating effectively with LEP inmates, detainees, and others to ensure safe and orderly operations, and that limited English proficiency shall not prevent inmates, detainees, or others from accessing important programs and information; understanding rules; participating in proceedings; or gaining eligibility for parole, probation, treatment programs, alternatives to revocation, or favorable classifications. The DOC shall utilize various internal and external sources to provide oral and written language assistance services to communicate with LEP inmates in the areas of programming, safety, medical and quasi-legal proceedings. These sources, include, but are not limited to, the language line services and appropriate staff.

It is also NJDOC policy to ensure that no inmate is retaliated against for requesting language assistance services or participating in any other conduct protected under Title VI.

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Except in emergency circumstances, other inmates shall not be utilized to provide interpretation for LEP inmates in significant matters that include psychological, medical and safety. An exception may be made for trained counsel substitutes in disciplinary proceedings.

To assist in the accomplishment of this policy, the Office of Educational Services provides oversight and support and ensures delivery of educational services, including but not limited to, English as a Second Language (ESL) programming for all students who have been identified and/or classified as LEP.

IV. PROCEDURE

In addition to the procedures indicated in NJDOC Policy SUP.004.001, *Limited English Proficient (LEP) Language Assistance: Use of Language Line*, Office of Community Program staff shall also ensure that all reasonable steps are taken to have bilingual individuals to communicate with LEP inmates.

Examples of tools presently implemented in each office are as follows:

- Office of Community Programs - CURA (Newark) is designated for male residents with specific LEP needs. Assessment Centers have bilingual counselors available. Residential Community Release Programs **have and/or are developing** policies regarding LEP. NJDOC encourages RCRPs to be proactive to LEP inmates.
- Office of County Services - N.J.A.C. 10A :31-21.3 requires all newly admitted inmates to receive an orientation in their own language where possible. In response to this rule, many of the county jails utilize the Language Line in those cases where the inmate does not read or understand English or Spanish. Additionally, N.J.A.C. 10A:31-16.2 requires that the Disciplinary Rule Book be available in English and Spanish or presented verbally in those instances where the inmate speaks a foreign language.

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V. Cross Reference Documents and DOCPS/IMP

DOCPS/IMP/Document Number	Title	Effective/Revision Date
SUP.004.001	Limited English Proficient (LEP) Language Assistance: Use of Language Line	September 10, 2018

VI. Applicable Forms

Form Number	Form Title	Effective/Revision Date