



STATE OF MAINE
Department of Public Safety
Office of the Commissioner

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GOVERNOR

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TO: DPS Federally Funded Subrecipients, Contractors, and Vendors
FROM: Tracy Poulin, Senior Planner
SUBJ: Civil Rights Obligations

The Maine Department of Public Safety adopted two policies that address civil rights responsibilities. These requirements apply to 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.

Most of you already have policies that address civil rights. The only changes that the DPS policies make is that your policy needs to include DPS in the notification of any discrimination complaint that is not referred to the DPS by your clients, potential clients, and employees. All need to be aware that they can contact DPS with a civil rights complaint. A complaint form is included in the policies.

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.

The DPS website now has a link <http://www.maine.gov/dps/policy/documents/civil-rights-letter-to-subrecipients.pdf> available as a resource. This link includes the policies, a training power point and resources. You can include this link on your website.

The following grants are affected by this policy:

1. STOP Violence Against Women formula Grant

OFFICE LOCATED AT: 45 COMMERCE DRIVE, SUITE 1, AUGUSTA, ME 04333

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

Purpose

It is the policy of DPS that each program or activity which receives federal funding that it directly operates, or that contractor and vendors 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 .

Subrecipient Compliance Obligations

1. Subrecipients should have procedures in place for responding to discrimination complaints from clients, beneficiaries, 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 should provide public notice of these complaint procedures, such as by posting signage in places of public contact and referencing the procedures in program materials.
3. Staff is trained on civil rights policies to ensure that civil rights protections are in effect for their clients and employees.

Statutes and Regulations

Civil Rights enforcement responsibilities are derived from civil rights requirements contained in the following several nondiscrimination statutes and regulations:

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](#) and [28 C.F.R. §42.201 et seq.](#))

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](#) and [28 C.F.R. §42.101 et seq.](#))

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](#) and [28 C.F.R. § 42.501 et seq.](#))

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. ([42 U.S.C. § 10604](#))

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](#) and [28 C.F.R. Pt. 35](#)).

Title IX of the Education Amendments of 1972, as it relates to discrimination on the basis of sex in OJP and COPS funded training or educational programs. ([20 U.S.C. § 1681](#) and [28 C.F.R. pt 54](#)).

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](#) and [28 C.F.R. § 42.700 et seq.](#))

Resources

DPS Complaint Coordinator	<p>Department of Administrative & Financial Services, Security & Employment Service Center <i>Attn:</i> Ms. Michaela Loisel, Equal Employment Opportunity Coordinator 45 Commerce Dr., Suite 4 Augusta, ME 04333-0108</p> <ul style="list-style-type: none"> ▪ Office telephone number: 207.623.6735 ▪ E-mail address: michaela.t.loisel@maine.gov
Maine Human Rights Commission	<p>Maine Human Rights Commission, 51 State House Station, Augusta, ME 04333-0051 http://www.maine.gov/mhrc/</p>
Office on Civil Rights, Office of Justice Programs, U. S. Dept. of Justice	<p>Office for Civil Rights Office of Justice Programs U.S. Department of Justice 810 7th Street, NW Washington, DC 20531 http://www.ojp.usdoj.gov/about/ocr/complaint.htm</p>
U.S. Equal Employment Opportunity Commission	<p>1-800-669-4000 1-800-669-6820 (TTY) info@eoc.gov</p>