

**LANGUAGE ASSISTANCE POLICY AND
IMPLEMENTATION PLAN FOR ADDRESSING
LIMITED ENGLISH PROFICIENCY
IN THE MASSACHUSETTS DEPARTMENT OF
CORRECTION**

Ronald T. Duval, Acting Commissioner

December 21, 2010

TABLE OF CONTENTS

	Page
I. INTRODUCTION AND BACKGROUND	3
II. LEP COORDINATOR & INSTITUTION/DIVISION LEP MONITORS	4
III. LANGUAGE ASSISTANCE OPTIONS	5
IV. HUMAN RESOURCE PLANNING	6
V. PURCHASE OF SERVICE CONTRACTS	7
VI. ADMINISTRATIVE ACTIONS	8
VII. INSTITUTIONAL PROGRAMS AND SERVICES	10
VIII. TRAINING	11
IX. LEP PROGRAM MATERIAL	11
X. INSTITUTION LANGUAGE ASSISTANCE RESOURCE LISTS	11
XI. SIGNS IN INMATE, VISITOR, AND STAFF AREAS	12
XII. MONITORING	12
Appendix A. Inmate Language Brief	13
Appendix B. Department Employee Linguistic Skills	20
Appendix C. Linguistic Abilities of Employees by Department Institution/Division	21
Appendix D. List of MHM and UMCH Bilingual Employees	22
Appendix E. Instructions for using Rapport International Language Line Services	24
Appendix F. Policy 103 DOC 488, Active Prior to December 2010	25
Appendix G. Approved December 2010, Modified Policy 103 DOC 488	30
Appendix H. Massachusetts Dept. of Correction Translated Forms/Documents	38

I. INTRODUCTION AND BACKGROUND

A. POLICY STATEMENT

It is the policy of the Massachusetts Department of Correction ("Department") to take reasonable steps to provide meaningful access to limited English proficient ("LEP") individuals incarcerated, detained, or otherwise encountering Department facilities, programs, and activities. The policy is to ensure that language will not prevent staff from communicating effectively with LEP inmates, detainees, their families and others to ensure safe and orderly operations, and that limited English proficiency will not prevent inmates or detainees from accessing essential programs and information for which they are eligible; understanding rules, participating in proceedings; or gaining eligibility for treatment programs or classifications that assist in successful reentry.

The Department has prepared this Language Access Plan ("LAP" or "Plan"), which defines the actions to be taken by the Department to ensure meaningful access to agency services, programs and activities on the part of persons who have limited English proficiency. The Department will review and update, this LAP every two years in order to ensure continued responsiveness to community needs and compliance with the Executive Office for Administration and Finance ("ANF") Administrative Bulletin #16.

B. WHO IS LIMITED ENGLISH PROFICIENT (LEP)?

- 1) Consistent with the guidance of ANF Administrative Bulletin #16, a LEP person is someone who is not able to speak, read, write or understand the English language at a level that allows him/her to interact effectively with Department staff. An individual maintains the right to self-identify as a LEP person.
- 2) Many LEP persons are in the process of learning English and may read, write, speak, and/or understand some English, but not proficiently.
- 3) LEP status may be context-specific – an individual may have sufficient English language skills to communicate basic information (name, address etc.) but may not have sufficient skills to communicate detailed information (e.g., medical information, eyewitness accounts, information elicited in an interrogation, etc.) in English.

C. BACKGROUND

- 1) Federal law prohibits national origin discrimination and requires meaningful access to LEP persons, including inmates, in federal and federally assisted programs and activities.
- 2) The task of maintaining order, ensuring a safe and secure correctional institution, and meeting correction's goals becomes extremely difficult when language barriers are not addressed.
- 3) The Department's mission is to promote public safety by managing offenders while providing care and appropriate programming in preparation for successful re-entry into the community.
- 4) The purpose of this plan is to ensure that individuals obtain meaningful access to services, programs and activities although they may be limited in their English language proficiency.

D. APPROACH

The Department's LAP shall be fully implemented subject to the availability of fiscal resources. Consistent with the guidelines of ANF Administrative Bulletin #16, this LAP represents the Department's administrative blueprint to provide meaningful access to its services, programs and activities on the part of LEP individuals. This LAP details the tasks the Department has undertaken and shall undertake to meet this objective.

State agencies are required to take reasonable steps to ensure meaningful access to their services, programs and activities by LEP persons through the development and implementation of a Language Access Plan. **Such access shall be ensured when the LEP population meets or exceeds five-percent (5%) of the Department's client population.**

E. HOW TO DETERMINE LANGUAGE SERVICE NEEDS

- 1) Refer to Appendix A for the results of the 2010 evaluation of inmate and detainee languages. In 2010, Spanish is the only LEP language that meets or exceeds 5% of the Department's client population.
- 2) The Department will evaluate its LEP needs and the Plan every two years.
 - a. Upon the request of the Language Access Coordinator, the Department's Research & Planning Division will collect language information for the Department's population as a whole as well as by institution (including contract facilities). Using data available in the Inmate Management System (IMS), a report including primary and secondary languages of inmates and detainees will be provided.
 - b. This report will identify any foreign language that is spoken by five percent (5%) or more of the whole population and/or five percent (5%) or more of the population at any Department institution (or contract institution).
 - c. A committee will be created to include the LEP Coordinator, LEP Institution/Division Monitors, and a cross-section of other invested individuals in the Department. Committee members will represent various aspects of operations with particular familiarity in the area of programs, services and activities for identified LEP individuals.
 - d. The aforementioned committee shall meet to evaluate whether there are any new LEP needs to address. The following considerations will be considered:
 1. The number or proportion of LEP inmates in the Department overall and their access to Department policies, programs and activities; and
 2. The resources available to the Department, and costs associated with different language service options.

II. LEP COORDINATOR & INSTITUTION/DIVISION LEP MONITORS

A. LEP COORDINATOR & DUTIES

- 1) Identify LEP Coordinator:
 - Director of Diversity
 - DOC Office of Diversity and Equal Opportunity
 - Industries Drive
 - P.O. Box 946
 - Norfolk, MA 02056
 - 508-850-7790
- 2) Duties of LEP Coordinator shall include but are not be limited to:
 - a. Coordinating identification of language service needs and strategies for responding to those needs;
 - b. Ensuring identification and securing of existing and needed resources (in-house, new hires contract, resource sharing with other agencies, volunteers, or other) to provide oral and written language services;
 - c. Identifying and recommending directives/general orders to implement the Plan.
 - d. Identifying criteria for designation of languages for initial round of translation, based on demographic data and usage projections;

- e. Assisting in the creation of systems to distribute translated documents, post electronically, and maintaining an available supply of copies;
- f. Identifying training needs and providing for training to Institution/Division LEP Monitors, staff, and managers needing to use language services, as well as language service providers;
- g. Establishing protocols for ensuring quality, timeliness, cost-effectiveness, and appropriate levels of confidentiality in translations, interpretation, and bilingual staff communications;
- h. Identifying and implementing a system for receiving and responding to complaints by staff, inmates, or others of ineffective language assistance measures;
- i. Exchanging promising practices information with other Departments, law enforcement agencies, and other organizations, as well as amongst Department facilities;
- j. Establishing a system to coordinate with the institutions and divisions so that inmate language needs are identified and responded to as early as practicable; and,
- k. Reviewing the progress of the Department and its facilities in providing meaningful access to LEP persons, developing reports, and modifying the Plan if and when appropriate, and implementing directives/orders, as appropriate.

B. INSTITUTION/DIVISION LEP MONITORS & DUTIES

- 1) Each institution's superintendent shall in consultation with the Department's LEP Coordinator appoint a staff member as the Institution/Division LEP Monitor. A list of appointed monitors shall be posted on the Department's Office of Diversity Website.
- 2) Institution/Division LEP Monitor duties shall include but not be limited to:
 - a. Working with the LEP Coordinator to identify LEP needs in his/her institution/division and strategies for meeting those needs so that staff will have access to appropriate language services to interact with inmates;
 - b. Providing training to institution/division staff on implementation of LEP Plan, the 103 DOC 488 Interpreter Services Policy and any other applicable directives;
 - c. Establishing and maintaining the institution's language assistance resource list including employees with language skills (ensuring competency); revise resource list as needed.
 - d. Assisting institution employees with accessing language resources;
 - e. Ensuring the institution's compliance with the LEP Policy and Plan, including any directives/orders;
 - f. Ensuring that any document that is provided to the inmate population in his/her institution/division has a Spanish translation available;
 - g. Monitoring the need for additional or enhanced signage.

III. LANGUAGE ASSISTANCE OPTIONS

A. ORAL LANGUAGE SERVICES

1) Direct Communication with LEP Individuals by Staff with Linguistic Skills

Employees at Department institutions who are able to provide oral language translations shall be utilized when convenient and necessary. They are *not* to be utilized when the 103 DOC 488, Interpreter Services Policy specifies that *telephonic interpretation* is necessary. In those scenarios, telephonic interpretation shall be utilized.

2) Interpretation

a. Current Policy

The Department currently maintains an agency wide policy regarding Telephonic Interpreter Services. See Appendix G, 103 DOC 488: Telephonic Interpreter Services. Prior to the submission of ANF Bulletin 16, the Department was providing interpreter services via this method for a number of years. The policy establishes a procedural mechanism for inmates to utilize telephonic interpreter services whenever dealing with

specific programs and services provided by the Department, i.e., Internal Perimeter Security Officers, or Department investigations or questioning, Booking and Admissions, Health Services Unit (medical), Classification Boards and Disciplinary Hearings. These services are to be utilized without regard to the five percent (5%) threshold and translation services may be achieved through a contractual vendor for well over one hundred different languages. The current policy also requires that telephonic interpreter service information be included in all institutions' inmate orientation manuals.

b. Review and Propose Enhancements of Policy

1. Re-name policy to capture a broader purpose from "Telephonic Interpreter Services" to "Interpreter Services";
2. Establish Department's LEP Coordinator as a management official responsible for implementing and monitoring the policy;
3. Include a definition section with key terms such as "bilingual", "interpretation", and "regularly encountered language";
4. Include procedures detailing the creation of both a Department LEP Coordinator as well as Institution/Division LEP Monitors; the listing of duties and responsibilities for the Department LEP Coordinator, including the identification of language services needs for the Department;
5. Include Inmate Grievances as an area where inmates may utilize telephonic interpreter services;
6. Establish new procedures that Department personnel must follow when disseminating information to inmates;
7. Require that each institution's superintendent ensure compliance within his/her institution of the policy.
8. For a complete list of the enhancements to the policy, please *see* Appendix G, 103 DOC 488: Interpreter Services.

B. WRITTEN LANGUAGE SERVICES

- 1) General Forms and Documents
 - a. The Department translates all of its regulations (CMRs) into Spanish, and has set forth a plan to translate policies and directives that are available to inmates and the public into Spanish.
 - b. The Language Access Taskforce has reviewed Department documents that should be accessible in Spanish. Refer to Appendix H for a detailed list of Department documents available in Spanish.
- 2) Written Documents Containing Information Specific to Particular Inmates
 - a. The Department has translated a number of written documents in Spanish. Moreover, in future contracts with vendors, the Department shall require that vendors translate their written documents into Spanish.
 - b. When translations are not possible or reasonable, important information should be conveyed verbally in the relevant language. Inmates may utilize the telephonic interpreter service for translating these documents.

IV. HUMAN RESOURCE PLANNING

The Department is committed to creating a workplace that reflects the diversity of the Commonwealth and all its citizens. We endeavor to provide an inclusive environment that values and respects all cultural differences. The Department is deeply committed to equal access and will continue to implement initiatives that encourage diversifying our workforce and business partners. Through these efforts our goal for increasing meaningful access for programs and services to LEP inmates in our care and their families will

be accomplished. Currently there are 426 Department employees with foreign language abilities; 239 of them speak Spanish with 178 at a moderate or high level of speaking proficiency (for more details, refer to Appendix B).

A. Commitment to establish a workforce that reflects diversity within all divisions/facilities is exemplified through the following:

- 1) Continue to train Department Hiring Managers on the revised hiring and selection policy by the Office of Diversity in partnership with DHR;
- 2) Continue to participate in diversity career fairs and community networking sessions, partnering with other state agencies to identify and attract professional diverse candidates;
- 3) Continue to partner with community organizations working to outreach for increasing representation of bilingual candidates;
- 4) Continue to request to use the PAR 10 Civil Service List to target a diversified academy class for Correction Officers for each fiscal year;
- 5) Continue to benchmark to increase the representation of minorities and bilingual employees in management as well as in Correction Officer II and III positions.
- 6) Continue to perform exit interviews to provide data for recruitment and retention of members of protected groups with particular emphasis on bilingual employees;

B. Language needs and skills are considered in recruitment, hiring and job operations through the following initiatives:

- 1) Educate hiring panels in the Hiring and Selection policy to consider an applicant's ability to speak a second language, particularly Spanish, as desirable;
- 2) Track the language ability of Department staff and identify personnel willing and able to serve as interpreters and post their information on the Office of Diversity intranet page.
- 3) Commit to work with Institution/Division LEP Monitors to promote language sensitive deployment of bilingual staff and interpreters to match skills with needs;
- 4) Continue to provide an English/Spanish Translation Guide for Correctional Staff available at facilities and on the Intranet; and,
- 5) Develop a sustainable training program for bilingual staff to utilize their existing language skills within the Department.
- 6) Consider strategies to address language needs when planning recruitment, hiring, promotion and retention efforts.

V. PURCHASE OF SERVICE CONTRACTS

A. Review/Description of Service Contracts

- 1) The Department has human and social services contracts for residential and non-residential substance abuse programming, reentry services and recidivism reduction programming, comprehensive sex offender treatment programming, and for reentry beds located within the community in pre-release program settings.
- 2) The majority of these contracts currently contain a general provision emphasizing the need to hire and retain bilingual staff. As these contract services are extended through contract renewal amendments and/or put out bid to re-bid through the competitive procurement process, the Department shall continue to emphasize the need to hire and retain bilingual staff in all of its upcoming Requests for Responses (RFR).

B. Improvements to Service Contracts

- 1) The Contractor will ensure that a sufficient number of personnel providing services to the inmates are bilingual in English and Spanish;
- 2) All curriculum and reading material that is passed out to the inmates as part of the program must be made available in English as well as Spanish;

- 3) The Contractor must provide the Department a list of bilingual personnel, identifying their fluency in applicable languages, with quarterly updates;
- 4) Advising bidders that the requirement for bilingual staff will be a component of the evaluation criteria of the bid proposals and a stated contract performance measure.
- 5) In the future, in RFRs for human and social services contracts, consideration will be given to including compensation adjustment penalty language regarding non-compliance if there is not a sufficient number of bilingual speaking staff working on the contract. Such penalty language would be incorporated on a case-by-case basis and proportionate to the estimated value of the procurement and anticipated staffing pattern.
- 6) Upon renewal, re-bidding or bidding of service contracts, the LEP Coordinator will be consulted to review the current 5% threshold needs.

VI. ADMINISTRATIVE ACTIONS

A. POLICY CHANGES PROPOSED

The Department has revised the 103 DOC 488 policy in response to its Language Access Plan goals. Updates to this policy address specific types of encounters with LEP persons and their families in the area of programs, activities and procedures. Refer to section III. A. 2.

“Interpretation” for a review of these changes or refer to Appendix G for the revised policy.

B. INTAKE

1) Assessment and Evaluation

- a. Ensure that Booking Officers, especially at Reception Sites (i.e MCI-Cedar Junction, MCI-Concord, BSH, MASAC and MCI Framingham), ask each admission his/her primary and secondary language and document it in IMS.
- b. Ensure each Booking area has universal signs for requesting interpreter services and identifying the primary language to request use of the telephonic interpreter services.
- c. Ensure that each Booking area has the directions and speakerphone capability to access the telephonic interpreter services; add language to the Booking and Admissions Post Orders.
- d. It is recommended that the IMS Offender Face Sheet screen be translated into Spanish for inmates who would prefer to complete the information in writing and then have it typed into the Booking Screens.
- e. The initial intake form prepared by Correctional Program Officers shall be translated into Spanish so that inmates can read the questions being asked while utilizing the telephonic interpreter services.
- f. The initial intake for medical and mental health shall be translated into Spanish to assist when utilizing the telephonic interpreter services.

2) Orientation

- a. Continue to provide the orientation booklet in the primary language (Spanish or English) which includes information regarding the use of telephonic interpreter services;
- b. Ensure that the orientation checklist is translated to Spanish to allow those Spanish speakers to understand what they are receiving;
- c. Have a video tape of institution orientation made in English and Spanish for presentation to inmates;
- d. Formulate a list of frequently asked questions in English and Spanish regarding orientation, rules and regulations, medical/mental health access, fear for safety, Prison Rape Elimination Act (“PREA”);
- e. Provide all PREA information in Spanish and English;
- f. Provide the Communicable/ Infectious disease video from Medical in English and Spanish;

- g. Provide cards for LEP inmate to write questions in their own language to be interpreted and responded to by staff in writing or via the telephonic interpreter services with staff;
- h. Ensure all programming information and sign up sheets are posted in English and Spanish;
- i. Ensure that each Correctional Program Officer and members of medical and mental health staff has directions and speakerphone access to utilize the telephonic interpreter services.

3) Classification

- a. The COMPAS (Criminal Offender Management Profiling Alternative Sanctions) assessment form is utilized; questions regarding risk and needs assessment are available in Spanish except for questions regarding criminal records;
- b. On this form, provide a notice to inmates in English and Spanish that if she/he has questions, he/she may utilize telephonic interpreter services or a staff interpreter to help explain.
- c. Have classification related documents, the 48 hour notification and the inmate appeal form, available in English and Spanish to present to inmates;
- d. Conduct classification hearings and interviews in the inmate's requested language utilizing a bilingual staff person or telephonic interpreter services;
- e. Ensure through LEP Monitor that classification staff is familiar with use of telephonic interpreter services and availability of bilingual documents.

C. DISCIPLINARY HEARINGS

- 1) Provide interpretation and translations so that the LEP person has an opportunity to understand and participate effectively in the proceedings.
 - a. Conduct disciplinary hearings and interviews with LEP inmates in the inmate's language utilizing the telephonic interpreter services.
 - b. Ensure staff is familiar with the use of telephonic interpreter services and availability of bilingual documents.
- 2) Translate or interpret materials and findings in the same manner listed in 1a., b. and c. to LEP inmates.

D. INMATE GRIEVANCES AND INFORMAL COMPLAINT FORMS

- 1) Continue to provide inmate grievance forms, grievance appeal forms and informal complaint forms in English and Spanish to ensure all inmates are able to communicate their complaints and concerns in writing.
- 2) Continue to provide all LEP inmates access to interpreter services that enhance communication between staff and inmates with regard to inmate grievances, grievance appeals, informal complaints, and settlement agreements as needed.
- 3) Grievance suspension forms issued as a result of abuse of the inmate grievance process shall be translated into Spanish. In addition, interpreter services shall be utilized to address all other LEP inmate grievance suspensions as needed.
- 4) Use of interpreter services shall be documented within the Inmate Management System or other applicable record.

E. HEALTH CARE, MEDICAL (INCLUDING MENTAL HEALTH AND DENTAL)

The Department has contracts for the provision of comprehensive medical and dental services for the inmate population with the University of Massachusetts Correctional Health (UMCH), and for comprehensive mental health services for the inmate population with MHM Services Inc., (MHM). The current contracts with UMCH and MHM require the Contractor ensure that a sufficient number of personnel are bilingual in English and Spanish.

- 1) UMCH and MHM will use bilingual staff if available (see lists of bilingual staff in Appendix D); otherwise telephonic interpreter services may be used to translate for inmates in the Health Services Unit ("HSU"), i.e. medical area. HSU (medical) shall have a telephone available with speakerphone capability.
- 2) If an inmate requests an interpreter or correctional or medical staff believe the use of an interpreter is necessary, then the telephonic interpreter service shall be utilized. The request for telephonic interpreter service in these areas can be oral and directed to the appropriate person.
- 3) UMCH and MHM will translate or interpret vital medical forms, notices, procedures, diagnoses, conclusions, and instructions, while assuring privacy and confidentiality according to system guidelines.
- 4) Medical Staff will note the use of the language service in the progress notes by the health care provider who saw the inmate.

VII. INSTITUTIONAL PROGRAMS AND SERVICES

The Department strives to ensure that programming is available to offenders with limited English proficiency. This is accomplished by ensuring that applicable policies, contracts with service providers and recruitment of volunteers take into consideration the needs of offenders with limited English proficiency.

A. DIVISION OF INMATE TRAINING & EDUCATION

Current Services

- 1) Continue to offer English for Speakers of Other Languages (ESOL) classes at each institution school.
- 2) Continue to assess LEP inmates at intake center and refer to appropriate educational class.
- 3) Continue to administer the GED qualifying test and GED test in English and Spanish.

Plan for improving LEP access to educational services

- 1) Hire more ESOL teachers for institution schools with long ESOL class wait lists.
- 2) Monitor ESOL wait lists periodically to ensure all LEP inmates are given the opportunity to improve their English skills.
- 3) Expand ESOL curriculum to include Vocational ESOL classes.
- 4) Offer Spanish GED prep using bilingual inmate-tutors.
- 5) Expand Tutor Training class to include bilingual inmate-tutors for Spanish GED prep classes, for LEP inmates in the English GED prep classes and for LEP inmates in vocational classes.
- 6) Recruit bilingual volunteers (not inmates) to be certified by the Department of Elementary and Secondary Education (DESE) to proctor the Spanish GED test.

B. VOLUNTEER SERVICES

Increase bilingual volunteers to assist in the delivery of programs for LEP inmates. Currently the DOC requires a volunteer to complete an application where we secure necessary information to help in the assignment of the volunteer. The application will be updated to reflect the following: "Are you bilingual and if so, what language(s) do you speak"; and "Are you able to communicate effectively in this language". With increased recruiting strategies and the addition of this information on the application, the DOC can better match the volunteer with LEP inmates and also help the DOC collect more quantifiable data.

C. CITIZEN ACCESS

- 1) Expand telephone options to allow LEP citizens access to general institution/division information which shall include but not be limited to:
 - a. Directions to the Institution/Division

- b. Mailing information
 - c. Visitation schedule if applicable
 - d. Dress Code Information
- 2) Expand current online visitor information access of facilities to address the needs of LEP citizens.
 - 3) Provide access for LEP citizens to the online Citizen Inquiry Link in languages consistent with requirements of Administrative Bulletin #16.
 - 4) Explore possibility of providing for a bilingual institutional greeter or visitation assistant to assist LEP citizens during institution visiting periods.
 - 5) Continue to make the Family and Friends Handbook available in facilities and on the Department of Correction internet page in both English and Spanish to meet the needs of LEP citizens. Enhance by providing a notice in the Handbook regarding the availability of telephonic interpreter services to LEP inmates.

VIII. TRAINING

Training is critical so that staff understands how to access language services, and so that those staff involved in actually providing the language services are competent to do so. An educational program will be developed for Institution/Division LEP Monitors and others in the field to ensure compliance of the DOC Language Access Plan and the development of best practice models. The following will be measures for consideration:

- A. Initial and periodic training for staff coming into contact with LEP persons, as well as managers and those in charge of classification, program, treatment eligibility, medical, disciplinary, or any other aspect of the 488 Policy, Plan, and Directives;
- B. Training on the Policy and implementing Plans, Directives, and tools in the Department's orientation program for new employees;
- C. Training to staff, contract interpreters, shared interpreter resources from other agencies, and community volunteers who may provide oral or written language assistance services for LEP persons on how and when it is appropriate for them to do so, confidentiality and conflict of interest requirements, necessary terminology, language skills development, and other important guidelines.

IX. LEP PROGRAM MATERIAL

Updated copies of the LEP Policy, the Plan, directions for accessing Telephonic Translations services, documents, training opportunities, and other information and tools for ensuring language access will be located on the Office of Diversity intranet page for distributing or otherwise making them easily accessible.

X. INSTITUTION LANGUAGE ASSISTANCE RESOURCE LISTS

A list of Institution/Division language assistance resource lists will be developed in collaboration with the Language Access Task Force, Institution/Division LEP Monitors and the LEP Coordinator. Examples of resources may include:

- 1) Instructions for handling emergency situations, including radio protocols for accessing language services.
- 2) Procedures for providing language assistance, including instructions on how to work with interpreters.
- 3) Contact, shift, and language information for staff interpreters.

- 4) Contact, on-call availability, and language information for contracted interpreters.
- 5) Contact numbers and language information for telephonic interpretation.
- 6) Contact, shift, and language information for bilingual staff and officers.
- 7) Location and list of translated materials available for inmates and visitors.
- 8) List of self-identified LEP inmates made available to Institution/Division LEP Monitors.

XI. SIGNS IN INMATE, VISITOR, AND STAFF AREAS

- 1) Continue to post signs in inmate and visitor areas that detail important information in English and Spanish. Expand if necessary.
- 2) Post signs in staff areas on how staff may access language services. Expand if necessary.
- 3) Institution/Division LEP Monitors will oversee the need for additional or enhanced signage.

XII. MONITORING

An audit tool to be developed by the Department's Policy Development Compliance Unit and used as the monitoring instrument taking into consideration the following:

- A. To ensure staff throughout the institution/division are aware and knowledgeable of the expectations of the LAP during the annual audit process.
- B. To require institutions/divisions produce documentation that addresses the LAP.
- C. To prepare questions on the audit tool referencing LAP deliverables.
- D. To assess whether the institution/division is following the plan through the implementation of all its steps.
- E. To gather feedback and anecdotal information through inmate and staff interviews.

Appendix A. Inmate Language Brief

All information in this report was obtained from the Department of Correction's Inmate Management System (IMS) on August 30, 2010. All language, ethnic, culture and citizenship data is self-reported by the inmate at the time of admission. According to IMS on August 30, 2010 there were 11,510 inmates in the jurisdiction population of the Department.

How many inmates speak or understand English?

The majority of inmates, approximately 90.6% (or 10,429 inmates), self-report English as his/her primary language. There are 11,231 (97.6%) who self-report speaking English as a primary or secondary language while 11,290 (98.1%) inmates report at least "understanding English." **This data indicates that over 1,000 inmates or 9.4% do not speak English as a first language, 279 inmates or 2.4% report that they do not speak English as a primary or secondary language and 220 inmates or 2% report that they do not understand English.**

What languages do Department inmates speak as primary languages?

While the majority of inmates report English as the primary language, there are 21 other primary languages reported by Department inmates. (Three inmates did not self-report any language.) The three most popular primary languages after English are Spanish (943), Portuguese (29) and Vietnamese (26). **Primary Spanish speakers comprise 8.19% of the Department population. All other foreign languages comprise less than one percent of the Department population.**

Figure A. Primary Languages of the Department Population

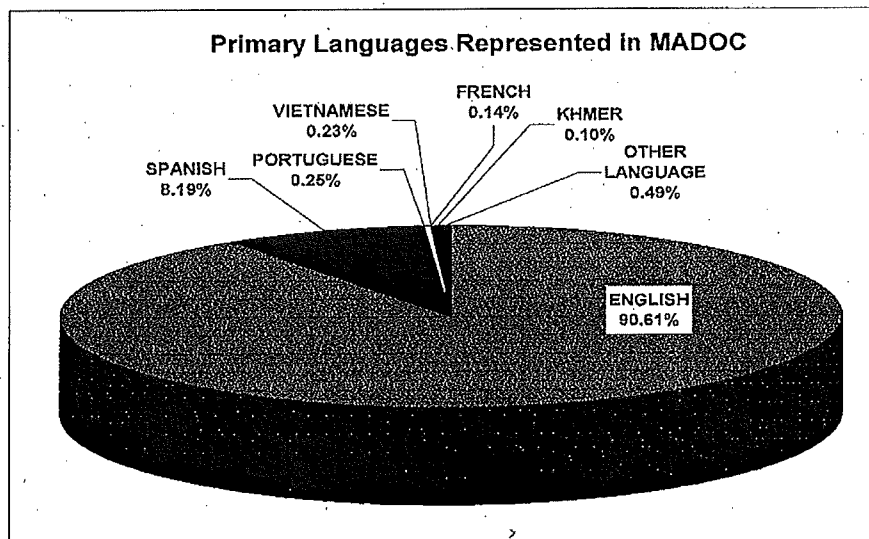


Figure B. Primary Languages of the Department Population

Primary Language	Number of Inmates	Percentage of Inmates
ENGLISH	10,429	90.61%
SPANISH	943	8.19%
PORTUGUESE	29	0.25%
VIETNAMESE	26	0.23%
FRENCH	16	0.14%
KHMER	11	0.10%
CHINESE	8	0.07%
RUSSIAN	7	0.06%
THAI	7	0.06%
ARABIC	5	0.04%
CAPE VERDEAN	4	0.03%
GREEK	4	0.03%
FARSI	3	0.03%
JAMAICAN	3	0.03%
MISSING	3	0.03%
SERB	3	0.03%
ITALIAN	2	0.02%
POLISH	2	0.02%
ARMENIAN	1	0.01%
FRENCH CANADIAN	1	0.01%
HINDI	1	0.01%
MALAY	1	0.01%
URDU	1	0.01%
TOTAL	11,510	100.00%

Secondary Language

Almost 30% of Department inmates report speaking a second language. Twenty-eight languages are reported as second languages, eight of those are not reported as primary languages by anyone. **This increases the number of languages spoken in Department to at least 30, including English.** Data is only available for primary and secondary language; other language data is not available. The 8,073 inmates counted as "NONE" in this category reported having no secondary language. Spanish, English, French and Portuguese are the most popular secondary languages in Department.

Figure C. Secondary Languages of the Department Population

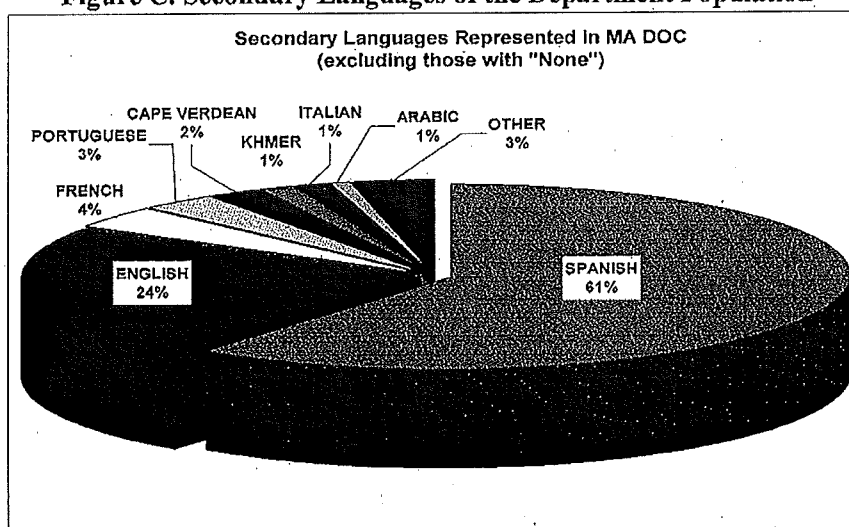


Figure D. Secondary Language of the Department Population

Secondary Language	Number of Inmates	Percentage of Inmates
NONE	8,073	70.14%
SPANISH	2,078	18.05%
ENGLISH	802	6.97%
FRENCH	135	1.17%
PORTUGUESE	109	0.95%
CAPE VERDEAN	74	0.64%
KHMER	48	0.42%
ITALIAN	45	0.39%
ARABIC	34	0.30%
GERMAN	22	0.19%
VIETNAMESE	15	0.13%
JAMAICAN	13	0.11%
GREEK	11	0.10%
RUSSIAN	10	0.09%
CHINESE	7	0.06%
KOREAN	5	0.04%
POLISH	5	0.04%
HEBREW	4	0.03%
THAI	4	0.03%
FRENCH CANADIAN	3	0.03%
GAELIC	3	0.03%
FARSI	2	0.02%
SERB	2	0.02%
ARMENIAN	1	0.01%
HINDI	1	0.01%
JAPANESE	1	0.01%
MALAY	1	0.01%
TURKISH	1	0.01%
YAROBA	1	0.01%
TOTAL	11,510	100.00%

Citizenship & Culture

Department inmates are diverse and self-report citizenship from 73 different countries (see Figure F). The vast majority, 92%, claim citizenship of the United States of America. It is interesting to note that 6% of this group (U.S. citizens) claims a primary language other than English (not shown in figures). Only half of non-U.S. citizens speak a foreign primary language (not shown in figures). Additionally, 82 different cultures are self-reported by inmates. The ten most popular cultural identifications are listed below; American, Puerto Rican and Hispanic are the most frequently identified.

Figure E. Cultural Identification of the Department Population

Cultural Identification	Number of Inmates	Percentage
1 AMERICAN	8,795	76.4%
2 PUERTO RICAN	867	7.5%
3 HISPANIC	266	2.2%
4 DOMINICAN REPUBLIC	213	1.9%
5 IRISH	173	1.5%
6 ITALIAN	132	1.1%
7 AFRICAN	108	0.9%
8 CAPE VERDEAN	96	0.8%
9 PORTUGUESE	78	0.7%
10 FRENCH	71	0.6%
72 OTHER CATGEGORIES	721	6.3%
Total	11,510	100.0%

Figure F. Citizenship of the Department Population

Citizenship	Count	Percentage
UNITED STATES OF AMERICA (USA)	10,611	92.19%
DOMINICAN REPUBLIC	327	2.84%
JAMAICA	54	0.47%
HAITI	53	0.46%
COLOMBIA	47	0.41%
EL SALVADOR	39	0.34%
CUBA	35	0.30%
BRAZIL	30	0.26%
CAPE VERDE ISLANDS	30	0.26%
CAMBODIA	28	0.24%
GUATEMALA	28	0.24%
VIETNAM	28	0.24%
PORTUGAL	23	0.20%
THAILAND	14	0.12%
HONDURAS	13	0.11%
MEXICO	12	0.10%
RUSSIA	10	0.09%
BARBADOS	7	0.06%
LAOS	7	0.06%
CANADA	6	0.05%
CHINA	6	0.05%
ECUADOR	6	0.05%
GUYANA	5	0.04%
INDIA	5	0.04%
TRINIDAD	5	0.04%
ITALY	4	0.03%
KENYA	4	0.03%
PERU	4	0.03%
UNITED KINGDOM	4	0.03%
LIBERIA	3	0.03%
MOROCCO	3	0.03%
PANAMA	3	0.03%
POLAND	3	0.03%
ARGENTINA	2	0.02%
BOLIVIA	2	0.02%
BRITISH VIRGIN ISLANDS	2	0.02%
COSTA RICA	2	0.02%
GHANA	2	0.02%
GREECE	2	0.02%
LEBANON	2	0.02%
NETHERLANDS (HOLLAND)	2	0.02%
NIGERIA	2	0.02%
SAINT LUCIA	2	0.02%
SAINT VINCENT & THE GRENADINES	2	0.02%
SOUTH KOREA	2	0.02%
VENEZUELA	2	0.02%
ALBANIA	1	0.01%
ALGERIA	1	0.01%
ANGOLA	1	0.01%
ANTIGUA & BARBUDA	1	0.01%
BAHAMAS, THE	1	0.01%
BELIZE	1	0.01%
BURMA	1	0.01%
CAMEROON	1	0.01%
CONGO CAPITAL IS BRAZZAVILLE	1	0.01%
CYPRUS	1	0.01%
EGYPT	1	0.01%
ETHIOPIA	1	0.01%
FINLAND	1	0.01%
GERMANY	1	0.01%
IRAQ	1	0.01%
IRELAND	1	0.01%
LITHUANIA	1	0.01%
NEVIS & ST. CHRISTOPHER "KITTS	1	0.01%
PHILIPPINES	1	0.01%
SENEGAL	1	0.01%
SOMALIA	1	0.01%
SUDAN	1	0.01%
SWEDEN	1	0.01%
TAIWAN, REPUBLIC OF CHINA	1	0.01%
TANZANIA, UNITED REPUBLIC OF	1	0.01%
UGANDA	1	0.01%
UKRAINE	1	0.01%
Total	11,610	100.00%

Racial and Ethnic Description

Another demographic to consider is race. During data collection, racial categories are Black, White, Asian, American Indian/Alaskan, and Other. There is also a flag for people who identify themselves as "Hispanic." *This flag has been modified* to include those who did not have a Hispanic flag but identified Spanish as his/her Primary Language as well as his/her culture or citizenship or Place of Birth as Hispanic. Additionally if the secondary language is Spanish and their self-reported culture was Hispanic (i.e. Hispanic, Puerto Rican, Dominican, Cuban, etc.), then they were also given a Hispanic flag. Below, I have combined the racial categories with the modified Hispanic flag by using the word "Hispanic", (i.e. "Black Hispanic" means that the person self-reported as Black in the race category and yes for the Hispanic flag category).

In the Figure G below, one can observe that 27% of White Hispanics report Spanish as the primary language, 31% of Black Hispanics, 27% of American Indian/Native Alaskan Hispanics, 46% of Other Hispanics and 0 out of 1 Asian Hispanic report Spanish as the primary language. Overall, 30% of inmates identified as Hispanic speak Spanish as a primary language. Additionally, 60% of Hispanic inmates identify Spanish as a secondary language. A total of 65% of White Hispanics speak Spanish as their secondary language, 42% of Black Hispanics, 27% of American Indian/Native Alaskan Hispanics, 49% of Other Hispanics and 1 out of 1 Asian Hispanic.

Each racial group presents a variety of languages. There are 140 inmates who identify with the category Asian, 34% of them speak a first language other than English. In order of frequency, Asian inmates identify English, Vietnamese, Khmer, Thai, and Chinese as primary languages. There are 3,177 (non-Hispanic) Blacks, 1% identify a non-English primary language. This group identifies French, Portuguese, Jamaican, Malay and Farsi. One percent of (non-Hispanic) Whites identify 16 languages other than English as the primary language.

Figure G. Racial/Ethnic Category by Primary Language in the Department

		RACIAL/ETHNIC CATEGORY										
		AMERICAN INDIAN/ NATIVE ALASKAN	AMERICAN INDIAN/ NATIVE ALASKAN/ HISPANIC	ASIAN	ASIAN/ HISPANIC	BLACK	BLACK/ HISPANIC	OTHER	OTHER/ HISPANIC	WHITE	WHITE/ HISPANIC	TOTAL
PRIMARY LANGUAGE REPORTED	ARABIC	0	0	0	0	3	0	0	0	2	0	5
	ARMENIAN	0	0	0	0	0	0	0	0	1	0	1
	CAPE VERDEAN	0	0	0	0	3	0	0	0	1	0	4
	CHINESE	0	0	8	0	0	0	0	0	0	0	8
	ENGLISH	70	8	92	1	3,143	219	41	220	4,942	1,693	10,429
	FARSI	0	0	0	0	1	0	0	0	2	0	3
	FRENCH	0	0	0	0	14	0	0	0	1	1	16
	FRENCH CANADIAN	0	0	0	0	1	0	0	0	0	0	1
	GREEK	0	0	0	0	0	0	0	0	4	0	4
	HINDI	0	0	0	0	0	0	0	0	1	0	1
	ITALIAN	0	0	0	0	0	0	0	0	2	0	2
	JAMAICAN	0	0	0	0	3	0	0	0	0	0	3
	KHMER	0	0	9	0	0	0	1	0	1	0	11
	MALAY	0	0	0	0	1	0	0	0	0	0	1
	NONE	0	0	0	0	1	0	0	0	2	0	3
	POLISH	0	0	0	0	0	0	0	0	2	0	2
	PORTUGUESE	0	0	0	0	7	0	2	0	18	2	29
	RUSSIAN	0	0	0	0	0	0	0	0	7	0	7
	SERB	0	0	0	0	0	0	0	0	1	2	3
	SPANISH	0	3	0	0	0	97	0	189	3	651	943
THAI	0	0	7	0	0	0	0	0	0	0	7	
URDU	0	0	0	0	0	0	0	0	1	0	1	
VIETNAMESE	0	0	24	0	0	0	0	0	2	0	26	
TOTALS		70	11	140	1	3,177	316	44	409	4,993	2,349	11,510

Spanish is the most popular foreign language in the Department. Figure H and Figure I demonstrate a further analysis of those who identify Spanish as a primary language. The country of citizenship as well as the cultural identification reveals that many native Spanish speakers are Puerto Rican, Dominican and Columbian among others.

Figure H. Citizenship of Spanish Primary Language Speakers

Country of Citizenship for those who identify Spanish as Primary Language	
UNITED STATES OF AMERICA (USA)	598
DOMINICAN REPUBLIC	212
COLOMBIA	35
EL SALVADOR	27
CUBA	23
GUATEMALA	20
HONDURAS	7
MEXICO	7
BRAZIL	2
ECUADOR	2
PANAMA	2
PERU	2
ARGENTINA	1
BOLIVIA	1
CAPE VERDE ISLANDS	1
GUYANA	1
HAITI	1
INDIA	1
Total	943

Figure I. Cultural Identification of Spanish Primary Language Speakers

Cultural Identification of those who identify Spanish as Primary Language	
PUERTO RICAN	368
AMERICAN	230
DOMINICAN REPUBLIC	152
HISPANIC	61
COLUMBIAN	29
CUBAN	20
EL SALVADORIAN	20
SPANISH	20
GUATEMALAN	13
MEXICAN	6
DOMINICA	5
HONDURAN	4
OTHER	4
PANAMANIAN	3
LATINO	2
PERUVIAN	2
BOLIVIAN	1
BRAZILIAN	1
CAPE VERDEAN	1
PORTUGUESE	1
Total	943

Civil Commitments vs. Awaiting vs. Criminally Sentenced

The majority of all foreign primary language speakers in the Department, 88% or 986 inmates are criminally sentenced; almost 7% are civil commitments and only 2% are awaiting trial detainees. Amongst all detainees awaiting trial, less than 4% identify a foreign language as a primary language. That portion more than doubles for the other populations; almost 10% of criminally sentenced and over 10% of civil commitments identify a foreign primary language.

Figure J. Foreign Primary Language Speakers v. English Speakers by Type of Commitment

Type of Commitment	No. of Foreign Primary Language Speakers	% Foreign Primary Language Speakers	No. of English Primary Language Speakers	% of English Primary Language Speakers	Total No. of Speakers
Civil Commitments	71	10.5%	604	89.5%	675
Criminally Sentenced	986	9.7%	9,221	90.3%	10,207
Awaiting Trial Detainees	24	3.8%	604	96.2%	628
Totals	1,081	9.4%	10,429	90.6%	11,510

Language at each Institution

Most Massachusetts Department of Correction institutions have some inmates whose primary language is not English. Institutions vary in how many languages are represented and how many speak or understand English. Figure K below shows primary languages at each institution.

Figure K. Primary Languages of Inmates by Department Institution Facility

PRIMARY LANGUAGES BY MA DOC INSTITUTION								
	NO. OF ENGLISH SPEAKERS	% OF ENGLISH SPEAKERS	NO. OF SPANISH SPEAKERS	% OF SPANISH SPEAKERS	NO. OF PORTUGUESE SPEAKERS	% OF PORTUGUESE SPEAKERS	NO. OF OTHER FOREIGN LANGUAGE SPEAKERS	% OF FOREIGN LANGUAGE SPEAKERS
MCI NORFOLK	1,282	85.6%	183	12.2%	6	0.4%	27	
BAY STATE CORRECTIONAL CENTER	266	86.7%	34	11.1%	1	0.3%	6	
MCI SHIRLEY (MEDIUM)	1,351	89.4%	150	9.9%	1	0.1%	9	
MCI CEDAR JUNCTION	616	89.5%	67	9.7%	0	0.0%	5	
MCI CONCORD	1,214	90.3%	118	8.8%	2	0.1%	10	
BRIDGEWATER STATE HOSPITAL	336	85.9%	32	8.2%	4	1.0%	19	
COUNTY OF EDWINER STATE (DOC)	218	90.5%	19	7.9%	1	0.4%	3	
BONDVILLE CORRECTIONAL CENTER	179	92.7%	14	7.3%	0	0.0%	0	
MASS TREATMENT CENTER	578	92.2%	45	7.2%	2	0.3%	2	
MCI GARDNER	855	92.7%	66	7.2%	0	0.0%	1	
SOUTH MIDDLESEX CORR CTR	123	91.8%	9	6.7%	0	0.0%	2	
MCI FRAMINGHAM	628	91.9%	43	6.3%	4	0.6%	8	
MCI INRE/C	255	94.1%	16	5.9%	0	0.0%	0	
OLD COLONY CORRECTIONAL CENTER	827	93.3%	52	5.9%	3	0.3%	4	
SOUZA-BARANOWSKI CORRECTIONAL	1,150	93.1%	70	5.7%	4	0.3%	11	
MCI PLYMOUTH	182	94.8%	10	5.2%	0	0.0%	0	
BOSTON PRE-RELEASE	168	94.9%	8	4.5%	0	0.0%	1	
MA ALCOHOL & SUBSTANCE ABUSE CTR	154	95.1%	6	3.7%	1	0.6%	1	
HEMUEL SHATTUCK (NORTH)	34	97.1%	1	2.9%	0	0.0%	0	
BROOKE HOUSE	11	100.0%	0	0.0%	0	0.0%	0	
SPECTRUM WOMEN CHILDREN PRGRM	2	100.0%	0	0.0%	0	0.0%	0	
TOTALS	10,429	90.6%	943	8.2%	29	0.3%	109	

*HIGHLIGHTS ARE > 5% **THERE ARE 19 "OTHER FOREIGN LANGUAGES"

Appendix B. Department Employee Linguistic Skills

Department Employee Linguistic Skills 2010

The Human Resources Division keeps track of language skills of Department employees. The following tables and summary are based on 2010 data provided to the Department Research Division through Monserrate Quinones, Director of Diversity at the Department's Office of Diversity and Equal Opportunity in Massachusetts. Language skills are self-reported.

Figure 1. Languages and Language Proficiency of Department Employees

Language(s) Spoken	Total Number of Employees with Linguistic Abilities	Speaking Proficiency		
		High	Moderate	Low
Spanish	239	54	124	61
Portuguese	71	15	47	9
French	42	6	25	11
German	13	0	9	4
Arabic	8	0	6	2
Haitian (Creole)	8	3	5	0
Italian	8	2	4	2
Greek	6	2	4	0
Cambodian (Khmer)	4	2	1	1
Chinese (Cantonese)	2	1	1	0
Chinese (Other)	2	1	1	0
Hebrew	2	0	2	0
Hindi	2	1	1	0
Japanese	2	0	2	0
Romanian	2	2	0	0
Russian	2	1	1	0
Twi (Ghana)	2	2	0	0
Urdu (Pakistan)	2	1	1	0
Vietnamese	2	0	1	1
Afrikaans	1	0	1	0
American Sign Language	1	0	1	0
Chinese (Mandarin)	1	1	0	0
Laotian	1	1	0	0
Latin	1	0	0	1
Norwegian	1	0	1	0
Tagalog (Philippines)	1	1	0	0
Total	426	96	238	92

*Some employees may be counted more than once if they have more than one non-English linguistic ability.

Appendix C. Linguistic Abilities of Employees by Department Institution/Division

Location of Employee	Language Spoken			Total
	Spanish	Portuguese	Other Foreign Language	
Apprehension Unit	2	0	0	2
BPRC	3	0	1	4
BSCC	4	0	2	6
BSH	13	8	0	21
Central Headquarters	1	0	0	1
Classification	3	0	0	3
Commissioner's Office / Milford	0	0	1	1
Core Services	0	2	2	4
CTU	2	4	0	6
Deputy Commissioner	2	0	0	2
DHR	0	0	5	5
Diversity Office	2	0	0	2
Health Services	0	1	0	1
Industries	0	0	2	2
MASAC	1	1	0	2
MCI/CJ	15	14	15	44
MCI Concord	29	2	13	44
MCI Framingham	19	3	9	31
MCI Framingham / Educ. Spec	2	3	5	10
MCI Framingham/Edu/Ind	1	0	0	1
MCI Norfolk	19	11	7	37
MCI Norfolk / Edu/Ind	2	1	0	3
MCI Plymouth	2	1	1	4
MCI Shirley	26	0	11	37
MTC	7	5	4	16
NCCI	14	0	3	17
NECC	2	1	2	5
OCCC	10	8	6	24
PCC	1	2	1	4
Programs and Treatment	2	0	9	11
Re-Engineering Unit	1	0	0	1
Resource Manag	0	0	1	1
SBCC	43	1	9	53
SFU	1	0	1	2
Shattuck	5	1	3	9
SMCC	3	0	3	6
Spec.Ops// Tac. Team	0	2	0	2
Training Academy	2	0	0	2
Total	239	71	116	426

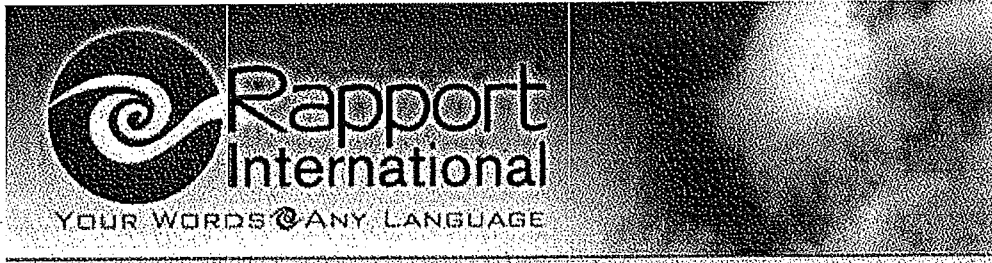
Appendix D. List of MHM (Mental Health Management) and UMCH (University of Massachusetts Correctional Helathcare) Bilingual Employees*

*This data is self-reported and current as of November 2010.

MHM Bilingual Employees		
Location	Title	Language (s)
MASAC	MHM Staff	Cape Verdean/Creole
Bridgewater State Hospital	M.D.	German
MCI- Norfolk	MHP	Greek
Bridgewater State Hospital	LPN	Haitian Creole
Bridgewater State Hospital	LPN	Haitian Creole
Bridgewater State Hospital	MHW	Haitian Creole
Bridgewater State Hospital	MHW	Haitian Creole
Bridgewater State Hospital	M.D.	Haitian Creole & French
Bridgewater State Hospital	M.D.	Hindi
Bridgewater State Hospital	M.D.	Hindi
MCI- Norfolk	MHP	Mandarin
Bridgewater State Hospital	MHM Staff	Portuguese
MCI- Norfolk	MHP	Russian
Bridgewater State Hospital	M.D.	Russian
Bridgewater State Hospital	M.D.	Russian
Bridgewater State Hospital	LPN	Sign
MCI-Concord	MHP	Spanish
MCI-Concord	MD	Spanish
MCI-Framingham	A.A	Spanish
MCI-Framingham	MD	Spanish
MCI-Framingham	MHD	Spanish
MCI-Framingham	MHP	Spanish
Souza Baranowski	MHP	Spanish
Souza Baranowski	MHP	Spanish
Souza Baranowski	A.T.	Spanish
Bridgewater State Hospital	LICSW	Spanish
Bridgewater State Hospital	M.D.	Spanish
Bridgewater State Hospital	Psy.D.	Spanish
Bridgewater State Hospital	Psy.D.	Spanish
Bridgewater State Hospital	LICSW	Spanish
Bridgewater State Hospital	M.D.	Urdu

UMCH Bilingual Employees		
Location	Title	Language(s)
MCI-Framingham	RN	African
MCI-Framingham	LPN	Arabic
South Street/Admin	Analyst, Budget	French, Creole and Haitian
MCI-Concord	Medical Records Clerk	Greek
MCI-Cedar Junction	RN	Haitian and Creole
MCI-Norfolk	Nurse Practitioner	Haitian Creole
MCI-Shirley	LPN	Hindi
Mass Treatment Center	Lecturer	Hindi & Gujarati
MCI-Cedar Junction	RN	IBO
MASAC	Nurse Practitioner	Igbo
Mass Treatment Center	RN	Italian
MCI-Concord	Phlebotomist	Korean
Souza Baranowski	Dentist	Korean
MCI-Concord	LPN	Luganda
MCI-Shirley	LPN	Nigerian
MCI-Cedar Junction	Nurse Practitioner	Polish
MCI-Framingham	Dental Assistant	Polish
MCI-Framingham	RN	Polish
MCI-Cedar Junction	LPN	Portuguese
Bay State Correctional Center	RN	Portuguese
MCI-Framingham	Nursing Assistant	Portuguese
MCI-Norfolk	Nursing Assistant	Portuguese
MCI-Norfolk	Nursing Assistant	Portuguese
MCI-Norfolk	Nursing Assistant	Portuguese
Old Colony Correctional Center	RN	Portuguese
MCI-Shirley	Nursing Assistant	Portuguese
Souza Baranowski	RN	Portuguese
South Street/Admin	Admin, Div Iii	Portuguese
South Street/Admin	Analyst, Data	Russian
Souza Baranowski	RN	Russian
Souza Baranowski	RN	Russian
MCI-Concord	LPN	Spanish
MCI-Concord	RN	Spanish
MCI-Concord	RN	Spanish
MCI-Framingham	Coordinator, Education	Spanish
MCI-Framingham	LPN	Spanish
MCI-Framingham	LPN	Spanish
MCI-Framingham	LPN	Spanish
MCI-Framingham	Medical Assistant	Spanish
MCI-Framingham	RN	Spanish
MCI-Norfolk	LPN	Spanish
MCI-Shirley	LPN	Spanish
MCI-Shirley	LPN	Spanish
MCI-Shirley	LPN	Spanish
MCI-Shirley	Nurse Practitioner	Spanish
MCI-Shirley	Nursing Assistant	Spanish
South Street/Admin	HIV Counselor	Spanish
South Street/Admin	HIV Counselor	Spanish
Souza Baranowski	LPN	Spanish
Souza Baranowski	Phlebotomist	Spanish
Souza Baranowski	RN	Spanish
Souza Baranowski	RN	Spanish
MCI-Cedar Junction	RN	Spanish
Bay State Correctional Center	LPN	Spanish
MCI-Cedar Junction	Nurse Practitioner	Spanish and Portuguese
MCI-Concord	Phlebotomist	Swahili, Luganda, Greek
MCI-Shirley	Lecturer	Tagalog(Filipino)
MCI-Shirley	LPN	Twi
MCI-Cedar Junction	RN	Ukranian
MCI-Cedar Junction	Nurse Practitioner	Urdu
MCI-Cedar Junction	Lecturer	Urdu
Mass Treatment Center	RN	Yugoslavian

Appendix E. Instructions for using Rapport International Language Line Services



The following are instructions for using Rapport International:

1. Use either the conference call feature, or the speaker phone feature
2. Dial Rapport International at **1-866-895-7403**
3. Give the following information:
 - **Organization Name: Department of Correction – Massachusetts**
 - **Client Code: RIMD 09**
 - **Facility Code: See List Below**
 - **Your Name and Phone number**
 - **Language Required**
 - **Time and date services will be needed if able to plan in advance**
4. Put non-English speaking inmate on the phone
5. Wait for the Answer Point to conference the interpreter
6. Brief the Interpreter. Summarize what you wish to accomplish and give any special instructions.
7. At the end of the call, you may ask for the length of the call.
8. Hang up

Note: If there are any issues with the interpreter, i.e.; the inmate cannot understand them, you may request a new interpreter.

Facility Code

Facility	Code
Bay State Correctional Center	3006
Boston Pre-Release	5042
MCI Framingham	2015
MCI Plymouth	4045
Northeastern Correctional Center	3021
Pondville Correctional Center	5037
Shattuck Hospital Correctional Unit	6022
South Middlesex Correctional Center	5027

Appendix F. Policy 103 DOC 488, Active Prior to December 2010

MASSACHUSETTS DEPARTMENT OF CORRECTION	DIVISION: OFFICE OF THE ASSISTANT DEPUTY COMMISSIONER, SOUTHERN SECTOR
TITLE: TELEPHONIC INTERPRETER SERVICE	NUMBER: 103 DOC 488

PURPOSE: To establish Department of Correction ("Department") policy regarding access to and use of the Telephonic Interpreter Service.

REFERENCES: M.G.L. c.124 sec. 1 (q)

APPLICABILITY: Staff/Inmates

PUBLIC ACCESS: Yes

LOCATION: Department's Central policy file, Each Institution's policy file, Each Inmate Library.

RESPONSIBLE STAFF:

- Assistant Deputy Commissioner, Southern Sector
- Superintendents

EFFECTIVE DATE: 01/05/2006

CANCELLATION: 103 DOC 488.00 cancels all previous Departmental and Institutional policy statements, bulletins, directives, orders, notices, rules and regulations regarding telephonic interpreter services which are not consistent with this policy.

SEVERABILITY CLAUSE: If any part of 103 DOC 488.00 is for any reason, held to be in excess of the authority of the Commissioner, such decision shall not affect any other part of this policy.

488.01 INSTITUTION PROCEDURES FOR TELEPHONIC INTERPRETER SERVICE ACCESS AND USE

Each superintendent/designee shall ensure that if an inmate needs an interpreter:

1. Telephonic interpreter services may be used to translate for inmates in the following areas: Internal Perimeter Security ("IPS"), or Departmental investigations or questioning, Booking and Admissions, Health Services Unit ("HSU") (medical), Classification boards and Disciplinary Hearings. If an inmate requests an interpreter or correctional or medical staff believe the use of an interpreter is necessary, then the telephonic interpreter service shall be utilized. This policy does not prevent IPS or Department investigators from utilizing bilingual staff to interview inmates if the situation does not lend itself to the use of the telephonic interpreter service during the course of an investigation.
2. Inmates shall not be used as interpreters for other inmates in any of the areas listed in paragraph 1 above.
3. The Commissioner's letters, attachments A and B, shall be posted in the following areas: All housing units, booking and admission, classification and disciplinary board rooms, HSU waiting areas and other areas where medical services are provided. Attachments A and B shall be permanently affixed to the wall and where possible affixed behind Plexiglas.
4. The telephonic interpreter service information shall be provided during the standard introduction at classification boards, disciplinary hearings, and the booking and admissions process. The telephonic interpreter service information shall be included in all facilities' inmate orientation manuals.
5. IPS, Booking and Admissions, HSU (medical), classification boards and disciplinary hearings shall have a telephone available with speakerphone capability.
6. The telephonic interpreter service shall be available for use by the Institutional Grievance Coordinators when conducting interviews.
7. Each facility shall offer the service to non-English speaking visitors as well as individuals that call the facility by telephone seeking information.

488.02 STAFF TRAINING

Each superintendent/designee shall ensure that staff assigned to the areas listed in paragraph 488.01(1) are trained how to access the telephonic interpreter service and how to use the service when working with non English-speaking inmates.

488.03 INMATE REQUEST FOR INTERPRETER - GUIDELINES FOR STAFF

The following guidelines are the preferred method for an inmate to request telephonic interpreter services. However, an inmate's failure to adhere to these guidelines shall not be reason to deny the use of the telephonic interpreter service.

Classification Boards - The inmate shall submit a written request for telephonic interpreter service to his/her Unit Manager or Correctional Program Officer forty-eight (48) hours prior to the classification board.

Disciplinary Hearings - The inmate will submit a written request for telephonic interpreter service to the Institution Disciplinary Officer or their Correctional Program Officer 48 hours prior to the date scheduled for the hearing.

HSU, IPS, and Booking and Admissions - request for Telephonic Interpreter Service in these areas can be oral and directed to the appropriate person.

488.04 DOCUMENTING USE OF TELEPHONIC INTERPRETER SERVICE

Each Superintendent or designee shall ensure that Correctional or medical staffs who use the telephonic interpreter service document each use in the following manner:

Booking and Admissions - note the use of the service in the Inmate Management System (IMS) booking/intake comments section of the Inmate Data screen.

Classification Boards - note the use of the service shall be noted in the "board rationale" field on the board recommendation tab of the Classification Recommendation/Results screen (IMS).

Disciplinary Hearings - note the use of the service shall be noted in the "sanction rationale" field on the Disciplinary Hearing screen.

Medical Staff - Note the use of the service in the progress notes by the health care provider who saw the inmate.

IPS - Note the use of the service in an appropriate investigative memorandum.

488.05 Emergencies

Whenever, in the opinion of the Commissioner or designee, or the Superintendent of a state correctional facility, an emergency exists which requires suspension of all or part of this policy, the Commissioner or designee or the Superintendent may authorize such suspension, provided that any suspension lasting more than forty eight (48) hours must be approved by the Commissioner.

TO: All Inmates

FROM: Harold W. Clarke, Commissioner

DATE: December 10, 2008

RE: Telephonic Interpreter Service for non-English speaking inmates

The Department of Correction has contracted a service provider to provide over-the-phone interpretation, twenty-four (24) hours a day, seven days (7) a week. This service can provide translation of 140 different languages to any non-English speaking inmate.

This service shall only be used by use of speaker telephones in the following areas whenever an inmate claims that he/she does not speak and/or understand English.

- (1) IPS and Departmental Investigations
- (2) Booking and Admissions
- (3) HSU
- (4) Classification Boards
- (5) Disciplinary Hearings
- (6) Grievance Interviews

A claim that you do not speak and/or understand English can be made as follows:

Classification Boards - submit a written request for Telephonic Interpreter Service to your unit manager or correctional program officer forty-eight (48) hours prior to the classification board.

Disciplinary Hearings- submit a written request for Telephonic Interpreter Service to the Institution Disciplinary Officer or your Correctional Program Officer forty-eight (48) hours prior to the date scheduled for the hearing.

HSU, IPS/ Departmental Investigators, Grievance Investigators and Booking and Admissions - request for Telephonic Interpreter Service in these areas can be oral and directed to the appropriate person in these areas.

Massachusetts Department of Correction Language Access Plan 12/2010

ATTACHMENT B

PARA: Todos los Presos

DE: Harold W. Clarke, Comisionado

FECHA: 10 de Diciembre de 2008

RE: Servicio de Intérpretes Telefónico para presos que no hablan Inglés

El Departamento de Correccion a contratado un Servicio Telefonico, para proveer a través del teléfono servicios de intrérprete, veinticuatro horas al dia, siete dias por semana. Este servicio provee traducciones en 140 lenguajes diferentes para cualquier preso que no hable Inglés.

Este servicio será usado solamente a través de teléfonos equipados con sistema de parlante/altavoz en los siguientes lugares cuando un preso declara que él/ella no habla y/o no comprende Inglés.

- (1) Oficina de la Seguridad Interna Del Perímetro. (IPS)
- (2) Procesamiento de Entrada (Booking and Admissions)
- (3) Departamento de Servicios de Salud (HSU)
- (4) Paneles de Clasificación (Classification Boards)
- (5) Audiencias Disciplinarias (Disciplinary Hearings)
- (6) Entrevista de Querellas (Grievance Interviews)

Al declarar que usted no habla y/o no entiende Inglés se puede hacer de la siguiente manera:

Paneles de Clasificación- Debe presentar una petición escrita solicitando un intérprete al Director de su unidad o al Oficial de Programa Correccional 48 horas, antes de su entrevista con el panel de clasificación.

Para Audiencias Disciplinarias- Debe presentar una petición escrita solicitando un intérprete al Director de su unidad o al Oficial Institucional de disciplina o a su Oficial de Programa Correccional 48 horas antes de la fecha sé_alada para su audiencia.

Peticiones para un intérprete durante visitas a HSU, IPS, o Booking and Admissions- pueden ser orales y dirigidas a la persona apropiada en estas areas.

Appendix G. Approved December 2010, Modified Policy 103 DOC 488

COMMONWEALTH OF MASSACHUSETTS

DEPARTMENT OF CORRECTION

103 DOC 488

INTERPRETER SERVICES

TABLE OF CONTENTS

	Page
488.01	Definitions..... 2
488.02	Department and Institution LEP Coordinators..... 2
488.03	Institution Procedures for Telephonic Interpreter Service Access and Use..... 3
488.04	Staff Training..... 4
488.05	Inmate Request for Interpreter Guidelines for Staff..... 5
488.06	Documenting use of Interpreter Services..... 5
488.07	Dissemination of Information..... 6
488.08	Complaints 6
488.09	Monitoring 6
488.10	Emergencies..... 6
Attachment A 7
Attachment B 8

Massachusetts Department of Correction Language Access Plan 12/2010

MASSACHUSETTS DEPARTMENT OF CORRECTION	DIVISION: DEPUTY COMMISSIONER, ADMINISTRATIVE SERVICES
TITLE: INTERPRETER SERVICES	NUMBER: 103 DOC 488

PURPOSE: To establish Department of Correction ("Department") policy regarding access to and use of Interpreter Services.

REFERENCES: M.G.L. c.124 sec. 1 (q)

APPLICABILITY: Staff/Inmates

PUBLIC ACCESS: Yes

LOCATION: Department's Central policy file, Each Institution's policy file, Each Inmate Library.

RESPONSIBLE STAFF:

- Deputy Commissioner, Administrative Services
- Director, Office of Diversity and Equal Opportunity
- Superintendents

CANCELLATION: 103 DOC 488.00 cancels all previous Department and Institution policy statements, bulletins, directives, orders, notices, rules and regulations regarding interpreter services which are not consistent with this policy.

SEVERABILITY CLAUSE: If any part of 103 DOC 488.00 is for any reason, held to be in excess of the authority of the Commissioner, such decision shall not affect any other part of this policy.

488.01 DEFINITIONS

Bilingual: The ability to speak two languages fluently and to communicate directly and accurately in both English and another language.

Direct Communication: Monolingual communication in a language other than English between a qualified bilingual Department employee or other bilingual person and an LEP individual (e.g. Spanish to Spanish).

Interpretation: The act of listening to a communication in one language and orally converting it into another language, while retaining the same meaning. Interpreting is a sophisticated skill needing practice and training, and should not be confused with simple bilingualism. Even the most proficient bilingual individuals may require additional training and instruction prior to serving as interpreters. Qualified interpreters are generally required to have undergone rigorous and specialized training.

Limited English Proficient (LEP): an individual who does not speak English as his/her primary language and has a limited ability to read, write, or understand English.

Primary Language: The language that the inmate or detainee self reports at the time of intake as that which he/she is most effectively able to communicate.

Regularly Encountered Language: any language spoken by at least 5% of the inmate population of the institution

Secondary Language: Language(s) that the inmate or detainee self reports an ability to communicate in.

Translation: The replacement of written text from one language into an equivalent written text in another language. Translation also requires special knowledge or skills.

488.02 DEPARTMENT LEP COORDINATOR AND INSTITUTION LEP MONITORS

1. The Commissioner of Correction shall designate an individual as the Department's LEP Coordinator. The Department's LEP Coordinator shall:

- a. Identify language service needs and strategies for responding to those needs;
- b. Identify, and secure when practicable, needed resources (in-house, new hires, contract, resource sharing with other agencies, volunteers, or other) to provide oral and written language services;
- c. Identify and propose directives to the Commissioner to implement the plan;
- d. Identify criteria for designation of languages for initial round of translation, based on demographic data and usage projections;
- e. Create systems to distribute translated documents, post electronically, and maintaining an available supply of copies.

Massachusetts Department of Correction Language Access Plan 12/2010

2. Each Superintendent in consultation with the Department's LEP Coordinator shall designate an institutional employee as the Institution's LEP Monitor. The Institution LEP Monitor shall:

- a. In consultation with the Department's LEP Coordinator, identify needs and strategies for meeting those needs so that staff shall have access to appropriate language services in their interactions with inmates;
- b. Monitor the institution's compliance with the LEP policy and plan;
- c. Train institution staff on the LEP policy and plan or any LEP directives;
- d. Establish and maintain the institution's language assistance resource list;
- e. Maintain data on selected interactions with LEP persons and provide reports to management and the Department's LEP Coordinator, as appropriate.

488.03 INSTITUTION PROCEDURES FOR TELEPHONIC INTERPRETER SERVICE ACCESS AND USE

Each superintendent/designee shall ensure that if an inmate needs an interpreter:

8. Telephonic interpreter services may be used to translate for inmates in the following areas: Internal Perimeter Security ("IPS"), or Departmental investigations or questioning, Booking and Admissions, Health Services Unit ("HSU") (medical), Classification Boards and Disciplinary Hearings. If an inmate requests an interpreter or correctional or medical staff believe the use of an interpreter is necessary, then the telephonic interpreter service shall be utilized. This policy does not prevent IPS or Department investigators from utilizing bilingual staff to interview inmates if the situation does not lend itself to the use of the telephonic interpreter service during the course of an investigation.
9. Inmates shall not be used as interpreters for other inmates in any of the areas listed in paragraph 1 above.
10. The Commissioner's letters, attachments A and B, shall be posted in the following areas: All housing units, booking and admission, classification and disciplinary board rooms, HSU waiting areas and other areas where medical services are provided. Attachments A and B shall be permanently affixed to the wall and where possible affixed behind Plexiglas.
11. The telephonic interpreter service information shall be provided during the standard introduction at classification boards, disciplinary hearings, and the booking and admissions process. The telephonic interpreter service information shall be included in all facilities' inmate orientation manuals.

12. IPS, Booking and Admissions, HSU (medical), classification boards and disciplinary hearings shall have a telephone available with speakerphone capability.
13. The telephonic interpreter service shall be available for use by the Institutional Grievance Coordinators when conducting interviews.
14. Each facility shall offer the service to non-English speaking visitors as well as individuals that call the facility by telephone seeking information.

488.04 STAFF TRAINING

Each superintendent/designee shall ensure that staff assigned to the areas listed in paragraph 488.02 are trained how to access the telephonic interpreter service and how to use the service when working with non English-speaking inmates.

488.05 INMATE REQUEST FOR TELEPHONIC INTERPRETER - GUIDELINES FOR STAFF

The following guidelines are the preferred method for an inmate to request telephonic interpreter services. However, an inmate's failure to adhere to these guidelines shall not be reason to deny the use of the telephonic interpreter service.

Classification Boards - The inmate shall submit a written request (in English or Spanish) for telephonic interpreter service to his/her Correctional Program Officer forty-eight (48) hours prior to the classification board.

Disciplinary Hearings - The inmate shall submit a written request (in English or Spanish) for telephonic interpreter service to the Institution Disciplinary Officer. It shall be the inmate's responsibility to request such assistance within a reasonable time prior to the scheduled hearing.

HSU, IPS, and Booking and Admissions - A request for Telephonic Interpreter Service in these areas can be oral and directed to the appropriate person.

488.06 DOCUMENTING USE OF TELEPHONIC INTERPRETER SERVICE

Each Superintendent or designee shall ensure that Correctional or medical staffs who use the telephonic interpreter service document each use in the following manner:

Booking and Admissions - note the use of the service in the Inmate Management System (IMS) booking/intake comments section of the Inmate Data screen.

Classification Boards - note the use of the service in the "board rationale" field on the board recommendation tab of the Classification Recommendation/Results screen (IMS).

Disciplinary Hearings - note the use of the service shall be noted in the "sanction rationale" field on the Disciplinary Hearing screen.

Inmate Grievances - note the use of the service in the Investigative Comments screen (IMS).

Medical Staff - Note the use of the service in the progress notes by the health care provider who saw the inmate.

IPS - Note the use of the service in an appropriate investigative memorandum.

488.07 DISSEMINATION OF INFORMATION

Each institution shall develop procedures to ensure that whenever information is disseminated to the inmate population via any medium that it also provides the information in the same or similar medium in languages that are regularly encountered (see definition section 103 DOC 488.01 of this policy).

488.08 COMPLAINTS

Complaints alleging violations of 103 DOC 488.00 shall be grieved via 103 CMR 491.00. Inmate Grievances, the Department's Inmate Grievance process. Whenever an Institutional Grievance Officer receives a grievance regarding an allegation of a violation of 103 DOC 488.00 he/she shall notify the Department's Language Access Coordinator of the grievance and may consult with him/her in determining the grievance's resolution.

488.09 MONITORING

Each Superintendent shall ensure compliance with this policy at his/her institution.

488.10 EMERGENCIES

Whenever, in the opinion of the Commissioner or designee, or the Superintendent of a state correctional facility, an emergency exists which requires suspension of all or part of this policy, the Commissioner or designee or the Superintendent may authorize such suspension, provided that any suspension lasting more than forty eight (48) hours must be approved by the Commissioner.

ATTACHMENT A

TO: All Inmates
FROM: Ronald T. Duval, Acting Commissioner
DATE: November 18, 2010
RE: Telephonic Interpreter Service for non-English speaking inmates

The Department of Correction has contracted a service provider to provide over-the-phone interpretation, twenty-four (24) hours a day, seven days (7) a week. This service can provide translation of 140 different languages to any non-English speaking inmate.

This service shall only be used by use of speaker telephones in the following areas whenever an inmate claims that he/she does not speak and/or understand English.

- (1) IPS and Departmental Investigations
- (2) Booking and Admissions
- (3) HSU
- (4) Classification Boards
- (5) Disciplinary Hearings
- (6) Grievance Interviews

A claim that you do not speak and/or understand English can be made as follows:

Classification Boards - submit a written request (in English or Spanish) for Telephonic Interpreter Service to your unit manager or correctional program officer forty-eight (48) hours prior to the classification board.

Disciplinary Hearings- submit a written request (in English or Spanish) for Telephonic Interpreter Service to the Institution Disciplinary Officer or your Correctional Program Officer forty-eight (48) hours prior to the date scheduled for the hearing.

HSU, IPS/ Departmental Investigators, Grievance Investigators and Booking and Admissions - request for Telephonic Interpreter Service in these areas can be oral and directed to the appropriate person in these areas.

PARA: Todos los Confinados/Presos

DE: Ronald T. Duval, Comisionador Interino

FECHA: 17 de Noviembre del 2010

RE: Servicio de Intérpretes Telefónico para confinados o presos que no hablan inglés

El Departamento de Corrección ha contratado un servicio telefónico, para proveer a través del teléfono servicios de interpretación ofrecido veinticuatro (24) horas al día los siete (7) días de la semana. Este servicio provee traducciones en 140 lenguajes diferentes para cualquier preso que no hable inglés.

Este servicio será usado solamente a través de teléfonos equipados con sistema de parlante/altavoz en los siguientes lugares cuando un preso declara que él/ella no habla y/o no comprende inglés.

- (1) Oficina de la Seguridad Interna Del Perímetro (IPS)
- (2) Procesamiento de Entrada (Booking and Admissions)
- (3) Departamento de Servicios de Salud (HSU)
- (4) Paneles de Clasificación (Classification Boards)
- (5) Audiencias/Vista Disciplinarias (Disciplinary Hearings)
- (6) Entrevista de Querellas (sobre quejas) (Grievance Interviews)

Para declarar que usted no habla y/o no entiende suficiente inglés y requiere un intérprete necesita hacer lo siguiente:

Paneles de Clasificación- Debe presentar una petición escrita solicitando un intérprete al Director de su unidad o al Oficial de Programa Correccional 48 horas, antes de su entrevista con el Panel de Clasificación (en inglés o en español).

Para Audiencias/Vista Disciplinarias- Debe presentar una petición escrita (en inglés o en español) solicitando un intérprete al Director de su unidad o al Oficial Institucional de Disciplina o a su Oficial de Programa Correccional 48 horas antes de la fecha de su cita para su audiencia.

Peticiones para un intérprete durante visitas a HSU, IPS, o Booking and Admissions- pueden ser orales y dirigidas a la persona apropiada en estas áreas.

Peticiones para un intérprete durante visitas a HSU, IPS, o Booking and Admissions (Entradas)- pueden ser verbalmente y dirigidas a la persona apropiada en estas áreas.

Appendix H. Massachusetts Department of Correction Translated Forms/Documents

Massachusetts Department of Correction Forms/Documents	Foreign Language Available	Timeframe
Intake and evaluation forms: Notification of Rules Cover Sheet	Spanish	Currently Available
Inmate orientation or rule book materials: PREA – Inmate Orientation Brochure Handbooks Inmate Orientation Manuals International Transfer Information	Spanish	Currently Available
Documents relating to classification: Notice of Classification Hearing Male Objective Point Base Manual Female Objective Point Base Manual Classification Policy, 103 CMR 420 Inmate Placement Request/Appeal Form Internal Transfer Policy, 103 CMR 462 International Prisoner Transfer Treaty Partners of the US International Prisoner Transfer Notification and Acknowledge Form Prisoner Transfer Application Form Certified Case Summary for State Inmate	Spanish	Currently Available
Inmate medical consent, treatment requests, or other health care-related forms: Access to Health Care Memorandum General Consent to Treatment Health Care Services Orientation Memorandum Inmate Agreement (Consent Form) Keep on Person Medication Patient Care - Dental Care Tooth Decay MassHealth Enrollment Guide (Reentry) MassHealth Medical Release Form (Reentry) Special Accommodations For Inmates Policy, 103 DOC 207 Request For Reasonable Accommodation Of Special Need(s) Medical Restrictions Memo to Inmate RE: Reasonable Accommodations/Special Needs Inmate Medical Records Policy, 103 DOC 607 Authorization for the Release of Medical Records Authorization to Release Sensitive Medical Information Special Health Care Practices Policy, 103 DOC 620 State Sanitary Code Chapter X Minimum Sanitation Standards for Food Establishments Health Care Proxy Form Medical Services policy, 103 DOC 630 Form to request consideration for an on site medical examination by an outside physician in a Massachusetts Department of Correction institution Release (Physician) Outside Medical Services Release (Inmate) Outside Medical Services	Spanish	Currently Available

<p>Department of Public Health Minimum Standards Governing The Conduct of Inmate medical consent, treatment requests, or other health care-related forms, continued... Physical Examinations in Correctional Facilities CODE 99 Red Bag Contents Medical Disaster Box Minimum Contents Medical Service Provider Form, Medical Restrictions Communicable Diseases Policy, 103 DOC 631 Notice to Inmate, What will happen after exposure (to communicable disease) Post Exposure of Concern Follow Up Blood borne Pathogen Decontamination Guidelines Dental Services Policy, 103 DOC 640 Receipt for Dental Prosthesis Mental Health Services Policy, 103 DOC 650 Request to Perform Outside Mental Health Services (Psychiatrist, Psychologist, Licensed Social Worker)</p>		
<p>Documents relating to disciplinary or administrative proceedings: Policy – 103 CMR 430, Inmate Discipline 24 Hour Waiver Form Appeal Continuance without a Finding Enter of Guilty Plea Form Informant Check List Inmate’s Request for a Taped Hearing Notice of Continuance Notice of Disciplinary Hearing Procedural Time Waiver Refusal to Appear Request for Evidence Form Request for Reimbursement Form Request for Representation and/or Witness Form Waive Appeal Witness Request Form (Inmate) Witness Request Form (non-DOC staff)</p>	Spanish	Currently Available
<p>Inmate waiver forms: 24 Hour Waiver Form (disciplinary) Procedural Time Waiver (disciplinary) Waive Appeal (disciplinary) Inmate Waiver (conflicts) Sex Offender Treatment Agreement and Waiver Confirmation Test Request/Waiver (substance abuse) Classification Hearing - 48 hour notification</p>	Spanish	Currently Available
<p>Informal Complaints and Grievances: Grievance Policy, 103 CMR 491 Inmate Grievance Form Institutional Appeal Form Informal Complaint Resolution Form Memo to Inmate RE: Suspension/Abuse of Grievance Process</p>	Spanish	Currently Available
<p>Inmate forms for participation in counseling, vocational, work, or educational programs:</p>	Spanish	Currently Available

<p>Program Approval for Inmates in Other Jurisdictions Education Approval for Inmates in Other Jurisdictions Institution Work Assignments Policy, 103 DOC 450 Sex Offender Treatment Program Attendance Roster Monthly Program Report Summary <i>Sex Offender Treatment:</i> <u>Assessment</u> 1. Spanish Intake consent form 2. Spanish intake Data Form 3. Spanish Receipt of Assessment <u>Clinical Forms</u> 1. Spanish Monthly Non-Involvement Form 2. Spanish Informed Consent for Treatment 3. Spanish Orientation for Civil residents <i>Work Release:</i> Work Release Policy, 103 CMR 464 1. Employment Agreement Form 2. Community Release Agreement 3. Community Release Permit 4. Police Notification of Employment Form 5. Work Release Report</p>		
<p>Inmate request forms, such as those relating to diet or religion: Policy – 103 CMR 471, Religious Programs and Services Removal from the Special Diet List (2nd Offense) Special Diet Request Form Request for Special Diet Approval Form Removal from the Special Diet List Special Diet Intra-system Transfer Form</p>	Spanish	Currently Available
<p>Forms for family and public: Family and Friends Reentry Brochure Visitor Dress Code Ex-Offender Application for Visiting Privilege form Minor Consent Forms to visit Request to Visit Inmate forms Rules and Regulations for Visits Application to review Evaluative Information Volunteers And Volunteer Programs Policy, 103 DOC 485 Standard Volunteer Application Standard Volunteer Program Application Standard Volunteer Certification Release (volunteer) Record of Inspection and/or Copying of Criminal Offender Record Information General Supervision and Assumption of Responsibility Statement for Law Students and Legal Paraprofessionals Request to Inspect and/or Copy Criminal Offender Record Information (Including Third Parties)</p>	Spanish	Currently Available
<p>Notices and posters containing important information and/or rules: Memo to Inmate RE: Abuse of Grievance Process</p>	Spanish	Currently Available

Massachusetts Department of Correction Language Access Plan 12/2010

Memo to Inmate RE: Reasonable Accommodations/Special Needs Notification of Rules Cover Sheet Notification letter to out-of-state Inmates Serving Concurrent Massachusetts Sentences Notification Letter RE: DNA Sampling Notice to Inmate, What will happen after exposure (to communicable disease)		
Inmate Telephone Documents: Advance Pay Program Calling Rates Changes to Calling Rates and Collect Calling Limits Speed Dial Numbers for Inmates Telephonic Interpreter Service Policy, 103 DOC 488 Telephonic Interpreter Service for non-English speaking inmates	Spanish	Currently Available



The Commonwealth of Massachusetts
Executive Office of Public Safety and Security

Department of Correction
50 Maple Street, Suite 3

Milford, Massachusetts 01757

Tel: (508)422-3300

www.mass.gov/doc



Deval L. Patrick
Governor

Timothy P. Murray
Lieutenant Governor

Mary Elizabeth Heffernan
Secretary

Ronald T. Duval
Acting Commissioner

James R. Bender
Donald V. Giancioppo
Veronica M. Madden
Deputy Commissioners

TO: Ronald T. Duval, Acting Commissioner

TH: Jennifer Gaffney, Director
Policy Development & Compliance Unit

FR: Donald V. Giancioppo, Deputy Commissioner
Reviewing Authority

DA: January 11, 2011

RE: 103 DOC 488, Interpreter Services

Please be advised that the annual review has been conducted of 103 DOC 488, Telephonic Interpreter Services and the following revisions are recommended. For ease of review, additions are in bold and deletions are in strikethrough font.

Provided you agree with the revisions, please indicate by signing below.

<p>MASSACHUSETTS DEPARTMENT OF CORRECTION</p>	<p>DIVISION: DEPUTY COMMISSIONER, ADMINISTRATIVE SERVICES OFFICE OF THE ASSISTANT DEPUTY COMMISSIONER, SOUTHERN SECTOR</p>
<p>TITLE: TELEPHONIC INTERPRETER SERVICES</p>	<p>NUMBER: 103 DOC 488</p>

RESPONSIBLE STAFF:

- Deputy Commissioner of Administrative Services
- Director, Office of Diversity and Equal Opportunity
- Superintendents

Limited English Proficient (LEP): an individual who does not speak English as ~~their~~ **his/her** primary language and has a limited ability to read, write, or understand English.

488.02 DEPARTMENT LEP COORDINATORS AND INSTITUTION LEP COORDINATORS MONITORS

b. Identify, and ~~secure~~ when practicable, needed resources (in-house, new hires, contract, resource sharing with other agencies, volunteers, or other) to provide oral and written language services;

e. Create systems to distribute translated documents, post electronically, and ~~maintaining~~ **an available supply of copies**

2. Each Superintendent in consultation with the Department's LEP Coordinator shall designate an institutional employee as the Institution's LEP ~~Coordinator~~ **Monitor**. The Institution LEP ~~Coordinator~~ **Monitor** shall:

488.03 INSTITUTION PROCEDURES FOR TELEPHONIC INTERPRETER SERVICE ACCESS AND USE

Each superintendent/designee shall ensure that if an inmate needs an interpreter:

Telephonic interpreter services may be used to translate for inmates in the following areas: Internal Perimeter Security ("IPS"), or Departmental investigations or questioning, Booking and Admissions, Health Services Unit ("HSU") (medical), Classification Boards, **Inmate Grievances** and Disciplinary Hearings.

488.04 STAFF TRAINING

Each superintendent/designee shall ensure that staff assigned to the areas listed in paragraph 488.02 are trained how to access the telephonic interpreter service and how to use the service when working with non English-speaking inmates.

488.05 INMATE REQUEST FOR TELEPHONIC INTERPRETER - GUIDELINES FOR STAFF

Classification Boards - The inmate shall submit a written request (in English or Spanish) for telephonic interpreter service to his/her Unit Manager or Correctional Program

Officer forty-eight (48) hours prior to the classification board.

Disciplinary Hearings - The inmate will shall submit a written request (in English or Spanish) for telephonic interpreter service to the Institution Disciplinary Officer or ~~their~~his/her Correctional Program Officer **forty-eight** (48) hours prior to the date scheduled for the hearing. It shall be the inmate's responsibility to request such assistance within a reasonable time prior to the scheduled hearing.

HSU, IPS, and Booking and Admissions - A request for Telephonic Interpreter Service in these areas can be oral and directed to the appropriate person.

488.06 DOCUMENTING USE OF TELEPHONIC INTERPRETER SERVICE

Classification Boards - note the use of the service shall be ~~noted~~ in the "board rationale" field on the board recommendation tab of the Classification Recommendation/Results screen (IMS).

Inmate Grievances - note the use of the service in the Investigative Comments screen (IMS).

488.07 DISSEMINATION OF INFORMATION

Each institution shall develop procedures to ensure that whenever information is disseminated to the inmate population via any medium that it also provides the information in the same or similar medium in languages that are regularly encountered (see definition section 103 DOC 488.01 of this policy).

488.09 MONITORING

Each Superintendent shall ensure annually ~~monitor~~ institution ~~compliance~~ with this policy at his/her institution.

ATTACHMENT A

TO: All Inmates

FROM: ~~Harold W. Clarke, Commissioner~~ Ronald T. Duval, Acting
Commissioner

DATE: ~~December 10, 2008~~ November 18, 2010

RE: Telephonic Interpreter Service for non-English
speaking inmates

The Department of Correction has contracted a service provider to provide over-the-phone interpretation, twenty-four (24) hours a day, seven days (7) a week. This service can provide translation of 140 different languages to any non-English speaking inmate.

This service shall only be used by use of speaker telephones in the following areas whenever an inmate claims that he/she does not speak and/or understand English.

- (1) IPS and Departmental Investigations
- (2) Booking and Admissions
- (3) HSU
- (4) Classification Boards
- (5) Disciplinary Hearings
- (6) Grievance Interviews

A claim that you do not speak and/or understand English can be made as follows:

Classification Boards - submit a written request **(in English or Spanish)**— for Telephonic Interpreter Service to your unit manager or correctional program officer forty-eight (48) hours prior to the classification board.

Disciplinary Hearings- submit a written request **(in English or Spanish)** for Telephonic Interpreter Service to the Institution Disciplinary Officer or your Correctional Program Officer forty-eight (48) hours prior to the date scheduled for the hearing.

HSU, IPS/ Departmental Investigators, Grievance Investigators and Booking and Admissions - request for Telephonic Interpreter Service in these areas can be oral and directed to the appropriate person in these areas.

PARA: Todos los **Confinados/Presos**

DE: ~~Harold W. Clarke~~ **Ronald T. Duval**, Comisionador Interino

FECHA: ~~1017 de Diciembre~~ **Noviembre del 200810**

RE: Servicio de Intérpretes Telefónico para **confinados o presos que no hablan Inglés**

El Departamento de Corrección a contratado un ~~s~~servicio ~~t~~telefónico, para proveer a través del teléfono servicios de ~~intréprete~~ **interpretación ofrecido**, veinticuatro (24) horas al día ~~los~~ ~~siete~~ (7) días ~~por~~ de la semana. Este servicio provee traducciones en 140 lenguajes diferentes para cualquier preso que no hable ~~Inglés~~.

Este servicio será usado solamente a través de teléfonos equipados con sistema de parlante/altavoz en los siguientes lugares cuando un preso declara que él/ella no habla y/o no comprende ~~Inglés~~.

- (1) Oficina de la Seguridad Interna Del Perímetro (IPS)
- (2) Procesamiento de Entrada (Booking and Admissions)
- (3) Departamento de Servicios de Salud (HSU)
- (4) Paneles de Clasificación (Classification Boards)
- (5) Audiencias/**Vista** Disciplinarias (Disciplinary Hearings)
- (6) Entrevista de Querellas (**sobre quejas**) (Grievance Interviews)

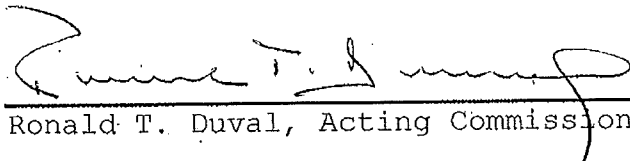
Para ~~Al~~ declarar que usted no habla y/o no entiende **suficiente Inglés y requiere un interprete se puede necesita** hacer ~~de~~ ~~lalo~~ siguiente ~~manera~~:

Paneles de Clasificación- Debe presentar una petición escrita solicitando un intérprete al Director de su unidad o al Oficial de Programa Correccional 48 horas, antes de su entrevista con el ~~p~~Panel de **Clasificación (en inglés o en español)**.

Para Audiencias/**Vista** Disciplinarias- Debe presentar una petición escrita **(en inglés o en español)** solicitando un intérprete al Director de su unidad o al Oficial Institucional de ~~d~~Disciplina o a su Oficial de Programa Correccional 48 horas antes de la fecha ~~de su se alada para su cita para su~~ audiencia.

Peticiones para un intérprete durante visitas a HSU, IPS, o Booking and Admissions- pueden ser orales y dirigidas a la persona apropiada en estas areas.

Peticiones para un intérprete durante visitas a HSU, IPS, o Booking and Admissions (Entradas)- pueden ser verbalmente orales y dirigidas a la persona apropiada en estas areas.



Ronald T. Duval, Acting Commissioner

1-11-11

Date

Mary Effeman 2/1/11

COMMONWEALTH OF MASSACHUSETTS

DEPARTMENT OF CORRECTION

103 DOC 488

INTERPRETER SERVICES

TABLE OF CONTENTS

	Page
488.01	Definitions 2
488.02	Department LEP Coordinator and Institution LEP Monitors 2
488.03	Institution Procedures for Telephonic Interpreter Service Access and Use 3
488.04	Staff Training 4
488.05	Inmate Request for Interpreter Guidelines for Staff ... 5
488.06	Documenting use of Interpreter Services 5
488.07	Dissemination of Information 6
488.08	Complaints 6
488.09	Monitoring 6
488.10	Emergencies 6
Attachment A 7
Attachment B 8

MASSACHUSETTS DEPARTMENT OF CORRECTION	DIVISION: DEPUTY COMMISSIONER, ADMINISTRATIVE SERVICES
TITLE: INTERPRETER SERVICES	NUMBER: 103 DOC 488

PURPOSE: To establish Department of Correction ("Department") policy regarding access to and use of Interpreter Services.

REFERENCES: M.G.L. c.124 sec. 1 (q).

APPLICABILITY: Staff/Inmates

PUBLIC ACCESS: Yes

LOCATION: Department's Central policy file, Each Institution's policy file, Each Inmate Library.

RESPONSIBLE STAFF:

- Deputy Commissioner, Administrative Services
- Director, Office of Diversity and Equal Opportunity
- Superintendents

CANCELLATION: 103 DOC 488.00 cancels all previous Department and Institution policy statements, bulletins, directives, orders, notices, rules and regulations regarding interpreter services which are not consistent with this policy.

SEVERABILITY CLAUSE: If any part of 103 DOC 488.00 is for any reason, held to be in excess of the authority of the Commissioner, such decision shall not affect any other part of this policy.

488.01 DEFINITIONS

Bilingual: The ability to speak two languages fluently and to communicate directly and accurately in both English and another language.

Direct Communication: Monolingual communication in a language other than English between a qualified bilingual Department employee or other bilingual person and an LEP individual (e.g. Spanish to Spanish).

Interpretation: The act of listening to a communication in one language and orally converting it into another language, while retaining the same meaning. Interpreting is a sophisticated skill needing practice and training, and should not be confused with simple bilingualism. Even the most proficient bilingual individuals may require additional training and instruction prior to serving as interpreters. Qualified interpreters are generally required to have undergone rigorous and specialized training.

Limited English Proficient (LEP): an individual who does not speak English as his/her primary language and has a limited ability to read, write, or understand English.

Primary Language: The language that the inmate or detainee self reports at the time of intake as that which he/she is most effectively able to communicate.

Regularly Encountered Language: any language spoken by at least 5% of the inmate population of the institution

Secondary Language: Language(s) that the inmate or detainee self reports an ability to communicate in.

Translation: The replacement of written text from one language into an equivalent written text in another language. Translation also requires special knowledge or skills.

488.02 DEPARTMENT LEP COORDINATOR AND INSTITUTION LEP MONITORS

1. The Commissioner of Correction shall designate an individual as the Department's LEP Coordinator. The Department's LEP Coordinator shall:

- a. Identify language service needs and strategies for responding to those needs;

- b. Identify, and secure when practicable, needed resources (in-house, new hires, contract, resource sharing with other agencies, volunteers, or other) to provide oral and written language services;
 - c. Identify and propose directives to the Commissioner to implement the plan;
 - d. Identify criteria for designation of languages for initial round of translation, based on demographic data and usage projections;
 - e. Create systems to distribute translated documents, post electronically, and maintaining and available supply of copies.
2. Each Superintendent in consultation with the Department's LEP Coordinator shall designate an institutional employee as the Institution's LEP Monitor. The Institution LEP Monitor shall:
- a. In consultation with the Department's LEP Coordinator, identify needs and strategies for meeting those needs so that staff shall have access to appropriate language services in their interactions with inmates;
 - b. Monitor the institution's compliance with the LEP policy and plan;
 - c. Train institution staff on the LEP policy and plan or any LEP directives;
 - d. Establish and maintain the institution's language assistance resource list;
 - e. Maintain data on selected interactions with LEP persons and provide reports to management and the Department's LEP Coordinator, as appropriate.

488.03 INSTITUTION PROCEDURES FOR TELEPHONIC INTERPRETER SERVICE ACCESS AND USE

Each superintendent/designee shall ensure that if an inmate needs an interpreter:

- 1. Telephonic interpreter services may be used to translate for inmates in the following areas: Internal Perimeter Security ("IPS"), or Departmental investigations or questioning, Booking and Admissions, Health Services Unit ("HSU") (medical), Classification Boards, Inmate Grievances and Disciplinary Hearings. If an inmate requests an interpreter or correctional or medical staff believe the use of an interpreter is necessary, then the telephonic interpreter service shall be utilized. This policy does not prevent IPS or Department investigators from utilizing bilingual staff to interview inmates if the situation does not

lend itself to the use of the telephonic interpreter service during the course of an investigation.

2. Inmates shall not be used as interpreters for other inmates in any of the areas listed in paragraph 1 above.
3. The Commissioner's letters, attachments A and B, shall be posted in the following areas: All housing units, booking and admission, classification and disciplinary board rooms, HSU waiting areas and other areas where medical services are provided. Attachments A and B shall be permanently affixed to the wall and where possible affixed behind Plexiglas.
4. The telephonic interpreter service information shall be provided during the standard introduction at classification boards, disciplinary hearings, and the booking and admissions process. The telephonic interpreter service information shall be included in all facilities' inmate orientation manuals.
5. IPS, Booking and Admissions, HSU (medical), classification boards and disciplinary hearings shall have a telephone available with speakerphone capability.
6. The telephonic interpreter service shall be available for use by the Institutional Grievance Coordinators when conducting interviews.
7. Each facility shall offer the service to non-English speaking visitors as well as individuals that call the facility by telephone seeking information.

488.04 STAFF TRAINING

Each superintendent/designee shall ensure that staff assigned to the areas listed in paragraph 488.02 are trained how to access the telephonic interpreter service and how to use the service when working with non English-speaking inmates.

488.05 INMATE REQUEST FOR TELEPHONIC INTERPRETER - GUIDELINES FOR STAFF

The following guidelines are the preferred method for an inmate to request telephonic interpreter services. However, an inmate's failure to adhere to these guidelines shall not be reason to deny the use of the telephonic interpreter service.

Classification Boards - The inmate shall submit a written request (in English or Spanish) for telephonic interpreter service to his/her Correctional Program Officer forty-eight (48) hours prior to the classification board.

Disciplinary Hearings - The inmate shall submit a written request (in English or Spanish) for telephonic interpreter service to the Institution Disciplinary Officer. It shall be the inmate's responsibility to request such assistance within a reasonable time prior to the scheduled hearing.

HSU, IPS, and Booking and Admissions - A request for Telephonic Interpreter Service in these areas can be oral and directed to the appropriate person.

488.06 DOCUMENTING USE OF TELEPHONIC INTERPRETER SERVICE

Each Superintendent or designee shall ensure that Correctional or medical staffs who use the telephonic interpreter service document each use in the following manner:

Booking and Admissions - note the use of the service in the Inmate Management System (IMS) booking/intake comments section of the Inmate Data screen.

Classification Boards - note the use of the service in the "board rationale" field on the board recommendation tab of the Classification Recommendation/Results screen (IMS).

Disciplinary Hearings - note the use of the service shall be noted in the "sanction rationale" field on the Disciplinary Hearing screen.

Inmate Grievances - note the use of the service in the Investigative Comments screen (IMS).

Medical Staff - Note the use of the service in the progress notes by the health care provider who saw the inmate.

IPS - Note the use of the service in an appropriate investigative memorandum.

488.07 DISSEMINATION OF INFORMATION

Each institution shall develop procedures to ensure that whenever information is disseminated to the inmate population via any medium that it also provides the information in the same or similar medium in languages that

are regularly encountered (see definition section 103 DOC 488.01 of this policy).

488.08 COMPLAINTS

Complaints alleging violations of 103 DOC 488.00 shall be grieved via 103 CMR 491.00 Inmate Grievances, the Department's Inmate Grievance process. Whenever an Institutional Grievance Officer receives a grievance regarding an allegation of a violation of 103 DOC 488.00 he/she shall notify the Department's Language Access Coordinator of the grievance and may consult with him/her in determining the grievance's resolution.

488.09 MONITORING

Each Superintendent shall ensure compliance with this policy at his/her institution.

488.10 EMERGENCIES

Whenever, in the opinion of the Commissioner or designee, or the Superintendent of a state correctional facility, an emergency exists which requires suspension of all or part of this policy, the Commissioner or designee or the Superintendent may authorize such suspension, provided that any suspension lasting more than forty eight (48) hours must be approved by the Commissioner.

ATTACHMENT A

TO: All Inmates

FROM: Ronald T. Duval, Acting Commissioner

DATE: November 18, 2010

RE: Telephonic Interpreter Service for non-English speaking inmates

The Department of Correction has contracted a service provider to provide over-the-phone interpretation, twenty-four (24) hours a day, seven days (7) a week. This service can provide translation of 140 different languages to any non-English speaking inmate.

This service shall only be used by use of speaker telephones in the following areas whenever an inmate claims that he/she does not speak and/or understand English.

- (1) IPS and Departmental Investigations
- (2) Booking and Admissions
- (3) HSU
- (4) Classification Boards
- (5) Disciplinary Hearings
- (6) Grievance Interviews

A claim that you do not speak and/or understand English can be made as follows:

Classification Boards - submit a written request (in English or Spanish) for Telephonic Interpreter Service to your unit manager or correctional program officer forty-eight (48) hours prior to the classification board.

Disciplinary Hearings- submit a written request (in English or Spanish) for Telephonic Interpreter Service to the Institution Disciplinary Officer or your Correctional Program Officer forty-eight (48) hours prior to the date scheduled for the hearing.

HSU, IPS/ Departmental Investigators, Grievance Investigators and Booking and Admissions - request for Telephonic Interpreter Service in these areas can be oral and directed to the appropriate person in these areas.

PARA: Todos los Confinados/Presos
DE: Ronald T. Duval, Comisionador Interino
FECHA: 17 de Noviembre del 2010
RE: Servicio de Intérpretes Telefónico para confinados o presos que no hablan inglés

El Departamento de Corrección a contratado un servicio telefónico, para proveer a través del teléfono servicios de interpretación ofrecido veinticuatro (24) horas al día los siete (7) días de la semana. Este servicio provee traducciones en 140 lenguajes diferentes para cualquier preso que no hable inglés.

Este servicio será usado solamente a través de teléfonos equipados con sistema de parlante/altavoz en los siguientes lugares cuando un preso declara que él/ella no habla y/o no comprende inglés.

- (1) Oficina de la Seguridad Interna Del Perímetro (IPS)
- (2) Procesamiento de Entrada (Booking and Admissions)
- (3) Departamento de Servicios de Salud (HSU)
- (4) Paneles de Clasificación (Classification Boards)
- (5) Audiencias/Vista Disciplinarias (Disciplinary Hearings)
- (6) Entrevista de Querellas (sobre quejas) (Grievance Interviews)

Para declarar que usted no habla y/o no entiende suficiente inglés y requiere un interprete necesita hacer lo siguiente:

Paneles de Clasificación- Debe presentar una petición escrita solicitando un intérprete al Director de su unidad o al Oficial de Programa Correccional 48 horas, antes de su entrevista con el Panel de Clasificación (en inglés o en español).

Para Audiencias/Vista Disciplinarias- Debe presentar una petición escrita (en inglés o en español) solicitando un intérprete al Director de su unidad o al Oficial Institucional de Disciplina o a su Oficial de Programa Correccional 48 horas antes de la fecha de su cita para su audiencia.

Peticiones para un intérprete durante visitas a HSU, IPS, o Booking and Admissions- pueden ser orales y dirigidas a la persona apropiada en estas areas.