



U. S. Department of Justice

Civil Rights Division

Coordination and Review Section

P.O. Box 66560

Washington, D.C. 20035-6560

No Violation Letter of Findings

TAB 23

FEB 24 1998

CERTIFIED RETURN RECEIPT REQUESTED

Mr.

Re: Complaint Number 171- -

Dear :

This letter is in reference to your complaint received by the U.S. Department of Justice on April 2, 1997, alleging unequal treatment in the participation of services and programs at the County Work camp in . Specifically, your complaint alleged that when you submitted an application for approval into the Arts & Crafts program, you were denied access, and believe that the reason was due to your race.

Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000d et seq., prohibits discrimination on the basis of race, color, and national origin in federally funded programs and activities. The Omnibus Crime Control and Safe Streets Act of 1968, as amended, 42 U.S.C. 3789d(c) prohibits discrimination on the basis of race, color, national origin, sex, or religion by recipients of assistance granted under that act, including grants provided through the Department's Office of Justice Programs and the Office of Community Oriented Policing Services.

The U.S. Department of Justice (DOJ) enforces Title VI and other civil rights statutes and investigates complaints against recipients of financial assistance from DOJ. The Department's recipients include police departments, sheriff's departments, State departments of correction, and other entities.

Subsequent to your original letter, we received a letter dated July 31, 1997, in which you informed us that you were transferred to the _____ Community Service Center, and that your security level was raised from minimum trustee to minimum direct, preventing you from working in the community. Further, you stated that this reclassification and raising of your security level was retribution and intimidation because of your complaint with the Department of Justice.

We investigated your allegations, and sent a data request letter to _____, Commissioner, _____ Department of Correction. We received a response from Mr. _____ and were informed that although your security status was increased from minimum trustee to minimum direct, you will accrue the same amount of sentence credits as you would have as a trustee.

Mr. _____ also explained that you were housed at the _____ County Work Camp long enough for the administrative staff to reclassify you to minimum trustee, but since you moved to another institution, under a different administrative staff, it is customary for offenders to be reclassified until the management of the receiving institution becomes familiar with the new inmate.

The material submitted by Mr. _____ also included a letter from you requesting a transfer to the facility where you are presently housed. Mr. _____ stated that if you follow departmental procedures, the staff and management of the _____ Community Service Center may reclassify you back to minimum-trustee status.

After reviewing all of the submitted materials, we have determined that there are no current violations of Title VI or the antidiscrimination provisions of the Safe Streets Act. Accordingly, we are closing your complaint as of the date of this letter. Please note that the closure of this case does not affect your right to file a complaint with this office in the future. The complaint must be filed within 180 days of the alleged discrimination.

Under the Freedom of Information Act, it may be necessary to release this information and related correspondence and records upon request. In the event that we receive such a request, we will seek to protect, to the extent provided by law, personal information which, if released, could constitute an unwarranted invasion of privacy.

You should be aware that no one may intimidate, threaten, coerce, or engage in other discriminatory conduct against anyone because he or she has taken action or participated in an action to secure rights protected by the Safe Streets Act. Any individual alleging such harassment or intimidation may file a complaint with the Department of Justice. We would investigate such a complaint if the situation warrants.

If you have any questions regarding this letter, please contact Mr. Richard Waters at the Coordination and Review Section, Civil Rights Division, Department of Justice, P.O. Box 66560, Washington, D.C. 29935-6560, and reference the Department of Justice complaint number cited at the beginning of this letter.

Sincerely,

Merrily A. Friedlander

Merrily A. Friedlander
Chief
Coordination and Review Section
Civil Rights Division