DEPARTMENT OF CORRECTIONS

Policy Number:	**203.255**
Title:	**Limited English Proficiency**
Effective Date:	**9/18/25**

PURPOSE: To provide language access and meaningful participation in programming and services to incarcerated people/residents in the Minnesota Department of Corrections whose primary language is not English and/or who has limited English proficiency (LEP).

APPLICABILITY: All Minnesota Department of Corrections Correctional Facilities.

DEFINITIONS:

Direct communication – monolingual communication between two people who share a preferred language other than English (for example, 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.

Multilingual Incarcerated People – the ability to speak two or more languages fluently and to communicate directly and accurately in both English and other languages.

Meaningful Access – language assistance that ensures clear, timely, and accurate communication.

Limited English Proficiency (LEP) Individuals – people who do not speak English as their primary language and others who have a limited ability to read, speak, write, or understand English.

Primary Language – the language in which an individual is most effectively able to communicate.

Translation – the replacement of written text from one language into an equivalent written text in another language.

PROCEDURES:

A. General Language Access Guidelines

1. Staff must ensure incarcerated people/residents with limited English proficiency (LEP) receive meaningful language access to all programs, services, and information within a correctional facility.

2. Staff must provide documentation of an incarcerated person's preferred language, if available, in the 'Acess' tab of COMS.

3. An informational flyer on LEP (attached) should be posted in each facility's common areas where all staff and incarcerated people/residents are likely to see it and become aware of the policy and the procedures for requesting language services.

B. Intake, Orientation, and Screening

1. At intake, staff must screen each incoming incarcerated person/resident and request the person to self-identify their primary language. This information should be documented in COMS under the Intake tab.

2. Upon intake, if there is an apparent language barrier, the intake staff can use I Speak cards (link attached) or review court documents to identify the incarcerated person's primary language.
   a) All intake and orientation documents will be provided to each incarcerated person/resident in their primary language, if available.

   b) Staff will use interpretation services to go over all intake and orientation documents and rules of the facility, if needed.

   c) Language translation may be in oral or written format.

C. Request for Language Services

1. Incarcerated people may ask any staff person for language assistance.

2. Staff members may consult various tools (see attachments below) to secure assistance.

3. Language services provided should be documented in the Access tab in COMS. Recommended language: *Language interpretation provided in (insert language)*.

D. Providing Language Assistance

1. Staff must make reasonable efforts to offer language assistance to incarcerated people/residents when communicating about day-to-day proceedings and instructions.

2. Bilingual or multilingual incarcerated people/residents or staff may not provide interpretation in cases where there is potential to share sensitive information but may where emergency situations call for it.

3. Required categories of documents to be translated:
   a) Intake materials, including anything required in the prison rape elimination act (PREA);
   b) The universal policy manual;
   c) Facility specific manuals; and
   d) Policy attachments that need to be filled out by incarcerated people.

4. Staff should make attempts to arrange professional interpretative services when conducting large-scale communication events and mandatory situations, including but not limited to the following:
   a) Reception/orientation/transfer and classification processes;
   b) Medical/dental/mental health visits;
   c) Discipline hearings/proceedings;
   d) Educational programming;
   e) Transitional programming;
   f) Religious services;
   g) Facility-sanctioned events;
   h) Supervised release revocation proceedings;
   i) Case management;
   j) Therapeutic programming;
   k) Assignment interviews;
   l) Security interviews; and
   m) PREA education and investigations.

E. Transfers

1. Staff must notify the transfer coordinator of any language barrier and the person's preferred language when requesting that an incarcerated person be transferred to another facility.

2. Language barriers must be documented in the transfer request to notify the receiving facility.

F. Staff Training

Intake staff, case managers, and transfer coordinators must be trained annually on this policy, including how and when incarcerated people/residents are notified of the agency

LEP policy, how to offer it and obtain it in accessible formats, how to connect with translation and interpretive services, and how to share information during transfers if the incarcerated person/resident requires LEP services.

INTERNAL CONTROLS:

A. Language and translation needs are documented in COMS tabs: Intake, Access, Case Management, Health Services, Release and Reentry.

B. Each incarcerated person's/resident's preferred language should be documented in COMS under the Access tab.

State Correctional Facility Security Audit Standards: None

REFERENCES: Minnesota Enterprise Translations Office
Policy 303.100, "Grievance Procedure"
Policy 103.302, "Harassment and Discrimination Prohibited"

REPLACES: All facility policies, memos, or other communications whether verbal, written, or transmitted by electronic means regarding this topic.

ATTACHMENTS: I Speak card (203.255A)
Incarcerated Person/Resident Request for Language Translation Services Request Form (203.255B)
Incarcerated Person/Resident Request for Language Translation Services Flyer (203.255C) (Spanish version of 203.255C) (Hmong version of 203.255C) (Somali version of 203.255C) (French version of 203.255C)
Language Access Memo (203.255E)
Language Line Instructions (203.255F)

APPROVAL:
Commissioner of Corrections