



STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONS

APPLICABILITY
PRISON/REENTRY/FIELD
FACILITY/SPANISH MANUALS

REVISION DATE
12/20/21

PAGE NUMBER
1 of 6

NUMBER
DOC 450.500

POLICY

TITLE
**LANGUAGE SERVICES FOR LIMITED ENGLISH
PROFICIENT INDIVIDUALS**

REVIEW/REVISION HISTORY:

Effective: 1/11/99
 Revised: 5/17/00
 Revised: 11/24/04
 Revised: 1/24/07
 Reviewed: 7/18/08
 Revised: 6/21/09
 Revised: 1/24/11
 Revised: 11/1/11
 Revised: 9/10/12
 Revised: 1/14/13
 Revised: 8/4/20
 Revised: 12/20/21

SUMMARY OF REVISION/REVIEW:

Updated terminology throughout
 Added I.H. that a VRI is available for medical emergencies/urgent issues
 II.C.2.a. - Adjusted language for clarification


APPROVED:

Signature on file

CHERYL STRANGE, Secretary
 Department of Corrections

12/6/21

 Date signed

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REFERENCES:

DOC 100.100 is hereby incorporated into this policy; [WAC 137-28](#); [WAC 137-32](#); DOC 450.100 Mail for Individuals in Prison; DOC 500.000 Education and Vocational Programs in Prisons; DOC 820.450 Dual Language Staffing, Certification, and Compensation; [Statewide Orientation Handbook](#)

POLICY:

- I. The Department will provide oral interpretation (i.e., telephonic, in-person, video remote) and written translation services through Department and/or contract services at all facilities. The Department will also provide guidelines for interpretation and translation services for Limited English Proficiency (LEP) individuals under the Department’s jurisdiction.

DIRECTIVE:

- I. General Requirements
 - A. Documents, policies, forms, and handouts available in Spanish are identified in Attachment 1.
 - B. Translation/interpretation services will only be provided through Department-certified dual language employees/contract staff per DOC 820.450 Dual Language Staffing, Certification, and Compensation or approved Interpretation Vendors located on the Department’s internal website.
 1. Employees/contract staff will not use internet and/or machine translations (e.g., Babelfish, Google Translate).
 2. Employees/contract staff must not translate the content of any legal documents.
 3. Department-certified dual language employees/contract staff may interpret for:
 - a. General infraction hearings in Prison, as long as the employee/contract staff was not involved in the general infraction process. Only contract interpreters will interpret for serious infraction hearings.
 - b. An individual’s first low level violation in the community through a stipulated agreement, as long as the employee/contract staff was not involved in the violation process.



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4. Employees/contract staff providing interpretation services for general infraction hearings/stipulated agreements will sign DOC 17-086 Department Interpreter Authorization for General Infraction Hearings/Stipulated Agreement.
- C. An employee will be designated as the LEP Coordinator for each:
1. Prison by the Superintendent,
 2. Reentry Center by the Community Corrections Supervisor (CCS), and
 3. Section by the Field Administrator.
- D. Information about how to access language services (e.g., health services, resolution program) will be provided to individuals during orientation and is contained in the Statewide Orientation Handbook.
1. Orientation in Prisons and Reentry Centers will be provided to non-English speaking individuals by Department-certified dual language employees/contract staff or through a Spanish version approved by Headquarters.
 - a. Other languages (e.g., sign language) may be provided through a Department contracted in-person interpreter.
- E. Each facility/office will schedule interpreters from the approved vendor list and process using DOC 05-827 Contract Language Interpreter Appointment Record.
- F. In Prisons, mail that is not in English will be handled per DOC 450.100 Mail for Individuals in Prison.
- G. In Reentry Centers, mail that is not in English will be translated by an employee or contract staff or sent for translation per the available contract at the discretion of the CCS.
- H. Health Services will use a certified contracted medical interpreter. If one is unavailable or there is a medical emergency, a Department interpreter may be used.
1. Department-certified interpreters/translators may translate health services kites.
 2. A Video Relay Interpreter (VRI) is available for medical emergencies or urgent issues after hours/weekends/holidays if a certified or contract interpreter is unavailable for individuals requesting American Sign Language (ASL).



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- I. Within available resources, non-English speaking individuals in Prison will be provided the opportunity to attend English as a Second Language (ESL) courses per DOC 500.000 Education and Vocational Programs in Prisons.

- II. Interpretation/Translation Services
 - A. Employees/contract staff may request interpretation/translation services through a dual language, certified employee/contract staff or approved vendor when they become aware that a language barrier exists.
 1. Employees/contract staff will review the Personal Characteristics - Languages section in the individual's electronic file to determine if interpreter services are required.
 2. Employees/contract staff are encouraged to use DOC 05-824 Assessment Tool to Determine English Proficiency when there is doubt about the individual's ability to understand, speak, or read English.
 - a. The employee/contract staff will update the individual's electronic file if it is determined that the individual has challenges with English proficiency.

 - B. All Prison Rape Elimination Act (PREA)-related interpretation services will be documented by LEP Coordinators on DOC 16-340 Prison Rape Elimination Act (PREA) Language Log.
 1. The log will be maintained at the facility by the LEP Coordinator.

 - C. Indeterminate Sentence Review Board (Board) Hearings
 1. The case manager will notify the Board using DOC 05-818 Indeterminate Sentence Review Board Interpreter Request/Refusal when an interpreter is needed for an upcoming, in-person Board hearing.
 2. The Board will:
 - a. Submit the official request for an interpreter,
 - b. Notify the applicable LEP Coordinator of the request, and
 - c. Notify applicable Records contacts with interpreter information required for clearance purposes.

 - D. Individuals will be provided with an oral interpretation of the charges for an infraction report/notice of alleged violation, no less than 24 hours in advance of the disciplinary hearing.


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- E. An interpreter may be provided to an individual who does not speak/understand English or identified as having a speech disability or a hearing impairment for disciplinary and Administrative Segregation Reviews.
 - 1. For individuals who do not speak understand English, employees will use DOC 05-113 Request for Interpreter.
 - 2. For individuals who have a hearing impairment requiring an interpreter, employees will request ASL interpreter services through the Deaf Services page on the Department's internal website.
 - 3. For individuals with a speech disability, in addition to requesting an interpreter, the facility Americans with Disabilities Act (ADA) Coordinator will be contacted to determine if accommodations are needed and/or available.
- F. Assistance for writing an appeal to the Superintendent/CCS will be provided to illiterate, non-English speaking individuals to the same extent it is provided to English speaking individuals.

III. Incarcerated Individuals Requesting Interpretation/Translation Services

- A. Individuals may request interpretation/translation services by:
 - 1. Making a verbal request to any employee/contract staff, or
 - 2. Using DOC 21-473 Kite.
- B. If a non-English speaking individual in Prison requests translation of legal documents, employees/contract staff will use DOC 09-065 Notice of Significant Legal Document, identifying only the title or nature of the legal notice.
- C. Incarcerated individuals may only request interpretation/translation services from other individuals for unit concerns and other general purposes.
 - 1. The requester must complete DOC 05-666 Request for Interpretation/ Translation by an Incarcerated Individual to confirm that the individual understands and agrees that the Department is not responsible for the content and not liable for any error.
- D. Incarcerated individuals will not use interpretation/translation services from other incarcerated individuals for any purposes listed in Attachment 2.

IV. Denial of Interpretation/Translation Services

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- A. The Superintendent, Reentry Center CCS, or Field Administrator can deny interpretation/translation services to individuals who demonstrate a pattern of abuse of the materials, services, and/or programs. Before access can be denied, the abuse must be documented and:
1. The Superintendent, CCS, or Field Administrator must provide a written document specifying what interpretation/translation services are being denied (e.g., timeframe, content, source) and will ensure adequate legal access is maintained.
 - a. A copy of the denial will be sent to the individual and scanned into the individual's electronic imaging file.
 - b. The Superintendent, CCS, or Field Administrator will notify the LEP Coordinator.
 2. In the event the individual is transferred to another facility, the receiving facility's Appointing Authority will review the denial from the previous facility and continue, modify, or discontinue the restriction.

DEFINITIONS:

Words/terms appearing in this policy may be defined in the glossary section of the Policy Manual.

ATTACHMENTS:

Documents Available in Spanish (Attachment 1)
 Unauthorized Use of Incarcerated Individual for Interpretation/Translation Services (Attachment 2)

DOC FORMS:

DOC 05-113 Request for Interpreter
 DOC 05-666 Request for Interpretation/Translation by an Incarcerated Individual
 DOC 05-818 Indeterminate Sentence Review Board Interpreter Request/Refusal
 DOC 05-824 Assessment Tool to Determine English Proficiency
 DOC 05-827 Contract language Interpreter Appointment Record
 DOC 09-065 Notice of Significant Legal Document
 DOC 16-340 Prison Rape Elimination Act (PREA) Language Log
 DOC 17-086 Department Interpreter Authorization for General Infraction Hearings/Stipulated Agreement
 DOC 21-473 Kite