

**Oregon Department of Justice
Crime Victim and Survivor Services Division
Language Access Plan
2024-2026**



**A Strategic Plan for Implementing
Language Access in
the Oregon Department of Justice
Crime Victim and Survivor Services Division**

PURPOSE

The Oregon Department of Justice Crime Victim and Survivor Services Division (CVSSD) Language Access Plan (LAP) is a management document that outlines how CVSSD maintains compliance with federal and state language access requirements. The LAP also provides a framework for engaging in efforts to improve access to services for victims and survivors of crime, and to enhance the integrity of CVSSD's communications with limited English proficient (LEP) individuals in Oregon.

Approximately 68 million people in the United States speak a language other than English at home. Of those, 8.2% speak English less than very well, therefore meeting the definition of limited English proficiency (LEP), as they do not speak English as their preferred language and have a limited ability to read, write, speak, or understand English. Data show there are higher rates of LEP in certain communities of color and among people with lower incomes. This results in a lack of meaningful language access in this country, which can lead to inequitable access to the programs and services. If program staff can't communicate clearly with victims and survivors, they may struggle to establish a relationship of trust, which may impact a victim's and survivor's ability to appreciate and understand what's happening or what options exist to help them move forward after their victimization.

[Title VI of the Civil Rights Act of 1964](#), [Section 504 of the Rehabilitation Act of 1973](#), and [Title II of the Americans with Disabilities Act](#), require that: federally funded entities must provide an equal opportunity to participate in and benefit from programs; communications with individuals with disabilities must be as effective as with others; and reasonable steps must be taken to provide meaningful access to people with LEP. These same obligations apply to subrecipients of federal funds, who must similarly comply with all applicable civil rights laws.

PLAN MAINTENANCE

CVSSD prepared this LAP. The CVSSD division director will review the LAP on a yearly basis for necessary changes and substantive milestones. Comments or questions may be sent to:

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Policy Statement

It is the policy of CVSSD that our staff shall take reasonable steps to provide persons with limited English proficiency (LEP) with meaningful access to all services or programs conducted by CVSSD at no cost to the person with LEP. Existing CVSSD staff will be provided training on policies and procedures on how to process and accommodate an LEP request. CVSSD will also notify new staff of CVSSD's LEP process during orientation. CVSSD shall also require subrecipients of federal funds administered by CVSSD to take reasonable steps to provide persons with limited English proficiency with meaningful access to services. Language access planning is a natural complement to the equity work programs are currently engaged in.

Language Access Plan Guidance

This Division-wide Language Access Plan will serve as a model for CVSSD subrecipients' Language Access Plans. It addresses the language access goals, policies, and requirements established in EO 13166, EO 13985, EO 13995, EO 14031, EO 14091, and Title VI. Each of the nine (9) elements contained in this plan establish practical goals, policies, and action steps for CVSSD to improve meaningful language access and effective communication to their programs and services as well as the programs and activities they fund.

While CVSSD and subrecipients have some flexibility in their methods, they must make progress implementing the requirements and relevant procedures prescribed by this plan. CVSSD and subrecipients have flexibility in how these steps are implemented but must be able to demonstrate progress.

Whenever possible and appropriate, the actions in this plan should be implemented in conjunction with other division and program initiatives to increase equitable and meaningful access to effective victim services. The 9 elements of the Language Access Plan should be implemented holistically and in a complementary manner. To the extent practicable, action steps should occur in tandem and best practices should be shared widely.

All CVSSD and subrecipient staff are responsible for taking reasonable steps to provide meaningful access to individuals with LEP.

LANGUAGE ACCESS POLICY AND IMPLEMENTATION

a. Goal

CVSSD will ensure access to timely, quality language assistance services (LAS) for individuals with limited English proficiency (LEP) in order to address common barriers underserved communities often face navigating government policies and programs.

b. Purpose and Authority

CVSSD enforces Title VI of the Civil Rights Act of 1964. This law prohibits covered entities, including entities receiving federal financial assistance and state and local government entities, from discriminating on the basis of, among other things, race, color, national origin, and disability. Accordingly, reasonable steps must be taken to provide meaningful access to people with LEP.

While this plan is intended to promote meaningful access for individuals with LEP, many aspects of this plan are also intended to ensure that CVSSD and the programs they fund are communicating effectively with persons with disabilities as required by Section 504 of the Rehabilitation Act of 1973. This includes persons who rely on sign language to communicate, people who are deaf or hard of hearing, blind or low vision, or people who have speech-related or other disabilities.

c. Plan Development and Implementation

CVSSD has four primary responsibilities in language access planning:

- 1) create CVSSD's language access plan, policies, procedures, and strategy;
- 2) develop and maintain an accurate record of CVSSD's and subrecipient's efforts to:
 - a) regularly assess progress,
 - b) take necessary steps to improve, and
 - c) ensure the quality and accuracy of language assistance services provided to individuals with LEP;
- 3) document progress made by CVSSD and subrecipients toward implementing Language Access Plans; and
- 4) review short- and long-term goals on a regular basis.

ELEMENT 1: Assessment

CVSSD and subrecipients should assess the needs of their communities on an ongoing basis.

Description:

On an ongoing basis, CVSSD and subrecipients will assess changes in demographics, types of services or other needs that may require reevaluation of policy and procedures. In addition, CVSSD and subrecipients will regularly assess the efficacy of these procedures, including but not limited to mechanisms for securing interpreter services, equipment used for the delivery of language assistance, complaints filed and feedback provided filed by LEP persons.

- 1.) identifying the non-English languages, including American Sign Language (ASL) or other sign languages, spoken by the population likely to be accessing or otherwise in need of and eligible for the agency's services, and
- 2.) identifying and addressing barriers – including resource barriers – that hinder provision of effective interpretation and written communication with individuals with LEP.

Action Steps: CVSSD and subrecipients must take specific steps to develop or amend policies or practices to ensure the agency's language assistance services are adequate to meet the needs of victims and survivors. Language access plans must be updated as needed. Language Access Plans should be tailored in a way that makes sense to CVSSD and subrecipients for the communities they serve.

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

- Voluntary self-identification by the individual with LEP or their companion;
- Affirmative inquiry regarding the primary language of the individual if they have self-identified as needing language assistance services;
- Engagement by a qualified multilingual staff or qualified interpreter to verify an individual's primary language; or
- Use of an "I Speak" language identification card or poster;

CVSSD and subrecipients should not make assumptions about an individual's primary language based on race, color, national origin, or disability status.

Individuals who are deaf or hard of hearing may not communicate using ASL and may have limited proficiency in written and spoken English. They may require a different auxiliary aid or service, such as support in a sign language from another region or country or the procurement of a Deaf or Certified Deaf interpreter.

Additional considerations when identifying language include asking about the individual's region, municipality, village, or specific community, to ensure the correct identification of language.

ELEMENT 2: Interpretation Language Assistance Services

CVSSD and subrecipients will take steps to provide, free of charge, appropriate interpretation language assistance services (e.g., face-to-face, virtual (videos/webinars), and/or telephone encounters) that address the needs identified in Element 1. CVSSD and subrecipients will establish a point of contact for individuals with LEP, such as an office, official, e-mail address, or phone number to access this service.

Description:

Interpretation language assistance services are essential to ensure meaningful access and opportunity to participate fully in the services, activities, programs, or other benefits administered or funded through CVSSD. CVSSD and subrecipients must ensure that all interpreters they use are qualified to provide the service and understand and apply interpreter ethics and honor client confidentiality needs; lack of qualified interpreting can have negative consequences and contribute to disparities.

People with disabilities are entitled to appropriate auxiliary aids and services where necessary to afford them an equal opportunity to access CVSSD and subrecipient programs and activities. Auxiliary aids and services include, but are not limited to, on-site qualified sign language interpreters or video remote interpreting (VRI) services.

Language assistance may be provided through a variety of means, including qualified bilingual and multilingual staff and qualified interpreters providing in-person, telephonic, remote voice, and video or any other type of interpreting. However, CVSSD and subrecipients should avoid the following:

- enlisting children for language assistance;

- using family or community members, except in exceptional circumstances or when the person with LEP requests their language assistance;
- using an adult accompanying a person with a disability to interpret for them unless they request the adult to interpret, the adult agrees, and reliance on the adult is appropriate;
- using a child accompanying a person with a disability to interpret except in an emergency involving an imminent threat to safety or welfare where no other interpreter is available; and
- requiring a person with a disability to bring another person to interpret for them.

It is also imperative that the public knows that CVSSD and subrecipients will provide interpreting services free of charge.

Although appropriateness of an interpreter will vary by performance need, context, and setting, the interpreter should have subject matter competence in the topic(s) that will be interpreted. They should demonstrate relevant educational background or professional experience in those topics, to include trauma informed response. Qualified interpreters are also needed to ensure culturally appropriate and accurate interpreting. Notably, interpreters do not have to be certified to be qualified, as not all languages have certification available.

Action Steps:

- a. Designate a person responsible for establishing procedures for providing interpreting services in a manner that ensures timely communication between persons with LEP. Procedures must address the various methods for providing interpreter services, including procedures that ensure provision of effective remote voice and video interpreter services.
- b. Consider developing methods for tracking the number of requests for interpretation services, the type of interpretation requested, the languages requested, and the response time in which interpretation was provided. This also includes, but is not limited to number outreach initiatives where language assistance was provided, the primary language(s) requested or provided, the type of language assistance services provided, or the cost of any language assistance services provided.
- c. Devise criteria to assess bilingual staff or sign language interpreting staff for their ability to provide interpretation services. Ensure such employees

- are compensated appropriately if they are called to provide interpretation services. Only staff who have been assessed to have advanced language proficiency should communicate with persons with LEP or people with disabilities who require sign language interpretation. CVSSD and subrecipients will also consider criteria for giving points in hiring decisions for bi- and multi-lingual employment candidates. Extensive reliance on staff volunteers in lieu of utilizing professional interpreters is discouraged.
- d. Consider maintaining a list of qualified bilingual and multilingual staff capable of providing competent interpretation services that identifies contact information for the employee and the language(s) in which they are competent to interpret. Devise a plan for how staff will be trained to respond to language assistance services requests and identify who may call upon staff to perform language access services language assistance services.
 - e. Establish a list of all contacts and other resources available for people qualified in providing on-site interpreting (OSI), over-the-phone interpreting (OPI), and VRI to LEP individuals and people with disabilities who require sign language interpretation.

ELEMENT 3: Written Translations

CVSSD and subrecipients will identify, translate, and make accessible in various formats vital documents, including important program information and resources. These documents must be in an accessible format (including print, online, and electronic media), and in languages other than English.

Description:

CVSSD and subrecipients must take reasonable steps to provide accurate written translations to ensure meaningful access to, and an equal opportunity to receive, timely information and resources. In addition to the translations, it is incumbent upon each agency to proactively determine for its programs and activities what constitutes vital documents and implement a translation strategy.

CVSSD and subrecipients will translate vital documents or other critical information based on their respective assessments of need. It would be useful to consider what

documents may be needed in the event of a mass violence incident and have those prepared. Translated documents should be easy to understand by intended audiences. Matters of plain language and cultural communication, should be considered for all documents, including when originally composing in English. Materials that are translated should be easily accessible on CVSSD and subrecipient websites.

To improve cultural appropriateness and accuracy of translations, qualified translators and reviewers should be used. It is preferred, though not required, that qualified translators and reviewers possess at least one of the following qualifications:

- A university-issued degree or certificate in translation in the language combination required.
- Certification by a professional translation association or union, such as the American Translators Association (ATA) or other translation certification body in the language combination and direction required, when available. When certification is not available in a specific language combination and direction required (e.g., English to an Indigenous language), other minimum requirements can be used to assess qualifications, including years of experience, references from individuals who are qualified to attest to the quality of their work, etc.
- At least 3 years of professional experience in a staff position or for a full-time freelance practice dedicated to translation, completing work in the language combination and direction required.

In addition to this experience, when possible, the translator should demonstrate professional subject matter expertise in victim services and/or trauma informed services.

Internet services or software designed to convert written text from one language to another should not be utilized without the involvement of a qualified human translator before the text reaches the intended audience.

Individuals with LEP and/or those with certain communication disabilities who want to access victim and survivor services may not be literate in their country of origin's prevalent written language. In addition, their languages might not have a written form such that translated material will not be an effective way of communicating with them. For such individuals with LEP, consider sight translation, interpretation,

or audio/video communication. For individuals with disabilities that affect communication, inquire about the preferred method to deliver information that is typically available in written form.

Action Steps:

- a. Create an index describing materials already available in non-English languages, including American Sign Language, and post the index to an internal website available to program staff. Revise material as needed to ensure quality and plain language and update the index accordingly.
- b. Identify responsible persons or entities for the translation of materials, and/or managing the translation and interpretation contract(s) and share their contact information with managers and staff who communicate with the public.
- c. Consider offering translated written materials in other formats such as audio, video with subtitles, video with sign language, infographics, etc., for persons with limited literacy or disabilities, and for those whose language does not have a written form.
- d. All online translated content shall comply with [Section 508 of the Rehabilitation Act of 1973](#).

ELEMENT 4: Policies, Procedures, and Practices

CVSSD and subrecipients will annually review and, as necessary, update, and implement their written policies and procedures to ensure they are taking reasonable steps to provide individuals with LEP meaningful access to services and activities.

Description:

CVSSD and subrecipients must establish and maintain an infrastructure designed to implement and improve language assistance services within the program. The results of the assessment from Element 1 should be used to inform the development of policies, procedures, and practices appropriate for the program to promote accessibility for individuals with LEP they serve or are likely to serve.

Action Steps:

- a. Designate an individual(s) responsible for developing and implementing written language access policies and procedures to ensure each element of the CVSSD Language Access Plan is implemented in CVSSD and

- subrecipient programs and activities, including during mass violence incidents.
- b. Develop policies and procedures for receiving and addressing language assistance concerns or complaints from victims and survivors with LEP.
 - c. Continually monitor implementation and efficacy of the plan. This may include, but is not limited to: conducting an inventory of languages most frequently encountered, identifying the primary channels of contact with LEP community members (whether telephonic, in person, correspondence, web-based, etc.), reviewing programs and activities for language accessibility, maintaining an inventory of who attended language access training (including topics discussed), reviewing the annual cost of translation and interpretation services, and consulting with outside partners.

ELEMENT 5: Notification of the Availability of Language Assistance at No Cost

In plain language, CVSSD and subrecipients will proactively inform individuals with LEP that language assistance is available at no cost.

Description:

CVSSD and subrecipients must take reasonable steps to ensure meaningful access to their programs and activities by persons with LEP, including notifying persons with LEP about the availability of language assistance at no cost. Notification methods should include multilingual posters, signs, and brochures, as well as statements or taglines on English written application forms and other informational material distributed to the public, including electronic forms such as agency websites. The results from the Element 1 assessment should be used to inform the agency on the languages in which the notifications should be translated.

Office of Civil Rights also recommends that agencies notify people with disabilities that they are entitled to communication with the program that is as effective as communication with others, including through the free and timely provision of vital information through appropriate auxiliary aids and services.

Action Steps:

- a. CVSSD will provide ongoing training and technical assistance necessary to make subrecipients aware that language assistance services provided to comply with Title VI which must be provided at no cost to those in need of language assistance services.
- b. Develop and prominently display appropriate language taglines on vital documents, web pages currently available in English only, or only available in a limited number of non-English languages, technical assistance, and outreach materials, as well as other documents notifying intended audiences that language assistance is available at no cost and how it can be obtained.
- c. Highlight the availability of programmatic materials and resources in plain language and languages other than English on CVSSD and subrecipient websites and ensure such materials inform individuals with LEP about available language assistance services.

ELEMENT 6: Staff Training

CVSSD and subrecipients will commit resources and provide employees training as necessary to ensure management and staff understand and can implement the policies and procedures of this plan and their respective Language Access Plan. Training should also ensure all CVSSD and subrecipient employees have access to training opportunities that support their capacity and capability to provide meaningful communication to individuals with LEP.

The staff training should include the following components:

- a. Legal obligations to provide language assistance services.
- b. Language access resources and designated points of contact.
- c. Identifying the language needs of an LEP individual.
- d. Working with an interpreter in person or on the telephone.
- e. Requesting documents for translation.
- f. Accessing and providing language assistance services through multilingual employees, in-house interpreters and translators, or contracted personnel.
- g. Duties of professional responsibility with respect to LEP individuals.

- h. Interpreter ethics.
- i. Tracking the use of language assistance services.
- j. Tips on providing meaningful assistance to LEP individuals.
- k. How to request translation and interpretation services.
- l. How the public can request services or file a complaint.

Training should be available to all employees on a regular basis.

Description:

To ensure that CVSSD and subrecipients understand the importance of, and are capable of, providing both interpretation and written translation language assistance services in all their services and activities to individuals with LEP, develop training on how to provide language assistance services to victims and survivors in a timely manner.

Action Steps:

- a. Ensure all employees and volunteers are aware of the respective Language Access Plans.
- b. All staff and volunteers should receive training in the provision of language assistance services and related policies, procedures, and effective practices.

ELEMENT 7: Assessment & Accountability: Access, Quality, Resources, Reporting

CVSSD and subrecipients will:

- regularly assess the accessibility and quality of language assistance activities available to individuals with LEP and individuals with disabilities;
- maintain an accurate record of language assistance services provided by the agency;
- document financial and staff resources dedicated to providing language assistance; and
- be prepared to annually report progress made to fully implement this plan.

Action Steps:

- a. Implement methods for measuring improvements in language access in individual programs and activities and take steps to ensure that such information is collected and reported to the agency Director.
- b. Address, in accordance with policies and procedures developed under Element 4, complaints received regarding language assistance services and products, or other services provided by the agency, in a timely manner, and retain a record of any resolution of such complaints. Implement changes as necessary.

ELEMENT 8: Digital Information

To the extent possible, CVSSD and subrecipients will develop and implement specific written policies and strategic procedures to ensure that digital information is appropriate, available, and accessible to people with LEP in need of language assistance services in languages other than English. These policies and procedures should be developed in accordance with assessments of LEP needs and the needs of people with disabilities as described in Element 1.

Description:

To the extent possible, CVSSD and subrecipients will effectively distribute information digitally/online in a manner that promotes meaningful access for individuals with LEP. This will help ensure they are aware of and can obtain language assistance needed to access important program information and services.

Action Steps:

- a. To the extent possible, display links and/or symbols at the top-right corner of English language website to pages and documents that are also available for viewing or downloading in languages other than English including sign language.
- b. To the extent possible, display links on English language homepage and portals that effectively steer visitors to telephonic interpreter services in the victim or survivor's language.
- c. Use and promote the resources on www.lep.gov by providing links to the LEP.gov website on websites.

- d. To the extent possible, develop procedures for creating, posting, and updating multilingual web content, digital materials, and social media posts that are accessible to all audiences.
- e. Regularly monitor the efficacy, quality, readability, and accessibility of translated materials provided online to promote ease of use and access.
- f. For virtual meetings, ensure that the platform being used provides for closed captioning and that the captioning function is enabled by the host. As a best practice, consider using real time translation services such as Communication Access Realtime Translation (CART) to ensure better accuracy of captions.
- g. For virtual meetings, ensure that participants can highlight another participant's screen and keep focus on that screen so that sign language users can focus on a sign language interpreter, even if the interpreter is not speaking.
- h. As a best practice for virtual meetings, provide attendees the option to request auxiliary aids and services or reasonable modifications in the meeting invitation so that individuals with disabilities may take part in the meeting. In practice, this will generally amount to requests for captioning and/or sign language interpreters so that attendees with disabilities may participate. The invitation may require that any requests for auxiliary aids and services or reasonable modifications be made by a certain date prior to the meeting to allow the meeting organizer sufficient time.

ELEMENT 9: Grant Assurance and Compliance by Subrecipients of CVSSD Funding

CVSSD will ensure that award subrecipients understand and comply with their obligations under civil rights statutes and regulations that require them to provide language assistance services.

Description:

Subrecipients of federal funds must comply with federal civil rights laws and provide written notice of their legal obligation and compliance with regulations as they relate to language access. Regular monitoring as outlined in the CVSSD Monitoring Policy can present opportunities for fund coordinators to determine if recipients are complying with program and civil rights regulations. To help ensure recipients of funding administered by CVSSD meet their program and civil rights obligations,

civil rights guidance and increased compliance monitoring will be included in grant announcements, requirements, and policies.

Action Steps:

- a. CVSSD grant fund coordinators will be responsible for ensuring subrecipients:
 - 1.) are aware of their language access obligations under Title VI;
 - 2.) have plans for serving persons with LEP and persons with disabilities that ensure their programs and activities are capable of complying with the assurances they give in exchange for CVSSD funds;
 - 3.) understand the process for including budget lines in their proposals for providing language assistance services;
 - 4.) receive, resolve, and document complaints in a timely manner; and
 - 5.) follow guidance and technical assistance provided by CVSSD.
- b. Train CVSSD grant fund coordinators who monitor subrecipients about the requirements of Title VI and offer training resources to promote awareness of the CVSSD LEP Guidance. Ensure CVSSD grant fund coordinators can make current and prospective recipients of CVSSD funds aware of their obligations under federal civil rights statutes and regulations, especially obligations under Title VI with respect to LEP accessibility. This includes ensuring persons with LEP can utilize language assistance services.
- c. Incorporate questions about language accessibility and meaningful communication in the subrecipient's onsite program reviews, questionnaires, or surveys designed to determine compliance with grant obligations.
- d. Ensure civil rights compliance language and guidance is included in CVSSD's program outreach materials to the extent feasible, including ensuring compliance by the subrecipient's program staff, sub-recipients, and contractors.

APPENDIX A: Language Access Related Resources

- American Translators Association <https://www.atanet.org/>
- Department of State Office of Language Services: Frequently Asked Questions - United States Department of State <https://www.state.gov/frequently-asked-questions-office-of-language-services/>
- Federal Interagency Working Group on Limited English Proficiency (LEP) www.lep.gov
- Federal Plain Language Guidelines [Federal plain language guidelines](https://www.federalplainlanguage.gov/)
- International Organization for Standardization: Standards for Translation, interpreting and related technology (ASTM F43, ISO/TC 37/SC 5) <https://www.iso.org/committee/654486.html>
- Office for Civil Rights: Language Access Resources www.hhs.gov/lep