

Nevada Department of Sentencing Policy Language Access Plan (DRAFT)

I. Purpose and Authority

Nevada's Senate Bill 318 (SB318) and the federal guidance on Title VI both agree that language should not be a barrier to accessing governmental programs and services. As SB318 states, "Persons with limited English proficiency require and deserve meaningful, timely access to government services in their preferred language." Moreover, it makes it clear that it is the responsibility of government to provide that access:

State and local agencies and entities that receive public money have an obligation to provide meaningful, timely access for persons with limited English proficiency (LEP) to the programs and services of those agencies and entities.

The Nevada Department of Sentencing Policy (NDSP) is committed to compliance with SB318 and Title VI of the Civil Rights Act of 1964, 2 C.S. § 561 et seq. (Act 172 of 2006) in ensuring meaningful access to State services and programs for individuals with limited English proficiency.

The purpose of this Language Access Plan (LAP) is to establish a reasonable and effective plan and protocol when providing services to, or interacting with, LEP individuals. Following this plan and protocol will ensure Nevada Department of Sentencing Policy is inclusive as it strives to meet its mission and statutory requirements.

Mission: Promote an equitable and reliable criminal justice system by providing reliable criminal justice data, practical fiscal analysis, and comprehensive policy resources to lawmakers, stakeholders, and the public to ensure Nevada's sentencing and corrections policies and the Nevada criminal justice system as a whole are effective, data-driven, and resource sensitive.

Statutory requirements: NRS 176.01323 - NRS 176.01327

II. General Policy

Nevada Department of Sentencing Policy recognizes that LEP individuals may contact the agency for data or other services, and Department of Sentencing Policy is committed to ensuring meaningful access to LEP individuals. This LAP applies to all Nevada Department of Sentencing Policy programs and services. Nevada Department of Sentencing Policy will use the following procedures to ensure that LEP individuals can gain equal access to the Department of Sentencing Policy's services and communicate effectively.

- Nevada Department of Sentencing Policy will take all reasonable steps to provide LEP individuals with meaningful access to its services.

- Staff at the initial points of contact have the specific duty to identify and record language needs.
- No staff may suggest or require that a LEP individual provide an interpreter in order to receive agency services and the agency, rather than the LEP individual, bears the responsibility for providing appropriate language services, regardless of the LEP individual's preferred language, at no cost to the LEP individual.

Nevada Department of Sentencing Policy's Language Access Coordinator:

Jose Sepulveda, Management Analyst, JoseSepulveda@NDSP.nv.gov, 775-684-7378

The NDSP Language Access Coordinator will review and update (if needed) the Department of Sentencing Policy's LAP biennially. All Department of Sentencing Policy's staff will report language access needs to the Language Access Coordinator.

III. Profile of Nevada Department of Sentencing Policy's LEP Clients

The Nevada Department of Sentencing Policy is committed to tracking the languages preferred for communication with potential LEP clients so that we can better provide meaningful, timely access to our services and programs without regard to any language impediments.

The Nevada Department of Sentencing Policy will maintain a database of LEP individuals that contact the agency to request information. The agency does not currently know how many of the individuals that request information are LEP or requested translation or American Sign Language services. It is unknown if any of these individuals identify as Indigenous or Refugee. In the agency's history, The Nevada Department of Sentencing Policy has never had a request for translation or American Sign Language services from LEP individuals.

IV. Nevada Department of Sentencing Policy Language Access Services and Procedures

The Nevada Department of Sentencing Policy does not have any known LEP clients; therefore, does not have full-time or on-demand language access services. Any future language access needs will be addressed in the following manner:

Oral/Sign Language Services: The Nevada Department of Sentencing Policy does not have employees that are trained or certified to provide language services. If the need arises, the Department of Sentencing Policy will contract with a State-approved vendor for oral and sign language services. The Department of Sentencing Policy will use the list of approved vendors located on the Department of Administration's Purchasing Division website. https://purchasing.nv.gov/Contracts/Documents/Translation_Interpretation/

Written Language Services: The Nevada Department of Sentencing Policy does not have employees that are trained or certified to provide written language services in languages other than English. If the need arises, the Department of Sentencing Policy will contract with a

State-approved vendor for written language services. The Department of Sentencing Policy will use the list of approved vendors located on the Department of Administration's Purchasing Division website.
https://purchasing.nv.gov/Contracts/Documents/Translation_Interpretation/

Community Outreach and Engagement: The Nevada Department of Sentencing Policy does not have employees that are trained or certified to provide language services in-house for languages other than English. The Department of Sentencing Policy will take steps to publicize the availability of language access services on the <https://sentencing.nv.gov> website. The Nevada Department of Sentencing Policy will utilize translation services from approved vendors to produce information pamphlets and handouts when requested. The Nevada Department of Sentencing Policy will provide resources for its staff to improve their cultural competency and ability to work with diverse groups by utilizing the educational materials and tools on the Nevada Department of Health and Human Services' (DHHS) Cultural Literacy Strategies website. <https://dhhs.nv.gov/Programs/CHA/MH/Toolkit/culturalliteracystrategies/>

V. Implementing NDSP's Language Access Services

If language access services are requested, employees will inform the NDSP Language Access Coordinator. The Language Access Coordinator will take the appropriate steps as outlined in this document to secure a qualified person to provide the needed service(s).

Language Access Procedures

Accessing Appropriate Oral/Sign Language Services: If oral/sign language services are needed, employees will inform the Nevada Department of Sentencing Policy Language Access Coordinator. The Language Access Coordinator will secure a qualified person to provide the needed service by utilizing the list of approved vendors located on the Department of Administration's Purchasing Division website https://purchasing.nv.gov/Contracts/Documents/Translation_Interpretation/.

Accessing Appropriate Written Language Services: If written language services are needed, employees will inform the Nevada Department of Sentencing Policy Language Access Coordinator. The Language Access Coordinator will secure a qualified person to provide the needed service by utilizing the list of approved vendors located on the Department of Administration's Purchasing Division website https://purchasing.nv.gov/Contracts/Documents/Translation_Interpretation/.

Language Services Quality Assurance: The Nevada Department of Sentencing Policy is committed to ensuring that all language service providers it uses are qualified and competent to provide those services. The Nevada Department of Sentencing Policy will secure qualified professionals by utilizing the list of approved vendors located on the Department of Administration's Purchasing Division website https://purchasing.nv.gov/Contracts/Documents/Translation_Interpretation/.

Staff Training Policies and Procedures: The Nevada Department of Sentencing Policy ensures that its staff are familiar with this LAP. All staff will inform the Nevada Department

of Sentencing Policy Language Access Coordinator if language access services are requested. The Nevada Department of Sentencing Language Access Coordinator will periodically remind staff about the LAP and the agency's responsibility to provide language access if requested.

VI. Evaluation of and Recommendations for Nevada Department of Sentencing Policy's Language Access Plan

The Nevada Department of Sentencing Policy is committed to monitoring the performance of the above policies, procedures, and resources to ensure that its LAP is responsive to the needs of both the Nevada Department of Sentencing Policy and the people it serves. The Nevada Department of Sentencing Policy will review, evaluate, and update (if needed) its LAP biennially.

Processes for Monitoring and Evaluation

Parties Responsible for LAP Maintenance: The Nevada Department of Sentencing Policy Language Access Coordinator will be responsible for reviewing and updating (if needed) the Departments LAP biennially.

Criteria and Methods for LAP Evaluation: In the history of the agency, language access has not been a barrier to doing business and the agency has never had a request for translation services. Based on this history the Nevada Department of Sentencing Policy will track its LAP's performance by documenting the number of requests for language access services using a database.

Evaluation Outcomes and Proposed Changes

Performance Monitoring Data: To date, the Nevada Department of Sentencing Policy has not received any requests from any individuals who were LEP; therefore, no language access services have been needed.

Proposed LAP Revisions: This is the first LAP that the Nevada Department of Sentencing Policy has prepared. Therefore, there are no proposed revisions.

Proposed Budgetary Implications: Based on the lack of need for language access services in the past, the Nevada Department of Sentencing Policy does not foresee the need for significant funding for language access services in the FY24/25 biennium. Funding will be needed; however, to provide a translation button on the agency website, it is likely that this can be accomplished under the agency's current website maintenance contract.