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## Maine Department of Public Safety Methods of Administration for Civil Rights Compliance

The Maine Department of Public Safety is responsible to ensure its subrecipients of federal funds, including subrecipients implementing funding from the U. S. Department of Justice (DOJ), comply with the following federal nondiscrimination statutes.

- The Omnibus Crime Control and Safe Streets Act of 1968 as amended, which prohibits discrimination on the basis of race, color, national origin, religion, or sex, in Office of Justice Programs (OJP), Office of Community Oriented Policing Services (COPS), and some Office on Violence Against Women (OVW) funded programs or activities.
- Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color or national origin in OJP, COPS, and OVW funded programs or activities
- Section 504 of the Rehabilitation Act, which prohibits discrimination on the basis of disability in OJP, COPS, and OVW funded programs or activities.
- Section 1407 of the Victims of Crime Act (VOCA), which prohibits discrimination on the basis of race, color, national origin, religion, sex, or disability in VOCA funded programs or activities.
- Title II of the Americans with Disabilities Act of 1990, as it relates to discrimination on the basis of disability in OJP, COPS, or OVW funded programs or activities.
- Title IX of the Education Amendments of 1972 as it relates to discrimination on the basis of sex in OJP, COPS, and OVW funded training or educational programs.
- The Age Discrimination Act of 1975 as it relates to services discrimination on the basis of age in OJP, COPS, or OVW funded programs or activities.
- Nondiscrimination regulations at Title 28 and Title 34 of the Code of Federal Regulations.

## Purpose

It is the policy of the Maine Department of Public Safety (DPS) that each program or activity which receives federal funding that it directly operates, or that contractors, vendors, or subrecipients operate will not exclude, deny benefits to, or otherwise discriminate against any person in the admission to, participation in or receipt of services or benefits or in employment practices on the basis of race, color, national origin, age, religion, disability, sex and the relevant categories set forth in federal law regarding the specific program area.

The following grants are affected by this policy:

1. STOP Violence Against Women formula Grant
2. Byrne Justice Assistance Grant
3. Residential Substance Abuse Treatment
4. Project Safe Neighborhoods
5. Coverdell Forensic Science Grant
6. Grants to Encourage Arrest
7. Other federal grant programs

## Subrecipient Compliance Obligations

1. Subrecipients must have procedures in place for responding to discrimination complaints from clients, program participants, and employees. These procedures should include:
  - a. Investigating the complaint internally, or forwarding the complaint to the Maine Department of Public Safety Complaint Coordinator, the Office for Civil Rights (OCR), or another appropriate external agency such as the Maine Human Rights Commission;
  - b. Notifying the DPS Complaint Coordinator of any discrimination complaint that is not referred to the DPS; and
  - c. Notifying the complainant that he/she may file a complaint directly with the DPS Complaint Coordinator or the OCR.
2. Subrecipients must provide public notice of these complaint procedures, such as by posting signage in places of public contact and referencing the procedures in program materials.
  - a. Staff is trained on civil rights policies to ensure that civil rights protections are in effect for their clients and employees.
3. **DPS Policy for Addressing Discrimination Complaints**

Under the DPS process, any individual may file a complaint of discrimination generally within 180 days of the date of the incident. Any DPS employee receiving such a complaint shall request that the individual complete a written complaint and submit it to the DPS Complaint Coordinator. The DPS Complaint Coordinator, as explained above, is the authorized individual for processing, investigating and forwarding complaints to OCR. The DPS Complaint Coordinator will conduct an internal investigation, forward the complaint to another appropriate agency within the state or forward it to OCR for investigation. In addition, OCR will be notified of complaints regardless of which agency conducts the investigation. The DPS Complaint Coordinator will then follow up with the original complainant regarding the outcome of the complaint.

  - a. The DPS policy designates the DPS Complaint Coordinator as the individual responsible for the coordination of civil rights activities, to include complaints.
  - b. The Maine Department of Public Safety has two policies that address responding to complaints alleging discrimination by a DOJ-funded subrecipient. These policies apply to complaints involving all subrecipients and their sub-contractors, who receive federal funds for programs/services/activities under contract/grant or other agreement through the Maine Department of Public Safety. The Civil Rights Compliance policies are:

- **Policy 23: *Procedures for Responding to Discrimination Complaints from Employees and Applicants of the Maine Department of Public Safety's Subrecipients.*** This addresses civil rights complaints in employment practices.
  - **Policy 24: *Procedures for Responding to Discrimination Complaints from Clients, Customers, Program Participants, or Consumers of the Maine Department of Public Safety and the Maine Department of Public Safety's Subrecipients.*** This addresses civil rights complaints in the delivery of services.
- c. These policies are available on the DPS website and distributed to DPS employees and subrecipients. These policies have been codified in our employee policies, a copy of which has been vetted and approved by OCR.
4. **Notifying Subrecipients of Civil Rights Requirements**  
The DPS civil rights compliance requirements are included in our award documentation special conditions (contained in Rider D of the State of Maine's Agreement to Purchase Services) and the DPS website.
5. **Monitoring for Compliance with Civil Rights Requirements**  
This responsibility is accomplished by conducting reviews of subrecipients. The purpose of the review is to ensure subrecipients provide equal access and do not discriminate on the basis of race, color, national origin, sex (gender), religion, disabilities, or age.
- a. Procedures:
1. Subrecipients are identified and notified.
  2. Grant Manager schedules a review with the subrecipient, which will either be an on-site or desk review.
  3. A review checklist is provided to the subrecipient prior to the review and utilized during the on-site or desk review. This review checklist contains questions regarding compliance with applicable civil rights requirements. Copies of the on-site checklist are available by contacting the Grant Coordinator or on the DPS website.
  4. After the on-site review is completed a Letter of Findings is provided to the authorized official.
  5. The Letter of Findings includes the completed on-site checklist with results of each review standard. If violations of the standards exist, corrective action is required and a corrective action plan will be developed by the subrecipient and approved by the Grant Manager. This process culminates when the required corrective actions are completed and validated.
  6. Training Subrecipients on Civil Rights Requirements

The Maine Department of Public Safety trains subrecipients on civil rights requirements by requiring subrecipients to review training presentations located on the OCR's website at <http://www.ojp.usdoj.gov/about/ocr/assistance.htm> or by conducting in-person training sessions on civil rights requirements.

#### Resources

The DPS website has a link <http://www.maine.gov/dps/nondiscrimination/index.html> available as a training and technical assistance resource that includes detailed information on civil rights procedures for employees, subrecipients and client/customers and includes the policies, a training power point and links to the federal OCR website.