



**Office of Substance Abuse
Programming & Addiction Services
Level I + III
Internal Management Procedures**

**Internal Management
Procedure
PCS.004.LEP.OSAPAS.01**

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Internal Management Procedure Title:

Limited English Proficient (LEP) Language Assistance:
Office of Substance Abuse Programming and Addiction Services

Effective Date: February 1, 2013	Revised: December 2020	Authority : SUP.004.001,
Promulgating Office: Office of Substance Abuse Programming & Addiction Services		Professional Association Standard cited:

Applicability: This policy statement applies to all organizational units of the New Jersey Department of Corrections.

Instructions: All affected Organizational Units within the New Jersey Department of Corrections shall be responsible for developing and implementing Level 3 IMPs consistent with this Level I IMP and/or revising existing Level 3 IMPs accordingly.

Supersedes: N/A

Review Schedule:
This document is scheduled for annual review on or about December 2021.

This document was reviewed and approved by:

Herbert Kaldany, Director, Office of Substance Abuse Programming & Addiction Services

I. PURPOSE

To establish and maintain a policy that provides guidelines for providing assistance for limited English proficient (LEP) inmates within the NJDOC, as well as for those LEP individuals who may otherwise encounter individuals at NJDOC correctional facilities, programs and activities.

II. DEFINITIONS

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

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

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Engaging the Family means a program within the Office of Substance Abuse Programming & Addiction Services that recruits the committed partner and family in aid of addiction recovery and relapse prevention for those offenders completing their sentence under NJDOC jurisdiction.

ESL (English as a Second Language) this course 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.

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 Substance Abuse Programming & Addiction Services (OSAPAS) means the office within the New Jersey Department of Corrections that is responsible for addressing the substance use disorders of the inmate population. OSAPAS is responsible for the proper identification of inmate treatment needs, treatment dosages and referral to appropriate treatment programs. OSAPAS oversees monitors, develops, and implements research-based substance use disorder programming and other related ancillary program initiatives designed to prevent the occurrence of relapse.

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

Participant means an inmate or resident who has met the eligibility requirements for substance use disorder treatment and has been referred to such a program.

Responsible Parenting Program means a program that was developed collaboratively with the Department of Human Services to provide for greater family reunification through parenting skills

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and improved child support compliance for those inmates under the jurisdiction of the NJDOC who have outstanding child support obligations.

Substance Use Disorder Treatment: means the clinical/therapeutic process provided by trained counselors to assist offenders who have been identified and assessed, to have a moderate to extreme substance use disorder.

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

Treatment, when used in this policy, means therapeutic intervention for inmates with moderate to extreme substance use disorders.

Treatment Provider means the organization contracted with the NJDOC either directly or via agreement to provide the treatment services.

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.

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

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In addition to the procedures indicated in NJDOC Policy SUP.004.001, *Limited English Proficient (LEP) Language Assistance: Use of Language Line*, OSAPAS staff shall also ensure the following procedures are followed:

A. Addiction Assessments

The contract vendor shall attempt to include bilingual staff among the addiction evaluation staff as is currently the case. Non-English speaking offenders are to be referred to his/her assessment list.

Otherwise, the addiction screeners who interview inmates at intake to assess addiction severity attempt to communicate with non-English speaking offenders, but if it is clear that there is a barrier to understanding the interview content, the inmate's addiction determination is referred to the classification file review.

B. Substance Use Disorder

The contract for substance use disorder treatment services shall include the following language assistance services:

Bilingual Personnel

The contractor shall employ a sufficient number of personnel who are bilingual in English and Spanish to meet the needs of the increasing Hispanic component of the State participant population. The contractor shall provide at least one (1) bilingual counseling staff member at each institutional location. The contractor shall work in coordination with the State Contract Manager in monitoring this minimum, should this demographic population shift significantly. The contractor shall document any changes to the minimum number of bilingual staff. When other non-English languages are encountered, staff shall seek assistance from correctional facility staff to obtain competent bilingual staff, contracted interpreters or the language line services telephone interpreter services.

C. Engaging the Family

The Engaging the Family Program includes bilingual staff to interpret and offer program assistance for LEP inmates. Otherwise, if staff encounters a non-English speaking inmate they would seek assistance from another institutional staff member.

D. Responsible Parenting Program (RPP)

Although a federally-funded grant, if RPP staff encounters a non-English speaking inmate they would seek assistance from another institutional bilingual staff member.

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V. CROSS REFERENCE DOCUMENTS and DOCPS/IMP

DOCPS/IMP/Document Number	Title	Effective/Revision Date
ADM.022.000	Office of Substance Abuse Programming & Addiction Services: MGO	April 2019
SUP.004.001	Limited English Proficient (LEP) Language Assistance: Use of Language Line	December 2019

VI. APPLICABLE FORMS

Form Number	Form Title	Effective/Revision Date

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**VII. FACILITY LEVEL MODIFICATIONS TO STATE-WIDE PROCEDURE
All Local Facilities follow the State-Wide Procedure as Published**

ADULT DIAGNOSTIC AND TREATMENT CENTER

BAYSIDE STATE PRISON

CENTRAL RECEPTION AND ASSIGNMENT FACILITY

EAST JERSEY STATE PRISON

EDNA MAHAN CORRECTIONAL FACILITY FOR WOMEN

GARDEN STATE YOUTH CORRECTIONAL FACILITY

MID-STATE CORRECTIONAL FACILITY

NEW JERSEY STATE PRISON

NORTHERN STATE PRISON

SOUTHERN STATE PRISON

SOUTHWOODS STATE PRISON

WILLIAM H. FAUVER YOUTH CORRECTIONAL FACILITY