

## Where do I send my letter?

Office for Civil Rights  
Office of Justice Programs  
U.S. Department of Justice  
810 Seventh Street N.W.  
Washington, D.C. 20531  
202-307-0690  
TTY number 202-307-2027

Upon receiving your letter of complaint, OCR will determine whether it has merit and whether OCR has jurisdiction to investigate. If so, you and the agency in question will be contacted by OCR to begin the investigation.

OCR will attempt to secure voluntary compliance. In particular situations, OCR may seek individual relief for the complainant(s). However, if appropriate, OCR may seek changes in the policies and procedures of the agency to remedy violations of these laws. If the agency fails to comply, OJP or COPS may suspend or terminate the non-compliant agency's funds.

## What else should I know?

Individuals have a private right of action under some of the above mentioned laws. However, if you choose to file a Safe Streets Act or Age Discrimination Act claim in Federal or State court, you must first file a complaint with OCR. There is no need to first file a complaint with OCR prior to filing a complaint in court under Title VI, Section 504, or the American with Disabilities Act. In addition, if the agency is engaged in a pattern or practice of discrimination, the Attorney General may file suit under the Safe Streets Act, as well as under various other statutes. Although OJP/OCR acts as a neutral investigator in matters brought to our attention, you always retain your right to contact and work with a private attorney to determine if there are claims that may be pursued on your behalf.

You should also be aware that a recipient of Federal funds is prohibited from retaliating against any individual who opposed an unlawful policy or practice, made charges, testified, or participated in any complaint under the Federal civil rights laws that OJP/OCR enforces. If you believe that an OJP or COPS funded agency has retaliated against you, you should immediately contact OCR.

For further information, visit OCR's home page on the Internet (<http://www.ojp.usdoj.gov/ocr>).

**Office of Justice Programs**  
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[www.ojp.usdoj.gov](http://www.ojp.usdoj.gov)

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*Office for Civil Rights*



**CIVIL RIGHTS  
LAWS PROHIBIT  
DISCRIMINATION  
BY AGENCIES THAT  
RECEIVE FEDERAL  
FINANCIAL  
ASSISTANCE**

**The Office of Justice Programs (OJP) and the Office of Community Oriented Policing Services (COPS)** are two of the grantmaking components within the United States Department of Justice. OJP's Office for Civil Rights (OCR) is the designated office responsible for enforcing the Federal civil rights laws that prohibit recipients of OJP or COPS funds from discriminating in employment practices or in the delivery of services to the community.

### **What are the laws that OJP/OCR enforces that protect my civil rights?**

- ◆ 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 OJP and COPS funded programs or activities. (42 U.S.C. § 3789d(c)(1));
- ◆ Section 504 of the Rehabilitation Act, which prohibits discrimination on the basis of disability in OJP and COPS funded programs or activities. (29 U.S.C. § 794);
- ◆ Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color or national origin in OJP and COPS funded programs or activities. (42 U.S.C. § 2000d);
- ◆ Title II of the Americans with Disabilities Act of 1990, as it relates to discrimination on the basis of disability in OJP or COPS funded programs or activities. (42 U.S.C. § 12132);
- ◆ Title IX of the Education Amendments of 1972, as it relates to discrimination on the basis of sex in OJP or COPS funded training or educational programs. (20 U.S.C. § 1681);
- ◆ The Age Discrimination Act of 1975 as it relates to services discrimination on the basis of age in OJP or COPS funded programs or activities. (42 U.S.C. § 6102).

### **What are some agencies that are covered by the Federal civil rights laws enforced by OJP/OCR ?**

OJP and COPS financial assistance can take the form of grants, awards or contracts. Generally, the recipients are state and local governmental entities, non-profit and private organizations, and Indian Tribal governments. Agencies and organizations that receive funding include many of the following:

- ◆ state police agencies
- ◆ local police departments

- ◆ courts
- ◆ prisons
- ◆ juvenile justice agencies
- ◆ other law enforcement programs
- ◆ universities and colleges
- ◆ state and local planning agencies

### **Who is protected by these civil rights laws?**

Generally, employees and beneficiaries of agencies or organizations that receive funding from COPS or OJP are protected by these laws. A beneficiary is anyone who is intended to benefit from the services of the agency that receives Federal funding (generally, members of the public).

### **What are some examples of discrimination that these laws prohibit?**

Although a legal determination of discrimination is based on many factors, some actions that might be considered discriminatory are as follows:

#### *In employment practices*

- ◆ A large state agency with hundreds of employees has never hired a woman in its protective services division, despite the large number of applications received from qualified women.
- ◆ A police department has an assignment policy that results in Asian-American police officers being precluded from gaining promotions.
- ◆ A law enforcement agency refuses to make a sign language interpreter available to a deaf employee during an office staff meeting.
- ◆ A state planning agency refuses a reasonable accommodation of installing a ramp for employees who use wheelchairs.

#### *In delivery of services*

- ◆ A law enforcement agency plans a community policing orientation program without seeking representation from the large African-American community in the service area.
- ◆ A rural sheriff's department stops and interrogates all Hispanic males who drive through the county.

- ◆ A police department fails to provide 911 emergency telephone service to its large non- English speaking population.
- ◆ A correctional facility refuses to provide interpreter services to a deaf inmate for medical appointments or a parole hearing.
- ◆ A correctional facility refuses to make reasonable modifications in its rules restricting food consumption in prison cells that would allow an inmate with diabetes to eat when necessary to keep her blood sugar at an appropriate level.
- ◆ A law enforcement agency fails to provide direct access to 911 emergency telephone services for persons with hearing or speech impairments who use TTY equipment.
- ◆ A law enforcement agency routinely refuses to respond to calls for assistance from an apartment complex of elderly citizens.

### **What should I do if I believe that I have been discriminated against or have information of discriminatory actions taken by agencies that I think may be receiving money from OJP or COPS?**

You may file a complaint by writing a letter to OJP's Office for Civil Rights. You should do this as soon as possible because under some civil rights laws you have only 180 days after the incident to file a complaint.

Your letter should include:

- ◆ Your name, address, telephone number, and your signature. (You may request to have your identity kept confidential). If you are filing on behalf of another person, please include your relationship to the other person. For example, please indicate whether you are a friend, attorney, parent, minister, etc;
- ◆ The name and address of the agency, institution, or department you believe engaged in discrimination. If you know the information, please include the name of the individuals whom you allege committed discriminatory acts;
- ◆ How, why, and when you believe the discrimination occurred. Include as much information as possible about the circumstances and how you feel you or others were treated differently from other people;
- ◆ The names and telephone numbers of any witnesses.